

PRESENT:

Commissioner Kyle Thompson  
Commissioner Leesa Unger  
Commissioner Katrisha Waldrige  
Commissioner Kelly May  
Mayor Layne Wilkerson (5)

ABSENT: None (0)

Following roll call Mayor Wilkerson called the meeting to order. The invocation was given by Reverend Tom Corum, First United Methodist Church. The Pledge of Allegiance was recited.

**Ceremonial & Recognition**

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

**Retirements:**

- ❖ Daniel "Dano" Fey will retire from the Sewer Department following 24 years of service.
- ❖ Terry Hopper will retire from the Sewer Department following 19 years of service.

**Citizen Comments**

Bill Marshall representing the Sister City Program stated that all travel bans have been listed and he would like the Board of Commissioners to consider a student exchange, teacher exchange or the Mayor and/or Commissioners travel exchange. Mr. Marshall will have set dates soon and will keep in contact and hopes that someone will consider the exchange or travel.

Richard Wilson spoke about traffic concerns on Equestrian Way and would like to know the status of his request. Mr. Wilson also presented pictures of kids walking in the sidewalk and the road that is a concern as well.

Delvin Azofeifa presented the idea of exempting kids under 18 from paying taxes.

Commissioner Waldrige requested to move Consent Item No. 16 - One Time Communications Expenditures to Action Items. The item was moved without objection.

Commissioner Unger requested to move Consent Item No. 5 – Amendment No. 2 Construction Contract with Buchanan Contracting to Action Items. The item was moved without objection.

It was moved by Commissioner Unger, seconded by Commissioner May, to table item Consent Item No. 15 (Capital Expo Festival 2024). The motion was adopted by voice vote.

**Consent Calendar**

**1. Minutes – Work Session, July 10, 2023; Regular Meeting, July 24, 2023**

**2. Request to Purchase Vehicle Lift for Maintenance Garage – Public Works/ Garage**

Authorized the purchase a Mohawk Vehicle Lift for use of repairing and servicing city vehicles and for the Mayor to sign all related documents. This vehicle lift will be used for, but not limited to, Fire Trucks, Ambulances, Garbage Trucks, Dump Trucks, Vector Trucks, and the new Police Swat Unit vehicle. This lift will above all else promote a safe environment for Garage employees to work under and perform routine service as well as repairs to the referenced vehicles. With this vehicle lift in the Garage, staff will complete jobs more efficiently and have less down time on major repairs. The Maintenance Garage obtained a quote for this lift from Mohawk Lifts, LLC in the amount of **\$76,701.33**. The desired lift is available through the Sourcewell contract. The vendor, Mohawk Lifts LLC, is an approved vendor with Sourcewell for this equipment (contract #013020-MRL, valid through April 2024). Funds were allocated for this purchase in the current budget year and are available in account 530.90.56551. In consideration of the attached quote, staff recommends purchase of the lift through Mohawk Lifts, LLC.

**3. Tree Maintenance – Parks**

Authorized an agreement with Woodland Tree Care for the maintenance of city right-of way and park trees and authorized the Mayor to sign any related documents. The Division of Urban Forestry falls under the Parks Department which is responsible for all city-maintained trees. This includes right-of-way trees, city owned property and park trees. The department is responsible for maintenance, planting, beautification, tree canopy, etc. Funds requested will continue to maintain this program. Woodland Tree Care is an arborist certified, dependable tree care company. The department only uses Woodland Tree Care when the job is too large for Parks staff to safely maintain. Woodland Tree Care currently has the State Contract (MA785 2300000480). Staff recommends approval of the use of Woodland Tree Care for tree maintenance work within the city. Award the amount of \$40,000.00 to Woodland Tree Care. Funds are available in account 100.86.53251 and approve the Mayor to sign any related documents.

**4. Extension of Resurfacing Unit Price Contract with Colston Paving – Public Works**

Authorized the extension of the FY2023 Street Resurfacing Program unit price contract with Colston Paving Inc., and for the Mayor to sign all related documents. The 2023 bid documents for bid # 2222301-535 give the city the option to negotiate an extension of the contract twice for one (1) additional year upon the same terms and conditions, subject to parties' negotiation of new itemized unit prices. Both Colston Paving Inc. and Public Works agree to this extension. With approval, Public Works will spend up to \$250,000.00 total with Colston Paving Inc. for resurfacing of various streets throughout the City of Frankfort during the current fiscal year. A list of proposed streets has not yet been finalized. Staff is working to analyze the newly acquired road quality data to assist in the decision-making process. Funds for this project, \$250,000, are available in Municipal Aid account, 535.00.51100, as listed in the FY2024 approved budget for the City of Frankfort. Staff recommends approval of the contract extension with Colston Paving Inc., and for the Mayor to sign any related documents.

