

REGULAR MEETING  
FRANKFORT BOARD OF COMMISSIONERS

July 25, 2016  
5:00 P.M. (EDT)

PRESENT: Commissioner Tommy Z. Haynes  
Commissioner John R. Sower  
Commissioner Robert E. Roach  
Commissioner Lynn Bowers  
Mayor William I. May, Jr. (5)

ABSENT: None

Mayor May called the meeting to order. The invocation was given by Reverend Jack Brewer. The Pledge of Allegiance was recited.

It was moved by Commissioner Bowers, seconded by Commissioner Roach, that the minutes of the June 13, 2016 Work Session; June 20, 2016 Special Regular Meeting and June 23, 2016 Special Meeting be approved with minor changes as suggested by Commissioner Bowers. The question was put upon the motion, and the roll called. Those voting in favor of the motion were Commissioners Haynes, Sower, Roach, Bowers, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

Mayor May called for citizens comments.

#### **Citizens Comments**

Joy Jeffries, Executive Director of the Frankfort/Franklin County Tourist & Convention Commission, addressed the Commission. Ms. Jeffries said thank you to the Commission for their support and expressed her appreciation for all City Staff and Departments that always help, no matter what the request may be.

EMS Director, Steve Clark, retired from the Fire Department with 21 years and 10 months of service. The following employees of the Fire Department were promoted: Patrick Clayton was promoted from Sergeant/Paramedic to Captain; Mark Traylor was promoted from Sergeant/Paramedic to Captain; Edward Gilchrist was promoted from Sergeant/EMT to Captain; Jonathan Mitchell was promoted from Firefighter II/Paramedic to Sergeant; Johnny Carpenter was promoted from Firefighter II/Paramedic to Sergeant; Kehl Hilbert was promoted from Firefighter III/Paramedic to Sergeant. Mayor May and Chief Eddie Slone offered congratulations to each firefighter for their accomplishments and thanked their families for continued support.

#### **Ordinances**

“AN ORDINANCE AMENDING SECTION 52.48 OF THE CODE OF ORDINANCES OF THE LOCAL LIMITS FOR THE CITY OF FRANKFORT’S SEWER PRETREATMENT PROGRAM” was presented and read. This Ordinance had its first reading on June 20, 2016. It was moved by Commissioner Haynes, seconded by Commissioner Bowers, that the Ordinance be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Haynes, Sower, Roach, Bowers and Mayor May (5). Those voting against the motion were none (0). The Ordinance was thereupon adopted (Ordinance No. 10, 2016 Series).

“AN ORDINANCE TO ACCEPT THE EXTENSION OF ARROWHEAD COURT, THE EXTENSION OF LEAWOOD DRIVE, AND BERRY HILL DRIVE INTO THE FRANKFORT CITY STREET SYSTEM FOR MAINTENANCE PURPOSES” was presented and read. This Ordinance had its first reading on June 20, 2016. It was moved by Commissioner Bowers, seconded by Commissioner Haynes, that the Ordinance be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Haynes, Sower, Roach, Bowers and Mayor May (5). Those voting against the motion were none (0). The Ordinance was thereupon adopted (Ordinance No. 11, 2016 Series).

“AN ORDINANCE AMENDING SECTION 37.31, PAY PLAN; CLASSIFICATION AND COMPENSATION OF THE CITY OF FRANKFORT CODE OF ORDINANCES” was presented and read.

“AN ORDINANCE AMENDING SALARY SCHEDULE Q IN CHAPTER 37, SECTION 37.32, SALARY SCHEDULES; PAY GRADE STRUCTURE, OF THE CITY OF FRANKFORT CODE OF ORDINANCES. THIS ORDINANCE WILL GO INTO EFFECT ON SEPTEMBER 1, 2016” was presented and read.

“AN ORDINANCE TO REPEAL THE REQUIREMENT FOR A MASSAGE PARLOR TO OBTAIN A SPECIFIC REGULATORY LICENSE” was presented and read.

