

**REGULAR MEETING
JANUARY 5, 2017**

The Ashland Board of Commissioners met in Regular Session in the Commissioners' Chambers, City Building, Ashland, Kentucky, on Thursday, January 5, 2017, at the hour of 12:00 PM. Those present were Commissioners: Amanda Clark, Marty Gute, Matt Perkins, Marshall Steen and Mayor Stephen E. Gilmore, who presided. Also present were: Stephen W. Corbitt, Interim City Manager; John F. Vincent, Corporation Counsel; Susan W. Maddix, City Clerk; Todd Kelley, Chief of Police; Sean Murray, Director of Human Resources/Parks & Recreation; Marion Russell, Director of Public Works; Scott Penick, Fire Chief; Ryan Eastwood, Director of Engineering and Utilities; Chris Pullem, Economic Development and Acting Planning & Community Development Director; Tony D. Grubb, Finance Director; Michelle Veach, Assistant Finance Director; Greg Ray, Deputy Fire Chief; Major Mark McDowell, Ashland Police Department; Mike Adkins, Risk Manager; Osei Amo-Mensah, Planning and Community Development; Katherine Utsinger, Administrative Assistant to City Manager; and Reporters.

Boyd District Judge Gerald B. Reams, Jr. conducted the swearing in of Commissioners Amanda Clark, Marty Gute, Matt Perkins and Marshall Steen.

Boyd Circuit Judge C. David Hagerman conducted the swearing in of Mayor Stephen E. Gilmore.

Opening remarks by Mayor Gilmore.

The invocation was given by Commissioner Gute.

The Pledge of Allegiance was conducted.

AGENDA

Interim City Manager Corbitt presented the agenda of January 5, 2017. Motion was made by Clark, seconded by Perkins, to receive & file the agenda. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay - none. Motion passed.

MINUTES

Motion was made by Gute, seconded by Clark, to dispense with reading and approve the minutes of the Regular Meeting held on December 8, 2016. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

HEARINGS AND REPORTS

Election of Mayor Pro-Tem

Motion was made by Steen, seconded by Gute, to appoint Commissioner Matt Perkins as Mayor Pro-Tem. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

Mayor and City Commissioners' Comments

Commissioner Steen stated it was a great honor and he is proud to give back to the City of Ashland as a Commissioner. Commissioner Steen promised to be the best Commissioner possible and advised his door is always open.

REGULAR MEETING JANUARY 5, 2017
HEARINGS AND REPORTS CONTINUED

Commissioner Gute wished everyone “Good Afternoon” and welcomed them to the meeting. He stated it was an honor to begin his 5th term as Commissioner and he is encouraged and optimistic about the future of Ashland. Commissioner Gute congratulated all of the members of the Commission and the Mayor and noted that 3 of the Commissioners have business interests in the City. Commissioner Gute stated the City wants to be business friendly and unified in efforts to accomplish economic development. He noted the accomplishments of past Commissions in bringing the City to this point such as the number of business licenses issued, major improvements at the Water Treatment Plant, and moving forward on the building of a new facility at Mill Street for Water Distribution, Sewer Maintenance and Meter Services. Commissioner Gute hopes that this Commission will continue serving the City of Ashland as coaches to the City Manager, Department Heads and employees. He congratulated King’s Daughters’ Medical Center as the largest employer in the City. Commissioner Gute stated he is truly blessed to serve the City.

Commissioner Perkins thanked everyone for the opportunity to serve the residents and employees of the City of Ashland equally. He wants nothing but good things for the City of Ashland and is honored to serve with this Commission. There are a lot of good things going on in the City of Ashland and looks forward to everyone working together.

Commissioner Clark thanked everyone for coming and appreciated the great crowd. She is thrilled to start a new year and wants nothing but the best for the City of Ashland. This Commission has nothing but the best interests at heart for the City, its residents and employees. Commissioner Clark is excited to get started.

Mayor Gilmore reported the Commission will be working on some things that he hopes the residents will be happy with in the future. He stated the Commission is responsible for expenditures and will be working to ensure taxpayers’ monies are spent wisely and efficiently. Mayor Gilmore plans to work with existing businesses in order to simplify regulations and plans to work hard to get light industry to locate within the City and new jobs.

City Manager’s Report

Interim City Manager Corbitt reported the search for a City Manager has begun. The job postings are being advertised and the application period will close at the end of January.

Presentation to “Build Ashland”

Mayor Gilmore presented Dave Daniel, Debra Foster, Shannon Hill and Sean Borst, members of “Build Ashland,” with a key to the City and thanked them for the work they have done in our community. Commissioner Clark announced the group has agreed to partner with the City of Ashland for Repair Affair. Commissioner Gute also expressed his appreciation to the group.