**5. MOVED TO ACTION ITEMS - Amendment #2 to Construction Contract with Buchanan Contracting, Inc. for Walmart Sanitary Sewer Replacement Project – Sewer**

**6. Construction Contract with Lagco, Inc. for Broadway Replacement Sewer Project – Sewer**

Authorized a Construction contract with Lagco, Inc. for the Broadway Replacement Sewer Project and for the Mayor to sign all related documents. The existing sanitary sewer has multiple defects and does not meet FSD standards for depth and cannot provide gravity sewer service to adjacent lots on the 100 block of Broadway (Short Hill). The project will lower the existing gravity sewer and provide gravity sewer service to two adjacent lots. The Broadway Sewer Replacement will include 253 L.F. of 12" sewer and three manholes. In addition, the project will re-purpose the existing shallow gravity sewer as a storm sewer to remove storm water flows from the sanitary sewer system. The project will extend the sanitary sewer system from East Main to High Street. The project has been separated from Broadway, Phase 2 project to facilitate economic growth on the 100 block of Broadway. The remaining portion of Phase 2 is expected to begin construction in the 2024-2025 fiscal year. FSD advertised for bids on August 9, 2023. We received a total of three bids and Lagco, Inc. was determined to be the lowest qualified bidder with the corrected bid of \$ Three Hundred Fifty-One Thousand Seven Hundred Seventy-Seven Dollars and Zero Cents (\$351,777.00). The original submitted bid contained a mathematical error and was submitted as \$351,813.00. Lagco acknowledges the correction.

The three bids received were as follows:

Lagco, Inc	\$351,777.00
Basham Construction	\$419,000.00
Gooch Construction	\$753,300.00

This project is in the Capitol Improvement Plans and will be budgeted for construction in the FY23-24 Budget. The lowest qualified bidder is Lagco, Inc. for \$351,777.00. FSD requests approval for \$351,777.00. Staff recommends the Board of Commissioners approve the award of the construction contract with Lagco, Inc. in the amount of \$ 351,777.00.

**7. Peracetic Acid Contract – Pelton Environmental – Sewer**

Authorized a contract with Pelton Environmental to provide bulk Peracetic Acid for disinfection at the WWTP and for the Mayor to sign all related documents. The Sewer Department took bids on June 13, 2023, for bulk Peracetic acid chemicals to be provided for secondary disinfection at the WWTP. Secondary disinfection is a requirement of the KPDES Permit issued by the Kentucky Division of Water. The Sewer Department received 1 bid from Pelton Environmental at a cost of \$8.955 per gallon supplied in 330-gallon totes. Staff recommends that the Mayor and the Board of Commissioners approve the contract with Pelton Environmental to supply Peracetic Acid to the City of Frankfort Sewer Department. This item is budgeted in the FY 23-24 budget with an annual cost of \$250,000.00. Once the Contract is approved, FSD will submit a requisition for the annual cost of PAA.

**8. Construction Contract with PACE Contracting, LLC for UV Disinfection Improvements – Sewer**

Authorized a construction contract with PACE Contracting, LLC in the amount of \$3,002,537.00 for the WWTP UV Disinfection Improvements Project and for the Mayor to sign all related documents. The City of Frankfort Sewer Department entered into an Agreed Order with the Kentucky Division of Water in 2022 to correct continuing issues with the WWTP Ozone Disinfection System. As part of that Agreed Order, FSD agreed to construct a new UV Disinfection System to replace the aging and failing Ozone System. The Frankfort Sewer Department opened construction bids on June 8, 2023. We received a total of two bids and PACE Contracting, LLC was determined to be the lowest qualified bidder. Below is a list of bidders and the amounts:

PACE Contracting, LLC	\$3,002,537.00
Herrick Company, Inc.	\$3,455,300.00

Staff recommends the Board of Commissioners approve the construction contract with PACE Contracting, LLC in the amount of \$3,002,537.00 and for the Mayor to sign all related documents.

