

AGENDA

REGULAR MEETING
BOARD OF COMMISSIONERS
315 WEST SECOND STREET
FRANKFORT, KY 40601
502/875-8500 ~ www.frankfort.ky.gov

June 28, 2021
5:00 PM

INVOCATION

Jack Brewer – Retired United Methodist Pastor

PLEDGE OF ALLEGIANCE

ROLL CALL

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

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 – May 5, 2021 Special Meeting; May 10, 2021 Special Work Session; May 24, 2021 Special Regular Meeting; May 27, 2021 Special Meeting**
- 2. Construction Contract with Buchanan Contracting for Walmart Sanitary Sewer Replacement – Sewer**

The purpose of this memorandum is to request City Commission approval for a construction contract with Buchanan Contracting in the amount of \$192,135.00 for the Walmart Sanitary Sewer Replacement and for the Mayor to sign all related documents. During construction to replace the storm water line by a Walmart contractor, FSD's infrastructure was damaged and must be repaired. FSD has been working with the contractor's insurance company to provide answers for the repairs that are needed. The Frankfort Sewer Department advertised for bids in April and bids were opened on April 13, 2021. We received a total of three bids and Buchanan Contracting was determined to be the lowest qualified bidder. Below is a list of bidders and the amounts:

Buchanan Contracting -\$192,135.00/ Todd Johnson Contracting-\$275,593.55/ Basham Contracting - \$559,000.00

Recommend the City Commission approve the construction contract with Buchanan Contracting in the amount of \$192,135.00.

Attachments: Memo, Engineer's Recommendation Letter, Bid Tabulation, Contract
Suggested Disposition: Receive and File; Approve

- 3. Construction Contract with Structured Solutions, LLC for Manhole Rehab Project – Sewer**

The purpose of this memorandum is to request City Commission approval for a construction contract with Structured Solutions, LLC in the amount of \$356,282.00 for the Manhole Rehab Project and for the Mayor to sign all related documents. As part of the Sewer Departments Long Term Control Plan and inspection guidelines, Department Staff have identified several areas of concern for manhole integrity. Due to the Hydrogen Sulfide that will build up in sewer systems, particularly at the end of pump station force mains, these manholes tend to be the first ones to fail. If nothing is done to protect these structures then they could have a catastrophic failure and cause overflows and damage to surrounding structures. The Frankfort Sewer Department advertised for bids in April and bids were opened on April 14, 2021. We received a total of two bids and Structured Solutions, LLC was determined to be the lowest qualified bidder. Below is a list of bidders and the amounts:

Structured Solutions, LLC	\$356,282.00
Akins Excavating Company	\$411,780.00

Recommend the City Commission approved the construction contract with Structured Solutions, LLC in the amount of \$356,282.00.

Attachments: Memo, Engineer's Recommendation Letter, Bid Tabulation, Contract
Suggested Disposition: Receive and File; Approve

4. Construction Contract with Buchanan Contracting for Wilkinson & Olive St. Sanitary Sewer Replacement – Sewer

The purpose of this memorandum is to request City Commission approval for a construction contract with Buchanan Contracting in the amount of \$107,800.00 for the Wilkinson & Olive Street Sanitary Sewer Replacement and for the Mayor to sign all related documents. As part of the Sewer Departments Long Term Control Plan the line on Wilkinson Blvd. was identified as a Sanitary Sewer Overflow and needs to be repaired. FSD staff conducted an investigation of the area and determined the line needed to be replaced to allow proper flow to be achieved and alleviate the SSO. The Olive Street line is an old line that has been identified as repairs needed due to its age and the connections to the line have been found to have many defects. The Frankfort Sewer Department advertised for bids in April and bids were opened on April 13, 2021. We received a total of two bids and Buchanan Contracting was determined to be the lowest qualified bidder. Below is a list of bidders and the amounts:

Buchanan Contracting	\$107,800.00
Basham Contracting	\$307,000.00

Recommend the City Commission approve the construction contract with Buchanan Contracting in the amount of \$107,800.00.