## **Resolutions**

“A RESOLUTION ACKNOWLEDGING THE CITY’S OBLIGATION REGARDING THE COMMUNITY DEVELOPMENT BLOCK GRANT 504 GRIEVANCE POLICY FOR THE BENSON CREEK CSO SEPARATION PROJECT” was presented and read. It was moved by Commissioner Haynes, seconded by Commissioner Roach, that the Resolution be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Haynes, Sower, Roach, Bowers and Mayor May (5). Those voting against the motion were none (0). The Resolution was thereupon adopted (Resolution No. 11, 2016 Series).

It was moved by Commissioner Sower, seconded by Commissioner Roach that Item Nos.7.2 through 7.11 on the Consent Calendar be moved to New Business for additional discussion. The motion passed without objection.

## **Consent Calendar**

The following miscellaneous and personnel items were presented:

- 7.1 Approved a Joint Funding Agreement with the U.S. Geological Survey (USGS) to operate the gauging station upstream of Lock 4 on the Kentucky River and authorized the Mayor to sign all related documents. Funds are available in Account No. 200.68.53295. This account has \$160,000 budgeted and as of July 1 the account has \$0.00 expensed and encumbered (Sewer Department).
- 7.2 **MOVED TO NEW BUSINESS**
- 7.3 **MOVED TO NEW BUSINESS**
- 7.4 **MOVED TO NEW BUSINESS**
- 7.5 **MOVED TO NEW BUSINESS**
- 7.6 **MOVED TO NEW BUSINESS**
- 7.7 **MOVED TO NEW BUSINESS**
- 7.8 **MOVED TO NEW BUSINESS**
- 7.9 **MOVED TO NEW BUSINESS**
- 7.10 **MOVED TO NEW BUSINESS**
- 7.11 **MOVED TO NEW BUSINESS**
- 7.12 Approved a construction contract to Lagco Excavation for repairs to sewer lines in the area of 2<sup>nd</sup> Street and Logan Street, and authorized the Mayor to sign all documents related to the project. Funds are available in Sewer Account No. 300.68.56555. The budget for this account is \$9,612,500 and as of July 1 this account had \$0.00 expensed or encumbered (Sewer Department).

**7.13** Approved a 4<sup>th</sup> and final Contract Renewal to a Professional Services Agreement with DLZ Kentucky, Inc. (DLZ) to serve as the Wet Weather Program Manager for the City of Frankfort Sewer Department and authorized the Mayor to sign all documents associated with the Amendment. Funds are available in Sewer Account No. 300.68.54390. The budget for this account is \$930,000.00 and as of July 1 this account had \$0.00 expensed or encumbered (Sewer Department).

**7.14 REMOVED**

**7.15** Authorized the purchase of one (1) 2017 Ford Explorer Detective vehicle utilizing a \$10,500.00 trade allowance the department has with Paul Miller Ford and funds from the Police Department US Justice Asset Forfeiture Account and allowed the Mayor to sign all related documents. The cost of the vehicle on State Contract is \$32,090.44. The cost total cost for up-fit (lighting equipment etc.) is \$3,782.27. This brings the total cost of the \$35,872.71. Currently the department has a \$10,500.00 trade allowance with Paul Miller Ford that will be used to offset the total purchase cost of this vehicle. Because of this trade allowance the total cost of this vehicle purchase is \$25,372.71. The remainder of the cost will come from funds that are available in the Police Department US Asset Forfeiture Account. These monies can only be used for law enforcement purposes. Funds are available in Account No. 645.00.51100. Please note that the price quote for the vehicle and up-fitting are from Paul Miller Ford under State Price Contract. Funds are available in Account No. 100.43.54315 (Police).

**7.16** Authorized the purchase of three (3) 2017 Ford Police Interceptor Utility patrol vehicles from Paul Miller Ford and allowed the Mayor to sign all related documents. The cost per vehicle on State Contract is \$28,859.57. The cost of total up-fit (stripping, equipment etc.) is \$16,001.32 per vehicle. This brings the total cost of each of the three (3) requested vehicles to \$44,860.89 per vehicle. The total cost of this vehicle purchase request is \$134,582.67 Please note that although the price quote for up-fitting is from Paul Miller Ford, the cars will be purchased from Crossroads Ford under State Price Contract. Funds are available in Account No. 100.43.54315 (Police).