PUBLIC PARTICIPATION

Carol Allen, Highlands Museum and Discovery Center, appeared before the Commission and stated she is looking forward to working together. She advised the Commission of the building improvements taking place at the museum and reported on the upcoming fundraiser “Dancing with Our Stars” which is scheduled for February 4 at the Boyd County Community Center.

Members of the “Build Ashland” group appeared before the Commission regarding the recycle bins placed in various locations around the City. There is currently a large amount of non-recyclable items being placed in or around the recycle bins and the group would like to meet with City officials regarding possible solutions. The group thanked the Commission for its continued support. Mayor Gilmore advised City staff will work to see what action may be taken in order to help remedy the situation.

REGULAR MEETING JANUARY 5, 2017
OLD BUSINESS
SECOND READING & FINAL ADOPTION

ORDINANCE NO. 1, 2017

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE AN EMPLOYEE ASSISTANCE PROGRAM MANAGEMENT AGREEMENT BETWEEN THE CITY OF ASHLAND AND ASHLAND HOSPITAL CORPORATION D/B/A KING'S DAUGHTERS MEDICAL CENTER FOR A PERIOD OF THREE (3) YEARS BEGINNING JANUARY 1, 2017 AS A CONTINUATION OF THE AGREEMENT BEGINNING JANUARY 1, 2004 ADOPTED BY ORDINANCE NO. 146, SERIES OF 2003.

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That the Ashland Board of City Commissioners hereby authorizes and directs Stephen E. Gilmore, Mayor, to execute an Employee Assistance Program Management Agreement between the City of Ashland and Ashland Hospital Corporation d/b/a King's Daughters Medical Center for a period of three (3) years beginning January 1, 2017. A copy of said agreement is attached hereto and made a part hereof by reference.

SECTION 2. All other ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: December 8, 2016
READOPTED BY THE BOARD OF COMMISSIONERS: January 5, 2017
PUBLISHED:

MOTION

Motion was made by Gute, seconded by Clark, to adopt Ordinance No. 1, 2017, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

REGULAR MEETING JANUARY 5, 2017
ORDINANCE NO. 2, 2017
SECOND READING & FINAL ADOPTION

ORDINANCE NO. 2, 2017

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE AN ADDENDUM TO THE AGREEMENT BETWEEN THE CITY OF ASHLAND, KENTUCKY AND GREYHOUND LINES, INC. ALLOWING THE CITY OF ASHLAND TO SELL GREYHOUND TICKETS AT THE ASHLAND TRANSPORTATION CENTER ADOPTED BY ORDINANCE NO. 2, SERIES OF 2010.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Stephen E. Gilmore, Mayor, be and he is hereby authorized and directed to execute an Addendum to the Agreement between the City of Ashland, Kentucky and Greyhound Lines, Inc. allowing the City of Ashland to sell Greyhound tickets at the Ashland Transportation Center adopted by Ordinance No. 2, Series of 2010. A copy of said Addendum is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: December 8, 2016
READOPTED BY THE BOARD OF COMMISSIONERS: January 5, 2017
PUBLISHED:

MOTION

Motion was made by Clark, seconded by Gute, to adopt Ordinance No. 2, 2017, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 3, 2017

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF ASHLAND AND TIMOTHY AND MILLIE DIAMOND REGARDING AN ENCROACHMENT FOR A RETAINING WALL ON THE CITY'S RIGHT-OF-WAY AT 2900 SOUTH 29TH STREET.

REGULAR MEETING JANUARY 5, 2017
ORDINANCE NO. 3, 2017 CONTINUED

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That the Ashland Board of City Commissioners hereby authorizes and directs Stephen E. Gilmore, Mayor, to execute an agreement between the City of Ashland and Timothy and Millie Diamond regarding an encroachment for a retaining wall at 2900 South 29th Street which involves using a portion of the City's right-of-way. A copy of said agreement is attached hereto and made a part hereof by reference.

SECTION 2. All other ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: December 8, 2016
READOPTED BY THE BOARD OF COMMISSIONERS: January 5, 2017
PUBLISHED:

MOTION

Motion was made by Gute, seconded by Clark, to adopt Ordinance No. 3, 2017, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 4, 2017

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING THE LEGAL DEPARTMENT OF SAID CITY TO INSTITUTE CONDEMNATION PROCEEDINGS IN THE BOYD CIRCUIT COURT FOR PERMANENT EASEMENTS ON THREE PROPERTIES LOCATED ON SIMPSON ROAD REQUIRED FOR THE 29TH STREET SEWER SEPARATION PROJECT.