Attachments: Memo, Engineer's Recommendation Letter, Bid Tab, Contract
Suggested Disposition: Receive and File; Approve

5. Sanitary Sewer Extension with 2020 Center, LLC – Sewer

The purpose of this memorandum is to request City Commission approval for a sewer extension contract with 2020 Center, LLC and for the Mayor to sign all related documents. 2020 Center, LLC owns the property at 2020 Lawrenceburg Road and wishes to construct a sewer extension to the property for future development of that property. 2020 Center, LLC is planning on constructing two new 4 foot diameter manholes and 169 feet of 8-inch SDR 35 PVC pipe. Once these sewer mains and manholes are completed, then construction can begin on the new buildings. Recommend the City Commission approve the sewer extension contract with 2020 Center, LLC. Once approved the Sewer Department will send a letter of approval to the State Division of Water for approval.

Attachments: Memo, Contract
Suggested Disposition: Receive and File; Approve

6. RAISE Transportation Grant Application - Grants

Staff requests authorization to apply for 2021 "Rebuilding America's Infrastructure with Sustainability and Equity" (RAISE) application to the U.S. Department of Transportation (DOT). Frankfort seeks RAISE planning dollars in the amount of \$616,000 to support the revitalization of its Holmes Street Corridor, an economically-distressed area that serves as an entry to the community from the east and north. DOT assistance will help the City to prepare for infrastructure improvements that will calm traffic, enhance pedestrian opportunities, improve safety, promote economic development, and connect with previous TIGER-funded upgrades. Although there is no match requirement for rural projects, to be competitive the city should expect to contribute match in cash or with in-kind infrastructure improvements. We anticipate that amount to be approximately \$154,000.

Attachments: Memo
Suggested Disposition: Receive and File; Approve

7. Body Worn Camera Grant Application - Grants/ Police

Staff requests permission to submit a FY2021 Body-Worn Camera Policy and Implementation Program to Support Law Enforcement Agencies application to the Department of Justice in the amount of \$17,417.50 for the purchase of body worn cameras, storage of footage from the body worn cameras and training for all program equipment. The entire project will cost an estimated \$34,835.00. If funded, the BWCPIP-LEA will cover 50%, or \$17,417.50, of the project. The \$17,417.50 match (50%) would be funded from the Federal Asset Forfeiture Account which has sufficient funds.

Attachments: Memo, Quote from WatchGuard Video
Suggested Disposition: Receive and File; Approve

8. Change Order No. 1- Blanton Acres – Public Works

The purpose of this agenda item is to seek Commission approval of a no cost change order, to update the wage rates used by the contract with S. Walk Inc. DBA Seven Seas Construction, for the Blanton Acres Stormwater Improvements project, and for the Mayor to sign all related documents. The Blanton Acres Stormwater Improvements project will intercept stormwater runoff from the North side of Fort Hill and discharge it downstream of the subdivision into a concrete ditch that directs flow under Wilkinson Blvd to the Kentucky River. This flow currently overwhelms the existing storm sewers in the subdivision also causing ponding in the yards adjacent to Fort Hill. This project is funded by a Kentucky Infrastructure loan and requires that Federal Wage Rates be paid. Prior to bidding, the wage rates were updated, but were not included in the bid package. At this time, the correct document will be added to the project as a bookkeeping measure. No unit bid prices are affected by this update.

Attachments: Memo, Change Order No. 1, Wage Rate Determination
Suggested Disposition: Receive and File; Approve