**7.17** Approved the amended Memorandum of Agreement with the Lexington-Fayette Urban County Materials Recovery Facility (LEX-MRF) for the right to receive, process, market, and ship recovered material from the City of Frankfort and authorized the Mayor to sign all related documents. Based on 2014-2015 tonnage of recycling sent to LEX-MRF (1845.09 tons) the difference will be a drop in revenue of approximately \$27,676 (Public Works).

**7.18** Approved sites for Brownfield Assessments utilizing Brownfield grant funds and designated the Mayor to execute all documents pertaining to the Brownfield Assessment grant. The City was awarded Brownfield Assessment funds in the amount of \$400,000.00 in 2014. The Brownfield Advisory Committee has received requests for assessments for the property on Versailles Road and would like the Commission's approval to move forward with these assessments. The grant does not require a match in the form of cash or in-kind services. These assessments should have no additional impact on the budget (Grants/Sewer).

**7.19** Authorized the Mayor to sign a Service Agreement between the Franklin County Health Department and the City of Frankfort to provide health care services to city employees. Annual cost not to exceed \$6,000 (Human Resources).

**7.20 The following personnel items were presented:**

- Retirement of Floyd "Len" Gillis, Jr. in the Fire Department as Fire Captain/EMT and authorized payment of accrued leave, effective 7/31/16 (Fire).
- Retirement of Steve Clark in the Fire Department as EMS Director/Paramedic and authorized payment of accrued leave, effective 7/31/16 (Fire).

- Retirement of Brad Gold in the Fire Department as Fire Captain/Paramedic and authorized payment of accrued leave, effective 7/31/16 (Fire).
- Appointment of Clara Coates in the PW/Transit Department as Transit Driver, effective 7/5/16 (PW/Transit).
- Appointment of Tony Vaughn in the PW/Transit Department as Transit Driver, effective 7/5/16 (PW/Transit).
- Promotion of Patrick Clayton in the Fire Department from Sergeant/Paramedic to Captain, effective 8/1/16 (Fire).
- Promotion of Edward Gilchrist in the Fire Department from Sergeant/EMT to Captain, effective 8/1/16 (Fire).
- Promotion of Mark Traylor in the Fire Department from Sergeant/Paramedic to Captain, effective 8/1/16 (Fire).
- Promotion of Jonathan Mitchell in the Fire Department from Firefighter II/Paramedic to Sergeant, effective 8/1/16 (Fire).
- Promotion of Johnny Carpenter in the Fire Department from Firefighter II/Paramedic to Sergeant, effective 8/1/16 (Fire).
- Promotion of Kehl Hilbert in the Fire Department from Firefighter III/Paramedic to Sergeant, effective 8/1/16 (Fire).

It was moved by Commissioner Haynes, seconded by Commissioner Sower that Items 7.1 and 7.12-7.20 of the Consent Agenda be adopted. All members being present, the motion to approve Items 7.1 and 7.12-7.20 of the consent agenda was adopted by voice vote without objection.

## **Board Appointments**

### **8.1 Frankfort/Franklin County Planning Commission – Reappointment of Sherron Jackson, for a term ending 07-01-20.**

Commissioner Roach commented that Mr. Jackson's 20 years of service is too long, new members should be appointed to the board. Commissioner Bowers agreed, but supported the reappointment and urged the citizens of Frankfort to contact the Mayor to serve.

## **Old Business**

Commissioner Bowers requested that staff check on Cable 10 playing the Capital City March prior to the meetings.

Commissioner Roach asked for an update on the Old Y. Gary Muller, Director of Planning and Building Codes, stated a letter has been sent to the owners, however, no access has been given to the inside of the structure. The owner has until Thursday to respond.

Commissioner Roach expressed his thanks to the City staff for the ending Fiscal Year budget. Revenues were not increased but we are still doing well, shows what a great organization we have.