**9. Purchase of 2023 Chevrolet Silverado 1500 – Sewer**

Authorized the purchase of a 2023 Chevy Silverado 500 for the Sewer Department and authorized the Mayor to sign all related documents. The truck will be purchased from Bachman Chevrolet in the amount of \$45,490.00 and the purchase will be through the State Master Agreement MA 758-2300000802. The Sewer Department budgeted to replace the aging vehicles that were being used by department staff. This truck will replace the current vehicle 954 that is being used by the locator and is also the on-call truck for the collection crew. Truck 954 is a 2016 model, and it has 156,719 miles and has had the transmission replaced and is currently out of service needing another new transmission. The Sewer Department received a quote from Bachman Chevrolet in the amount of \$45,490.00 based on the State Master Agreement. The total cost of the vehicle is \$45,490.00 and the budget amount approved for FY 23-24 is \$50,000.00. Staff recommends that the Board of Commissioners approve the Purchase of the 2023 Silverado 1500 from Bachman Chevrolet and authorize the Mayor to sign all related documents.

**10. Lalaran Pump Station Agreement – Sewer**

Authorized an agreement for the Frankfort Sewer Department to take ownership of a privately owned pump station on Lalaran Dr. and for the Mayor to sign all related documents. The Sewer Department has been working with the owner and developers of the private sewer system located at Lalaran Dr. This station has had a long history of not working properly and causing Sanitary Sewer Overflows (SSO) in the area. As part of the negotiations, the owner and developer agreed to reimburse the City for a new pump and controls of the pump station. The Sewer Department has already ordered and received the new pumps and controls to upgrade the station so that this station will be properly maintained. Once the Agreement is approved, FSD will send an invoice to the owner and developers' representative to be reimbursed for the cost incurred. FSD is currently ready to bid out the project that will eliminate this pump station and provide gravity sewers to the existing sanitary sewer system. There is no cost to the City as all costs will be reimbursed by the owner and developer. Staff recommends that the Board of Commissioners approve the Lalaran Pump Station Agreement and authorize the Mayor to sign all related documents. Once approved the Sewer Department will upgrade the pump station and assume ownership of the private system.

**11. Stryker Pro-Care Agreement – Fire**

Authorized a service agreement with Stryker for the maintenance and repair of one powered stretcher, two powered loading mechanisms, eleven LP15 heart monitors, ten AEDs, and three stair chairs for a period of 7 years and authorized the Mayor to sign all related documents. Stryker's Emergency division is the original manufacturer (OEM) or sole distributor of parts for Stryker's emergency care products. All parts are manufactured at Stryker or by an outside supplier specifically for Stryker. The Frankfort Fire Department purchased the powered stretcher and loading mechanisms which allow for safe and efficient transport of medical and trauma patients The department purchased the LP15 heart monitors and AEDs to provide timely lifesaving care in critical situations. This medical equipment coupled with our professional staff have led to a safer and more efficient delivery of emergency medical care. Stryker's Emergency division is the original manufacturer (OEM) or sole distributor of parts for Stryker's emergency care products. All parts are manufactured at Stryker or by an outside supplier specifically for Stryker. This service agreement would extend service contracts for all the above-listed equipment for 7 years. Currently each type of equipment is on its own existing service contract which is either expired or set to expire during the proposed service contract. The existing service contract breakdowns are as follows:

- One power cot is covered on an existing service contract until 12/7/2029.
- Two Powered loading mechanisms are covered on an existing service contract until 12/8/2028.

Eleven LP15 heart monitors are covered on existing service contracts until 10/21/25.  
Ten AEDs are on expiring contracts.  
Three Stair chairs are currently not on a service contract.

The proposed service contract extends each item's coverage to the date 7 years post ratification. Cost represents 2023 pricing. Stryker generally institutes a 3-5% annual price increase. However, the past 2 years have seen biannual price increases in total of 8-15% per year. The rate and frequency of the price increases are expected to remain for the foreseeable future. Service for this equipment is essential to ensure operation, readiness, and longevity. The annual Budget impact for this agreement will be \$21,856.16. Funds are budgeted annually in 100.41.53250 – EMS Maintenance and Repairs. Staff recommends the Board of Commissioners approve the service agreement and approve for the Mayor to sign all related documents.