WHEREAS, the City of Ashland entered into a Consent Judgement between the City of Ashland, Kentucky, and the Kentucky Environmental Protection Agency, Division of Water, relating to the Combined Sewer Overflow (CSO) adopted by Ordinance No. 85, Series of 2007, and

WHEREAS, pursuant to mandates contained within the Consent Judgment, the City of Ashland is proceeding with the 29th Street Sewer Separation Project, and

WHEREAS, permanent easements have been obtained from several property owners in the area of the 29th Street Sewer Separation Project; however, three permanent easements are still required to be obtained for the project;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

REGULAR MEETING JANUARY 5, 2017
ORDINANCE NO. 4, 2017 CONTINUED

SECTION 1. That the Ashland Board of City Commissioners hereby directs the Legal Department to institute condemnation proceedings in the Boyd Circuit Court to obtain the permanent easements required for the 29th Street Sewer Separation Project within the City of Ashland.

SECTION 2. A plat showing the easements to be obtained is attached hereto as part hereof and shall remain on file in the office of the City Clerk of the City of Ashland.

SECTION 3. The property owners who shall be named as defendants in such condemnation action brought by the City of Ashland are:

Eliobardo & Silvia Chavira - 3122 Simpson Road

Dennis A. & Cathryn A. Smith – 3128 Simpson Road

Phillip Gregory Salisbury – Simpson Road (Vacant Lot)

SECTION 4. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 5. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 6. It is hereby authorized that publication of this ordinance be in summary form.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: December 8, 2016
READOPTED BY THE BOARD OF COMMISSIONERS: January 5, 2017
PUBLISHED:

MOTION

Motion was made by Gute, seconded by Clark, to adopt Ordinance No. 4, 2017, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

CONSENT AGENDA

RESOLUTION NO. 1, 2017

A RESOLUTION OF THE CITY OF ASHLAND, KENTUCKY, ADOPTING, AUTHORIZING AND APPROVING THE COURSE OF ACTION PRESENTED BY THE CITY MANAGER ON THE ITEMS APPEARING ON THE CONSENT AGENDA FOR THE REGULAR MEETING OF THE BOARD OF CITY COMMISSIONERS OF **JANUARY 5, 2017**.

BE IT RESOLVED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. The Board of City Commissioners hereby adopts, authorizes and approves the action presented by the City Manager on each item appearing on the “Consent Agenda” for the regular meeting, **January 5, 2017**, attached hereto and incorporated herein, as if set out in full, is a copy of the “Consent Agenda” hereby adopted, authorized and approved.

SECTION 2. This resolution shall be in full force and effect from and after its adoption, as required by law.

REGULAR MEETING JANUARY 5, 2017
CONSENT AGENDA CONTINUED

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: January 5, 2017

MOTION

Motion was made by Clark, seconded by Perkins, to adopt Resolution No. 1, 2017. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

CONSENT AGENDA ITEMS

1. City Manager recommends approval for payment in the amount of \$37,800 to Service Pump & Supply Co. for the work completed on the removal, re-build and installation of 2 Flowserve Model 3EPM-2 Vertical Turbine Pumps at the Water Plant Intake located at the AK Steel Coke Plant site.
2. City Manager recommends approval for payment in the amount of \$99,000 to Evergreen AES Environmental Services for the removal of sludge from the reservoir between October 24 and November 3, 2016 for the Divisions of Water Distribution and Water Production.
3. City Manager recommends approval to award the bid for the removal of and disposition of sludge from the Waste Water Treatment Plant and Water Treatment Plan to Green Valley Landfill, 100 Addington Road, Ashland, KY 41102 at the rate of \$20.00 per ton for removal and \$20.00 per ton for tipping fee.
4. City Manager recommends approval to incentivize healthy-living for City employees by sponsoring 1/2 of the basic adult membership rate for any City employee that chooses to become an Ashland Area YMCA member.
5. City Manager recommends the rescission of the appointment of Andrew C. Hatfield to the position of Solid Waste Worker I in the Department of Public Works, Division of Fleet Maintenance/Solid Waste approved on December 8, 2016 and recommends the probationary appointment of Braydon K. Bevins to the position of Solid Waste Worker I, Grade 21, Public Works Department, Fleet Maintenance/Solid Waste Division, contingent upon satisfactory completion of a physical examination.
6. City Manager recommends the probationary appointment of Jesse K. Webb to the position of Public Service Officer (PSO), Grade 24, Police Department, effective Monday, January 9, 2017.
7. City Manager recommends the probationary appointment of Mark A. Wessel to the position of Police Lieutenant, Grade 38, effective Sunday, January 8, 2017.
8. City Manager recommends the probationary appointment of Brian A. Horn to the position of Police Sergeant, effective Sunday, January 8, 2017.
9. City Manager recommends the probationary appointment of Ronnie R. Evans, II, to the position of Relief Bus Driver, Grade 26, Public Works Department, Mass Transit Division, contingent upon satisfactory completion of a physical examination.