9. EMS Billing Contract – Fire/EMS

The purpose of this memo is to request that the Board of Commissioners approve a contract with Change Healthcare Technology Enabled Services, LLC for the purposes of providing and managing our EMS billing services and authorize the Mayor to sign all related documents. Change Healthcare has been the Fire Departments EMS Billing agency since 2017. During this time, Change Health Care has been a valuable partner in ensuring we are billing and receiving ambulance service fees as applicable under current billing practices. As with all contracts, our current EMS billing contract with Change Healthcare is set to expire in July of 2021. In February of 2021, Chief Briscoe began assessing our current EMS revenues, billing rates, and billing contract as the contract was set to expire in July 2021. During this time, the administration staff had discussions with the three most prominent EMS billing agencies currently serving KY. Each submitted a proposal that included anticipated annual revenues, cost, and references. After completing a review of each proposal, projected revenues, and contacting references, the fire department wishes to stay with Change Healthcare. The term of the contract is for four years at 4.3% of net revenues (the total sum of all monies collected for services rendered, less amounts refunded or credited to a patient or third-party payer because of overpayments, erroneous payments, or bad checks). Annual cost is estimated at \$64,500. This is based on 4.3% charge on estimated 1.5 million in annual EMS revenue.

Attachments: Memo, Contract
Suggested Disposition: Receive and File; Approve

10. Recycling Bids – Public Works

The purpose of this agenda item is to seek Commission approval to reject the bid received for recycling disposal, and for the Mayor to sign all related documents. Recently the Public Works Department requested bids for a municipal recycling facility to accept, process, and potentially consign the city's collected recycle materials. One response was received from WestRock Recycling in Louisville. The proposal included a processing fee of \$38 per ton of comingled material. Based on data from the past few years regarding recycle material tonnage, current recycle facility fees (including payments to the city for consignment of certain materials), and hauling costs, Public Works has budgeted approximately \$80,000 for the entire recycling program in the upcoming fiscal year. Assuming the same recycle material tonnage, increased hauling costs due to change in location, and the processing fee included in the bid, Public Works anticipates the total recycling cost to use WestRock Recycling to exceed the budgeted amount by approximately \$45,000 per year. Based on the significant increase in total annual cost to use WestRock Recycling, it is recommended that the city reject this bid and re-advertise in hopes of soliciting a more affordable bid.

Attachments: Memo, Bid
Suggested Disposition: Receive and File; Approve

11. New Police Vehicle – Police

The purpose of this memo is to request the purchase of one (1) 2020 Ford F150 Police Responder patrol vehicle utilizing previously approved funds from FY 2020-2021 budget and authorize the Mayor to sign all related documents . This vehicle will be purchased from Crossroads Ford. The Police Department works to maintain the overall quality of the fleet vehicles. Generally, 6 new patrol vehicles are budgeted and purchased each year. Originally, for the FY 2020-2021 budget only three (3) patrol vehicles were approved. In February 2021 a budget amendment was approved to purchase two (2) additional Ford Utility Police Interceptors. Unfortunately, due to parts shortages, Ford is unable to deliver the vehicles at this time. As an in-stock replacement for one (1) of the vehicles, Ford offered an F150 Police Responder. A bid (2202102-43) was advertised for the F150 Police Responder, and Crossroads Ford won the bid. The Ford F150 Police Responder will cost the same amount to purchase/up-fit as the previously approved Ford UPI, so no additional funds are required. The Police Department is asking that one (1) Ford F150 Police Responder be purchased at this time. The funds to purchase this vehicle are included in the FY 2020-2021 budget amendment. The vehicles will be purchased from Crossroads Ford. The cost for the vehicle will be \$33,441. The up-fit will be completed by L&W Emergency Equipment, through approved state contracting, and will be \$18,542.33. The vehicles will be purchased and up-fitted through budgeted funds from account 100.43.56550.

Attachments: Memo

Suggested Disposition: Receive and File; Approve

12.