Commissioner Roach stated that the Human Resources surveys to employees are a great idea and would like to see them increase.

Commissioner Sower thanked all of the City staff, Tourism and the Minister's Association for assisting and participating in the Unity March. This was a great example of the community coming together.

Commissioner Haynes commented that the City's financial numbers are exceptional. Frankfort is coming together and this shows a positive example.

## **New Business**

Item 10.1 is the approval of a construction contract to Herrick Company for modifications to the Septage Building located at the wastewater treatment plant, and to authorize the Mayor to sign all documents related to project. Funds are available in Sewer Account No. 300.68.56555. The budget for this account is \$9,612,500 and as of July 1 this account had \$0.00 expensed or encumbered (Sewer Department). It was moved by Commissioner Haynes, seconded by Commissioner Roach to approve the construction contract. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Haynes, Sower, Roach, Bowers and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

Item 10.2 is to ratify the Mayor's execution of the Application to Use Commonwealth Facilities. The Board of Commissioners agreed with the scheduling of a march on July 21, 2016 to show support for a unified community and its personnel involved in public safety. Public and Government leaders were to speak in support of uniting the Frankfort community. As a part of this activity, the use of the State Capitol steps was requested. An Application to Use Commonwealth Facilities was required to be completed and submitted, and due to the indemnification clause contained in the Application, the Mayor had to sign the Application. The Application was submitted on July 12, 2016, and the march was held on July 21, 2016. The Board of Commissioners did not meet between July 12, 2016, and the date of the march, July 21, 2016. Therefore, the Mayor's signature on the application requires ratification. It was moved by Commissioner Haynes, seconded by Commissioner Sower to approve the ratification. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Haynes, Sower, Roach, Bowers and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

### ***Consent Items 7.2 – 7.11 moved to New Business Items 10.3 – 10.12***

Item 10.3 authorized the submission of an application to the Kentucky Infrastructure Authority (KIA) for a FY 2017 Clean Water State Revolving Fund (SRF) loan for the Collins Lane Inflow/Infiltration Reduction and Cloverdale/Cougar Lane Stormwater Management Project and authorized the Mayor to sign all project related documents. Funds are available in Sewer Account No. 300.68.56555. The budget for this account is \$9,612,500 and as of July 1 this account had \$0.00 expensed or encumbered (Sewer Department).

Item 10.4 authorized the submission of an application to the Kentucky Infrastructure Authority (KIA) for a FY 2017 Clean Water State Revolving Fund (SRF) loan for Franklin Avenue and Meagher Avenue Sanitary Sewer Rehabilitation and Willow Street Storm Water Management Project and authorized the Mayor to sign all project related documents. Funds are available in Sewer Account No. 300.68.56555. The budget for this account is \$9,612,500 and as of July 1 this account had \$0.00 expensed or encumbered (Sewer Department).

Item 10.5 authorized the submission of an application to the Kentucky Infrastructure Authority (KIA) for a FY 2017 Clean Water State Revolving Fund (SRF) loan for the Holly Hills and Meadowview Inflow/Infiltration Reduction and Stormwater Management Project and authorized the Mayor to sign all project related documents. Funds are available in Sewer Account No. 300.68.56555. The budget for this account is \$9,612,500 and as of July 1 this account had \$0.00 expensed or encumbered (Sewer Department).

Item 10.6 authorized the submission of an application to the Kentucky Infrastructure Authority (KIA) for a FY 2017 Clean Water State Revolving Fund (SRF) loan for the Silver Lake Pump Station Replacement Project and authorized the Mayor to sign all project related documents. Funds are available in Sewer Account No. 300.68.56555. The budget for this account is \$9,612,500 and as of July 1 this account had \$0.00 expensed or encumbered (Sewer Department).

Item 10.7 authorized the submission of an application to the Kentucky Infrastructure Authority (KIA) for a FY 2017 Clean Water State Revolving Fund (SRF) loan for the Capital Avenue River Interceptor Project and authorized the Mayor to sign all project related documents. Funds are available in Sewer Account No. 300.68.56555. The budget for this account is \$9,612,500 and as of July 1 this account had \$0.00 expensed or encumbered (Sewer Department).