REGULAR MEETING JANUARY 5, 2017
CONSENT AGENDA CONTINUED

10. City Manager recommends the probationary appointment of James A. Abrahamson to the position of Water Distribution Operator I, Grade 23, Engineering & Utilities Department, Water Distribution/Meter Services Division, effective Monday, January 9, 2017.
11. City Manager recommends the probationary appointment of E. Shane Cook to the position of Water Meter Mechanic, Grade 24, Engineering & Utilities Department, Water Distribution/Meter Services Division, effective Monday, January 9, 2017.
12. City Manager recommends the probationary appointment of Wendell L. Salmons to the position of Solid Waste Worker I, Grade 21, Public Works Department, Fleet Maintenance/Solid Waste Division, contingent upon satisfactory completion of physical examination.
13. Other Consent Items.

SWEARING-IN OF POLICE LIEUTENANT MARK A. WESSEL AND POLICE SERGEANT BRIAN A. HORN

Mayor Gilmore conducted the swearing in of Ashland Police Department Lieutenant Mark A. Wessel and Sergeant Brian A. Horn.

NEW BUSINESS
FIRST READING AND ADOPTION ONLY

ORDINANCE NO. _____, 2017

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING STEPHEN E. GILMORE, MAYOR, TO EXECUTE A CONTRACT BETWEEN THE CITY OF ASHLAND AND GREEN VALLEY LANDFILL FOR THE REMOVAL AND DISPOSITION OF SLUDGE FROM THE CITY OF ASHLAND WASTEWATER TREATMENT PLANT AND WATER TREATMENT PLAN FOR A PERIOD OF ONE (1) YEAR FOR THE DEPARTMENT OF ENGINEERING & UTILITIES.

MOTION

Motion was made by Gute, seconded by Clark, to adopt Ordinance No. _____, 2017, at this its first reading. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

FIRST READING AND ADOPTION ONLY

ORDINANCE NO. _____, 2017

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE TASK ORDER #21 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND STRAND ASSOCIATES, INC. REGARDING THE ANNUAL COMBINED SEWER OVERFLOW REPORT FOR THE DEPARTMENT OF ENGINEERING & UTILITIES.

REGULAR MEETING JANUARY 5, 2017
ORDINANCE NO. _____, 2017 CONTINUED

MOTION

Motion was made by Clark, seconded by Perkins, to adopt Ordinance No. _____, 2017, at this its first reading. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

FIRST READING AND ADOPTION ONLY

ORDINANCE NO. _____, 2017

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO SUBMIT A HIGHWAY SAFETY GRANT APPLICATION TO THE KENTUCKY TRANSPORTATION CABINET, OFFICE OF HIGHWAY SAFETY, FOR THE ASHLAND POLICE DEPARTMENT FOR THE PERIOD OCTOBER 1, 2017 THROUGH SEPTEMBER 30, 2018.

MOTION

Motion was made by Gute, seconded by Perkins, to adopt Ordinance No. _____, 2017, at this its first reading. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

READING AND ADOPTION

RESOLUTION NO. 2, 2017

A RESOLUTION OF THE BOARD OF CITY COMMISSIONERS OF THE CITY OF ASHLAND, KENTUCKY, OPPOSING THE JUDICIAL REDISTRICTING PLAN PROPOSED BY CHIEF JUSTICE OF THE KENTUCKY SUPREME COURT.

WHEREAS, the Chief Justice of the Kentucky Supreme Court, has proposed a Judicial Redistricting Plan to be considered by the General Assembly during its 2017 regular session, and

WHEREAS, Boyd County currently has two (2) Circuit Court Judges and two (2) District Court Judges, and

WHEREAS, Boyd County has the largest employer in Eastern Kentucky and is the region's economic center, and

WHEREAS, according to the proposed Kentucky Judicial Redistricting Plan, Boyd County would lose one (1) Circuit Court Judge, one (1) District Court Judge while gaining one (1) Family Court Judge, thereby negatively impacting Boyd County;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That the Board of City Commissioners of the City of Ashland, Kentucky, hereby resolves that the City of Ashland strongly opposes the Kentucky Judicial Redistricting Plan proposed by Chief Justice of the Kentucky Supreme Court. Should such plan be adopted by the General Assembly, the City of Ashland and Boyd County will be negatively impacted as the plan recommends the elimination of one District Judge and one Circuit Judge adversely affecting the ability of the court system to effectively handle the judicial caseloads in Boyd County. This action would be highly detrimental to the welfare of the citizens of Ashland in having their cases dealt with in an expeditious manner, and have a negative impact on economic development of the region.