Personnel Action	Employee	Department	Date	Position
Resignation	Kayla Newton	Police/E911	6/3/21	Telecommunicator I TAC Authorize payout of accrued leave
Retirement	Jason Broyles	Sewer	6/30/21	Maintenance Tech IV Authorize payout of accrued leave
Retirement	Floyd Loman	Sewer	6/30/21	Collection Construction Foreman Authorize payout of accrued leave
Resignation	Clarence Harrod	Fire/EMS	6/3/21	Firefighter II Authorize payout of accrued leave
Resignation	Tommy Russell	City Manager	7/12/21	City Manager Authorize payout of accrued leave
Termination	Kyler Campbell	Police	6/24/21	Patrol Officer I
Appointment	Taylor Eversole	Police/E911	6/1/21	Telecommunicator I
Appointment	Abigail Herald	Police/E911	6/1/21	Telecommunicator I
Appointment	Brenda Rogers	Public Works/Transit	6/22/21	Transit Driver
Promotion	Chasity Spencer	Police/E911	6/15/21	Telecommunicator I TAC TEAM

Attachments: None

Suggested Disposition: Receive and File; Approve

BOARDS

1. Housing Authority – Reappointment of Maria Bush, expiring 5-1-24.

Attachments: Letter from the Mayor, Appointee information

Suggested Disposition: Receive and File; Approve

2. Forestry Advisory Board – Appointment of Richard Rosen, expiring 5-8-24

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 AMENDING SECTION 110.05 OF THE CITY OF FRANKFORT CODE OF ORDINANCES RELATING TO APPORTIONMENT OF NET PROFITS OR GROSS RECEIPTS OF BUSINESS ENTITIES”. This ordinance had its First Reading on May 24, 2021. Summary: This ordinance amends Section 110.05(H) of the City of Frankfort Code of Ordinances regarding apportionment of net profits or gross receipts of business entities to change the \$35 annual new business license fee to the correct amount of \$60, which shall be credited in full to the account of the license payer and applied against the annual net business profit fee on the first occasion it becomes due thereafter.

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

2. Second Reading

“AN ORDINANCE TO AMEND THE CITY OF FRANKFORT’S CODE OF ORDINANCES – CHAPTER 152 – BY AMENDING THE CITY OF FRANKFORT’S ZONING REGULATIONS; ARTICLES 6.11”. This ordinance had its First Reading on May 24, 2021. Summary: This ordinance amends the City’s Zoning Ordinance, Article 6.11 to amend the City’s Zoning Ordinance to include Small Cell Tower Regulations.

Attachments: Memo, Ordinance, Staff report reviewed by the Frankfort/Franklin County Planning Commission, Section 6.11 Regulations, Minutes from March 11, 2021 Planning Commission Meetings
Suggested Disposition: Receive and File; Adopt Ordinance

3. Second Reading

“AN ORDINANCE ESTABLISHING THE REQUIREMENTS FOR OPERATION OF GOLF CARTS ON CERTAIN CITY STREETS”. This ordinance had its First Reading on May 24, 2021. Summary: This ordinance adopts a new Chapter 73 of the City of Frankfort Code of Ordinances authorizing the operation of golf carts on certain specifically designated public roadways within the City for which the posted speed limit is 35 miles per hour or less, and establishing standards for operation and penalties for violations of this Chapter.

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

4. Second Reading

“AN ORDINANCE APPROPRIATING THE REVENUE TO BE RECEIVED BY THE CITY OF FRANKFORT FOR FISCAL YEAR 2021-2022”. This ordinance had its First Reading on June 17, 2021. Summary: This ordinance appropriates revenue to be received by the City of Frankfort for Fiscal Year 2021-2022 in accordance with the budget submitted and hereby approved.

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

5. Second 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”. This ordinance had its First Reading on June 14, 2021. Summary: This Ordinance Amends Ordinance No. 12, 2020 Series, appropriating the revenue to be received by the City for the Fiscal Year 2020-2021 by adding the following expenditures:
1) CAPITAL IMPROVEMENT FUND-530 Golf Cart Improvements (\$66,495)

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

6. First Reading

“AN ORDINANCE ESTABLISHING PROCEDURES FOR PERMITTING AND OPERATING COMMERCIAL QUADRICYCLE BUSINESSES WITHIN THE CITY OF FRANKFORT”. 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; Approve for Second Reading

7. First Reading

“AN ORDINANCE AMENDING SECTION 111.40 OF THE CITY OF FRANKFORT CODE OF ORDINANCES RELATING TO ALCOHOLIC BEVERAGE LICENSES”. 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; Approve for Second Reading