## **12. 2023 FEMA Windstorm Contract – Grants**

Authorized the request from Kentucky Emergency Management for the Mayor to sign a contract and all grant documents associated with FEMA Disaster DR4702 resulting from Windstorm Damage in March 2023. In order for FEMA to disburse payments to KYEM and their applicants, they must receive the signed contract. On March 3rd and 4th of 2023, the City of Frankfort was subject to a windstorm that resulted in the state declaring FEMA Emergency. The City received damage to various signs and sewer equipment and was required to remove several tons of debris resulting from this storm. Staff is currently working with FEMA to recoup some of those costs and this contract is needed to ensure payment. These funds will be reimbursement for money spent to deal with the aftermath of the windstorm.

## **13. Firearms Surplus & Trade – Police**

Authorized the Police Department to surplus outdated firearms that are no longer in use and trade these firearms to Kiesler Police Supply for store credit. The Frankfort Police Department works to maintain the overall quality of our firearms. The firearms listed were useful to the police department when purchased, but they have become obsolete, unusable, or fallen into a state of disrepair. The firearms are taking up needed space in our weapons vault, and the funds from trade-in can be utilized for new firearms/ammunition to help offset costs. Kiesler Police Supply is the state contract holder for police firearms and ammunition, and they have provided a trade-in quote of \$9,230.00. The unused firearms are taking up space in the weapons vault, but they still have trade-in value. The department has no use for the firearms because they have become obsolete, or in a state of disrepair. If approved, the firearms will be traded to Kiesler Police Supply for credit. Staff recommends surplus and trade of the firearms, and to direct the Mayor to sign all related documents. Once approval is given, Asst. Chief Napier will arrange for the firearms to be transferred to Kiesler Police Supply for store credit.

## **14. Candlelight Weekend 2023 – Special Projects**

Authorized for the City of Frankfort to enter into a Memorandum of Understanding (MOU) agreement with Downtown Frankfort, Inc. for the 2023 Candlelight Weekend event and authorized the Mayor to sign all related documents. Candlelight weekend is an annual event held in downtown Frankfort that serves as the kickoff to the holiday season and promotes shopping local. The event encompasses three days, and includes Frankfort's Christmas tree lighting ceremony, musical performances, local shopping, and other attractions. The 2023 Candlelight weekend is scheduled for November 9-11. Candlelight weekend is organized by Downtown Frankfort, Inc., in partnership with the City, Tourism, and other local agencies. It is a premier event for the Frankfort community. Special events, including Candlelight weekend, require the support of city staff across several departments. To be good stewards of city resources and to balance the benefit of special events in the community with staffing needs, the city uses MOU agreements to allow for better communication, planning and implementation of events. The Candlelight MOU allows for city staff to provide support to DFI for this event by providing staff time and use of specific city assets for event logistics. Staff time from Emergency Management, Public Works, Parks and Recreation, and Special projects will be used to plan and implement the Event. Staff recommends approval. This event MOU allows for better planning for city staff and broad community support for Candlelight Weekend in downtown Frankfort.

## **15. TABLED - Capital Expo Festival 2024 – Special Projects**

## **16. MOVED TO ACTION ITEMS - One Time Communications Expenditures – From FY23 – Penny Peavler, Co-Interim City Manager**

### **17. The following miscellaneous and personnel items were presented**

- Retirement of Daniel Fey in the Sewer Department as FOG Inspector and authorize payout of accrued leave, effective 8/31/23 (Sewer).
- Resignation of June Gorney in the Parks and Recreation Department as Administrative Aide and authorize payout of accrued leave, effective 8/4/23 (Parks).
- Appointment of Alice Bruner in the Parks and Recreation Department as Administrative Aide, effective 8/1/23 (Parks).
- Promotion of David Ingle in the Police Department to Police Sergeant, effective 8/1/23 (Police).
- Promotion of Craig Gonzalez in the Police Department to Police Sergeant, effective 8/1/23 (Police).
- Promotion of Shawn Wallace in the Police Department to Police Sergeant, effective 8/1/23 (Police).
- Promotion of Chris Gaines in the Police Department to Police Sergeant, effective 8/1/23 (Police).
- Resignation of Tyler Garrett in E911/Communications Department as E911 Telecommunicator and authorize payout of accrued leave, effective 7/25/23 (E911/Communications).
- Resignation of David Tanous in the Fire/EMS Department, effective 7/28/23 (Fire).
- Retirement of Terry Hopper in the Sewer Department as Senior Sewer Tech and authorize payout of accrued leave, effective 8/31/23 (Sewer).
- Promotion of Sara Anderson in Public Works from Public Works Deputy Director to Public Works Director, effective 8/15/23 (Public Works).
- Resignation of Grace Disponett in E911/Communications Department as E911 Telecommunicator and authorize payout of accrued leave, effective 8/8/23 (E911/Communications).