Item 10.8 authorized the submission of an application to the Kentucky Infrastructure Authority (KIA) for a FY 2017 Clean Water State Revolving Fund (SRF) loan for the Two Creeks Upper & Blanton Acres Inflow/Infiltration (I&I) Reduction and Stormwater Management Project and authorized the Mayor to sign all project related documents. Funds are available in Sewer Account No. 300.68.56555. The budget for this account is \$9,612,500 and as of July 1 this account had \$0.00 expensed or encumbered (Sewer Department).

Item 10.9 authorized the submission of an application to the Kentucky Infrastructure Authority (KIA) for a FY 2017 Clean Water State Revolving Fund (SRF) loan for the East Main Interceptor and Linden Stormwater Management Project and authorized the Mayor to sign all project related documents. Funds are available in Sewer Account No. 300.68.56555. The budget for this account is \$9,612,500 and as of July 1 this account had \$0.00 expensed or encumbered (Sewer Department).

Item 10.10 authorized the submission of an application to the Kentucky Infrastructure Authority (KIA) for a FY 2017 Clean Water State Revolving Fund (SRF) loan for the Thornhill Sanitary Sewer Replacement Project and authorized the Mayor to sign all project related documents. Funds are available in Sewer Account No. 300.68.56555. The budget for this account is \$9,612,500 and as of July 1 this account had \$0.00 expensed or encumbered (Sewer Department).

Item 10.11 gave permission to decline an offer to submit an application to the Kentucky Infrastructure Authority (KIA) for a FY 2017 Clean Water State Revolving Fund (SRF) loan for the Mero Street Pump Station Replacement Project and authorized the Mayor to sign all related project documents. Declining the loan has no financial impact on the Sewer Department (Sewer Department).

Item 10.12 authorized the submission of an application to the Kentucky Infrastructure Authority (KIA) for a FY 2017 Clean Water State Revolving Fund (SRF) loan for the Buffalo Alley Pump Station Replacement Project and authorized the Mayor to sign all project related documents. Funds are available in Sewer Account No. 300.68.56555. The budget for this account is \$9,612,500 and as of July 1 this account had \$0.00 expensed or encumbered (Sewer Department).

It was moved by Commissioner Roach, seconded by Commissioner Haynes to adopt New Business Items 10.3-10.12 with one vote. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Haynes, Sower, Roach, Bowers and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

It was moved by Commissioner Roach, seconded by Commissioner Haynes to adopt New Business Items 10.3-10.12. All members being present, the motion to approve Items 10.3-10.12 under New Business was adopted by voice vote without objection.

Commissioner Sower requested a discussion item regarding Frankfort Plant Board and Tanglewood Neighborhood Association be placed on the August 8<sup>th</sup> Work Session Agenda.

Commissioner Sower asked that staff check on the bumpy pavement along E. Main between the Military Arsenal to Ravencrest. Bill Scaf, Director of Sewer Department, will check on this request.

Commissioner Sower requested that staff take a closer look at the Red Tape Reduction initiative that Governor Bevin has instituted.

Commissioner Haynes reminded everyone of Spellapalooza at Thorn Hill Learning Center on August 12, 2016. Any staff support is appreciated.

Commissioner Bowers requested that the process of evaluations be determined for the City Manager, City Clerk and City Solicitor be placed on the agenda for the next Work Session. Commissioner Roach suggested that Commissioner Bowers work with Kathy Fields, H/R Director and the Commission will discuss and complete the Evaluations at the August Work Session. The Commission agreed, therefore, the Closed Session Per KRS 61.810 (1)(f) Personnel was not conducted.

It was moved by Commissioner Roach, seconded by Commissioner Bowers, that the meeting adjourn. The question was put upon the motion and thereupon adopted by voice vote. The meeting adjourned at 6:10 p.m.

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Mayor

Attest:

\_\_\_\_\_  
City Clerk