8. First Reading

“AN ORDINANCE AMENDING SECTION 37.12(A) OF THE CITY OF FRANKFORT CODE OF ORDINANCES RELATED TO HOLIDAY PAY AND HOLIDAY LEAVE”. 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; Approve for Second Reading

9. First 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”. 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; Approve for Second Reading

10. Franklin County Humane Society Contract Extension

Attachments: Contract Extension for 2021, Previous Contract (2014) and Contract Extension (2020)
Suggested Disposition: Receive and File; Approve

11. City Manager Contract & Order

Attachments: Contract, Order
Suggested Disposition: Receive and File; Approve & Adopt Order

12. Dump Truck Surplus Order – Public Works/Streets

The purpose of this agenda item is to seek Commission approval to surplus a dump truck in the street department, and for the Mayor to sign all related documents. The Street Department has a 2012 Ford F-550 Dump Truck, Unit 62049, that we would like to Surplus. It has extensive rust damage to the Dump Bed and Truck Frame Rails that would be beyond its value to repair. We are expecting the delivery of a 2021 F-550 Dump truck that will replace this unit in the Street Department Fleet. It should arrive in June. The request to surplus the dump truck will make room for the new unit.

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

13. Professional Services Agreement & Resolution for the Transit Center/Parking Garage Project Traffic Study

The City of Frankfort has been providing information to the Kentucky Transportation Cabinet in support of the grant process for the \$5.5 million CARES grant. This grant will be used to design and construct the Transit Center/Parking Garage. The Federal Transit Administration (FTA), which has final approval on public transportation related grants, has recently requested that the City of Frankfort conduct a traffic impact study for the Transit Center/Parking Garage project. Furthermore, they have requested the traffic impact study take into account not only the Transit Center/Parking Garage project but also all private development on Parcels B and C. The City proposes to enter into a \$26,169.58 agreement with The Corradino Group, Inc. of Louisville, KY, to provide the professional engineering services to conduct and report on the required traffic impact study. This study is anticipated to be completed by the end of July, 2021. We would also request for the Mayor to sign all related documents.

Attachments: Professional Services Agreement, Resolution
Suggested Disposition: Receive and File; Approve and Adopt Resolution

14. Transit Center/Parking Garage Traffic Impact Study - Cost Sharing Agreement with CRM Companies

The City of Frankfort is anticipating an agreement to be executed with The Corradino Group, Inc., of Louisville, KY to conduct a traffic impact study for the Transit Center/Parking Garage project. The cost of this study will be \$26,169.58. The Federal Transit Administration (FTA) is requiring that the City not only conduct and provide the results of a traffic impact study for the Transit Center/Parking Garage project but also for the larger planned private development on Parcels B and C. Since the developer (CRM Companies) will be required to provide a traffic impact study for Parcels B and C as part of their zoning change request, the traffic impact study anticipated to be done by The Corradino Group, Inc., would serve to meet both FTA and City Planning and Community Development requirements. A cost sharing agreement between the City and CRM Companies would stipulate that each entity pay one-half the cost (\$13,084.79) of the traffic impact study's total cost.

Attachments: Agreement
Suggested Disposition: Receive and File; Approve

15. Interapt Workforce Development Program

Attachments: Agreement

Suggested Disposition: Receive and File; Approve

NEW BUSINESS

UNFINISHED BUSINESS

EXECUTIVE SESSION

EXECUTIVE SESSION PER KRS 61.810(1)(B), DELIBERATIONS ON FUTURE ACQUISITION AND SALE OF REAL PROPERTY RELATED TO ECONOMIC DEVELOPMENT, WHERE PUBLICITY WOULD LIKELY AFFECT THE VALUE OF THE PROPERTY AND PER KRS 61.810 (1)(C)LITIGATION - POTENTIAL LITIGATION REGARDING PAST PERSONNEL ACTIONS.

ADJOURNMENT