It was moved by Commissioner May, seconded by Commissioner Waldrige, that items of the Consent Agenda be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Thompson, Unger, Waldrige, May and Mayor Wilkerson (5). Those voting against the motion were none (0). The motion was thereupon adopted.

## **Boards**

### **1. Frankfort Electric & Water Plant Board-- Reappointment of John Snyder, expiring 9-23-27.**

It was moved by Commissioner Waldrige, seconded by Commissioner Unger, to accept the Mayor's recommendation. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Thompson, Unger, Waldrige, May and Mayor Wilkerson (5). Those voting against the motion were none (0). The motion was thereupon adopted.

**2. Frankfort Electric & Water Plant Board--** Reappointment of Kathryn Dutton-Mitchell, expiring 9-23-27.

It was moved by Commissioner Waldrige, seconded by Commissioner May, to accept the Mayor's recommendation. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Thompson, Unger, Waldrige, May and Mayor Wilkerson (5). Those voting against the motion were none (0). The motion was thereupon adopted.

**3.. Frankfort-Franklin County Planning Commission --** Appointment of Michael A. Nickles, expiring 7-01-27.

It was moved by Commissioner May, seconded by Commissioner Unger, to accept the Mayor's recommendation. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Thompson, Unger, Waldrige, May and Mayor Wilkerson (5). Those voting against the motion were none (0). The motion was thereupon adopted.

**4. Frankfort Housing Authority -- Reappointment of Patty Peavler, expiring 1-29-27**

It was moved by Commissioner Unger, seconded by Commissioner Thompson, to accept the Mayor's recommendation. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Thompson, Unger, Waldrige, May and Mayor Wilkerson (5). Those voting against the motion were none (0). The motion was thereupon adopted.

**5. Frankfort Human Rights Commission --** Reappointment of Anita Collins, expiring 12-01-25.

It was moved by Commissioner Waldrige, seconded by Commissioner Unger, to accept the Mayor's recommendation. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Thompson, Unger, Waldrige, May and Mayor Wilkerson (5). Those voting against the motion were none (0). The motion was thereupon adopted.

**6. Code Enforcement Board --** Reappointment of Arthur McKee, expiring 4-24-26.

It was moved by Commissioner May, seconded by Commissioner Waldrige, to accept the Mayor's recommendation. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Thompson, Unger, Waldrige, May and Mayor Wilkerson (5). Those voting against the motion were none (0). The motion was thereupon adopted.

**Action Items**

**1. Second Reading**

**“AN ORDINANCE AMENDING SECTION 37.22 OF THE CITY OF FRANKFORT CODE OF ORDINANCES RELATED TO PAID PARENTAL LEAVE”.** This ordinance had its First Reading on July 24, 2023. Summary: This ordinance amends Section 37.22 of the City of Frankfort Code of Ordinances regarding paid parental leave to grant the leave only to those full-time employees who have successfully completed the trial period, and to provide that if an employee separates service for any reason other than retirement within 12 months of receiving leave, the amount of leave issued will be deducted from the employee's leave payout at time of termination.

It was moved by Commissioner Unger, seconded by Commissioner Waldrige, to adopt the ordinance. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Thompson, Unger, Waldrige, May and Mayor Wilkerson (5). Those voting against the motion were none (0). The ordinance was thereupon adopted (Ordinance No. 16, 2023 Series).

**2. First Reading**

**“AN ORDINANCE AMENDING CITY OF FRANKFORT CODE OF ORDINANCES SECTION 36.066 RELATING TO THE JOINT CITY – COUNTY PLANNING COMMISSION NUMBER OF MEMBERS”** was presented, read, and sponsored by Commissioner May. Summary: This ordinance amends Section 36.066 of the City of Frankfort Code of Ordinances to reduce the number of city and county appointments to the Joint Planning Commission from eleven to nine.

**3. First Reading**

**“AN ORDINANCE AMENDING CITY OF FRANKFORT CODE OF ORDINANCES SECTION 39.16 RELATING TO ETHICS BOARD MEETINGS AND VACANCIES”** was presented, read, and sponsored by Commissioner Unger. Summary: This ordinance amends Section 39.16(A) of the City of Frankfort Code of Ordinances relating to the Board of Ethics to change the number of days the executive authority has to fill a vacancy with approval of the Board of Commissioners from thirty days to ninety days; and establish a regular schedule of quarterly meetings.

**4. First Reading**

**“AN ORDINANCE AMENDING SECTIONS 37.12, 37.13, AND 37.14 OF THE CITY OF FRANKFORT CODE OF ORDINANCES REGARDING PAY-OUT OF HOLIDAY, COMPENSATORY AND VACATION LEAVE UPON SEPARATION FROM CITY EMPLOYMENT”** was presented, read, and sponsored by Commissioner Waldrige. Summary: This ordinance amends Sections 37.12, 37.13, and 37.14 of the City of Frankfort Code of Ordinances to only allow pay-out of holiday, compensatory and vacation leave upon separation from City employment for full-time employees who have worked at least five consecutive years for the City.

**5. Parks Department Vehicles Surplus Order**

The purpose of this agenda item is to seek approval for the Parks Department to surplus two vehicles and approval for the Mayor to sign any related documents. A 1999 Crown Victoria located at Juniper Hill Park was originally handed down from another department with many miles of use. The vehicle has been used for mail delivery, concessions delivery, security team, etc. The vehicle has had many repairs and at this time does not run. A 1993 Ford Ranger located at Cove Spring Park has been used as a maintenance vehicle for the majority of its life. It has also had multiple repairs and is no longer useful for staff at the park. Parks staff is requesting the two outdated vehicles be surplus through Gov. deals, both the 1999 Crown Victoria and 1993 Ford Ranger. Surplusing this equipment will help make room in the fleet as these vehicles are unusable and have no benefit to work production in the department. After these items are listed for auction on Gov.deals Parks staff will make arrangements for pick up. Items that are not purchased will be recycled/disposed of in an adequate amount of time. Staff recommends approval of the surplus of items and the Mayor to sign any related documents.

It was moved by Commissioner Unger, seconded by Commissioner Waldrige, to adopt the order. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Thompson, Unger, Waldrige, May and Mayor Wilkerson (5). Those voting against the motion were none (0). The order was thereupon adopted (Order No. 9, 2023 Series).

**6. Staffing Shortage and Lateral Sign-on Incentives for the Police Department**

It was moved by Commissioner Waldrige, seconded by Commissioner Unger, to approve lateral sign on incentives. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Thompson, Unger, Waldrige, May and Mayor Wilkerson (5). Those voting against the motion were none (0). The motion was thereupon adopted. **Note: This will require an ordinance amendment.**

**7. Budget Increase for the Franklin County Senior Center to Match the County's Investment**

A budget increase of \$17,000.00 is needed to match the County's \$70,000.00 investment in the Franklin County Senior Center. The 2024 budget included \$53,000.00 for this item. Staff recommends approval. **A budget amendment will be needed.**

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

**8. Property Exchange with the Commonwealth of Kentucky & Resolution**

It was moved by Commissioner Waldrige, seconded by Commissioner Unger, to adopt the resolution. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Thompson, Unger, Waldrige, May and Mayor Wilkerson (5). Those voting against the motion were none (0). The resolution was thereupon adopted (Resolution No. 15, 2023 Series).

**Consent Item No. 5 – Moved to Action Items**

**Amendment #2 to Construction Contract with Buchanan Contracting, Inc. for Walmart Sanitary Sewer Replacement Project – Sewer**

The purpose of this memorandum is to request approval from the Board of Commissioners for Amendment 2 to a Construction Contract with Buchanan Contracting in the amount of \$782,188.23 for the balancing quantities and additional costs associated with the realignment of the gravity sewer and force main within the existing easement for the Walmart Sanitary Sewer Replacement project and to authorize the Mayor to sign all related documents. During construction to replace the storm water line by a Contractor for Walmart, FSD's infrastructure was damaged and was in need of repair. The Board of Commissioners approved the Contract to Buchanan Contracting on June 28, 2021, for \$192,135.00. The Contractor conducted a pre-construction inspection of the recently repaired storm sewer by Walmart and noted several defects in the pipe. FSD, to mitigate against counter claims by Walmart decided to relocate the existing gravity sewer and force main as far as possible from the existing storm line within the existing 60-foot-wide utility and drainage easement. The City then discovered the existing sanitary sewer, force main and storm sewer were constructed outside the existing easement by the original Developer. FSD relocated the sanitary sewer and force main into the existing easement, per Contract Amendment No. 1.

The work required rock excavation in the new alignment that was not required in the original alignment. Additional costs include balancing quantities for project closeout.

Original Agreement	\$192,135.00
Amendment #1	\$ 79,585.00
<u>Amendment #2</u>	<u>\$758,108.23</u>
Total	\$1,029,828.23

FSD has completed all inspections and all construction and restoration has been completed. The contractor completed all additional work at risk at the request of the Sewer Department. The cost of this amendment is \$782,188.23. This item is in the FY 23-24 budget for completion. Staff recommends that the Mayor and Board of Commissioners approve Contract Amendment No. 2 with Buchanan. The Frankfort Sewer Department will initiate a purchase order requisition to the Finance Department to generate a purchase order for Buchanan Contracting in the amount of \$782,188.23.

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

**Consent Item No. 16 – Moved to Action Items**

**One Time Communications Expenditures – From FY23 – Penny Peavler, Co-Interim City Manager**

On September 26, 2022, the Board of Commissioners approved one-time expenditures for various projects of which \$50,000.00 was allocated for communications support for the Strategic Plan priority of the Story of Frankfort. Staff met on several occasions to determine the best way to invest in strategic communications support for the City. The group determined that \$39,000.00 of the funds would pay for a contract communications firm to plan and execute various strategies and action items related to strategic and external communications and public relations for the City of Frankfort and the remaining \$11,000.00 would be spent to activate the Kentucky Distilled Brand. At the end of June 30, 2023, \$35,000 in budget remained unspent and was not included in the FY24 Budget as a new line item. Since this work directly supports part of the Strategic Plan and staff believes it is necessary to continue telling the Story of Frankfort, we request BOC approval to continue this work and spend the remaining \$35,000.00. This activates the Communications Goals of Strategic Plan including the Focus Area of the Story of Frankfort and continues to activate the adopted Frankfort, Kentucky Distilled Brand Plan and Recommended Action Items. It is recommended to direct Staff to budget for and spend the remaining previously approved One Time Communications Expenditures of \$35,000.00. **This action requires a budget amendment.**

It was moved by Commissioner Thompson, seconded by Commissioner Unger, to approve. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Thompson, Unger, May and Mayor Wilkerson (4). Voting against the motion was Commissioner Waldrige (1). The motion was thereupon adopted.

It was moved by Commissioner May, seconded by Commissioner Unger, to have a five-minute recess. The meeting recessed at 6:38 p.m. without objection.

Mayor Wilkerson called the meeting back to order with all members present at 6:44 p.m.

**Unfinished/ New Business**

Commissioner Waldrige requested a 5-year projection from the Finance Department.

Commissioner Unger spoke about the possible Franchise Gas Agreement and the potential.

Commissioner Thompson stated that any recourse we can take with Columbia Gas would be great. Everyone is very frustrated at how the downtown area is so torn up.

Commissioner Thompson spoke about gas station drugs, vape shops, etc. Can the City look at any ordinances to prevent these types of items. We need to protect the kids with drug overdoses.

It was moved by Commissioner May, seconded by Commissioner Waldrige, to go into Executive Session pursuant to KRS 61.810(1)(c), litigation "discussions related to pending litigation involving the Old Y" and KRS 61.810 (1)(f), personnel, "discussions of applicants for the city manager position which may lead to the appointment of an employee". The motion was adopted by voice vote. The meeting went into closed session at 6:53 p.m.

It was moved by Commissioner Unger, seconded by Commissioner Thompson, that the meeting return to open session. The motion was adopted by voice vote. The meeting returned to open session at 8:06 p.m.

Mayor Wilkerson stated that no action will be taken.

Commissioner Waldrige reminded everyone that City Manager interviews are tentatively scheduled for the week of September 11<sup>th</sup> and send HR up to three names to be on a community panel.

Commissioner Waldrige would like a YMCA discussion soon.

It was moved by Commissioner Waldrige, seconded by Commissioner Thompson, that the meeting adjourn. The question was put upon the motion and was adopted by voice vote. The meeting adjourned at 8:07 p.m.

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Mayor

Attest:

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City Clerk