REGULAR MEETING JANUARY 5, 2017
RESOLUTION NO. 2, 2017 CONTINUED

SECTION 2. That the City Clerk of the City of Ashland, Kentucky forward a copy of this Resolution to the Clerk of the Kentucky Senate, the clerk of the House of Representatives, the Speaker of the House of Representatives and the President of the Senate.

SECTION 3. This Resolution shall be in full force and effect after its adoption, as required by law.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: January 5, 2017

MOTION

Motion was made by Clark, seconded by Perkins, to adopt Resolution No. 2, 2017. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

DISCUSSION ITEM

Request for limited use of right-of-way at 1509, 1544 and 1620 Winchester Avenue for the Ashland Breakfast Kiwanis Club to place painted pianos in front of the Ashland Area Convention and Visitor's Bureau, Community Trust Bank, and the Kentucky Highlands Museum and Discovery Center – Lynn Hutchinson appeared before the Commission on behalf of the Ashland Breakfast Kiwanis Club requesting permission to place donated pianos on City rights-of-way. Ms. Hutchinson stated the pianos would be placed on the sidewalk in front of the three locations for anyone to play. Acting Director of Planning and Community Development Chris Pullem appeared before the Commission to inform the Board that staff has reviewed the application and will need to get more detailed information from our insurance company before the request can be approved.

APPOINTMENTS

Ashland Housing Authority:

Motion was made by Gute, seconded by Perkins, approving the Mayor's appointment of the following to the Ashland Housing Authority:

Mark A. Wills – 5/29/2015 thru 5/29/2019
John McMeans – 5/29/2016 thru 5/29/2020
Bernice Henry – 5/29/2015 thru 5/29/2019
Mike Corwin – 9/1/2015 thru 9/1/2019

Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

Board of Zoning Adjustment:

Motion was made by Clark, seconded by Perkins, approving the Mayor's appointment of Wes Thompson to the Board of Zoning Adjustment for a four-year term beginning January 5, 2017 through January 5, 2021. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

REGULAR MEETING JANUARY 5, 2017
APPOINTMENTS CONTINUED

Ashland Park Board:

Motion was made by Gute, seconded by Clark, approving the Mayor's appointment of Walter Stuart Taylor, III to the Ashland Park Board for a four-year term that began October 18, 2016 through October 18, 2020. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

BID AWARD

Motion was made by Clark, seconded by Gute, awarding the bid for the purchase and installation of an HVAC system on the 4th floor of the Highlands Museum and Discovery Center building located at 1620 Winchester Avenue, Ashland, Kentucky, to Ashland Furnace Company, Inc. in the amount of \$31,346.00 to be funded by the City of Ashland, Department of Planning and Community Development, through a Kentucky Coal Severance Grant. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

FIRST READING AND ADOPTION ONLY

ORDINANCE NO. _____, 2017

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE A CONTRACT BETWEEN THE CITY OF ASHLAND AND ASHLAND FURNACE CO., INC. FOR THE PURCHASE AND INSTALLATION OF AN HVAC SYSTEM ON THE 4TH FLOOR OF THE HIGHLANDS MUSEUM BUILDING LOCATED AT 1620 WINCHESTER AVENUE, ASHLAND, KENTUCKY, FUNDED BY THE CITY OF ASHLAND, DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT, THROUGH A KENTUCKY COAL SEVERANCE GRANT.

MOTION

Motion was made by Clark, seconded by Perkins, to adopt Ordinance No. _____, 2017, at this its first reading. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

OTHER NEW BUSINESS

Commissioner Gute asked Corporation Counsel Vincent to clarify the panhandling ordinance. Commissioner Gute has received numerous complaints regarding panhandlers located at various locations throughout the City. Corporation Counsel Vincent reported the Commission acted in November of 2015 to adopt a new all-encompassing ordinance relating to solicitation on the streets of the City of Ashland. That ordinance is in compliance with the opinion of the 6th Circuit and up to the limits currently allowed. According to that same opinion, there are matters of 1st Amendment Rights and the City cannot exclude all forms of speech on a public street. The City did make some amendments to add some additional restrictions in the streets and on medians for safety reasons. Corporation Counsel Vincent did advise the property located near Wal-Mart between O'Charley's and Outback restaurants is private property and the Ashland Police Department cannot enforce solicitation requests in that area unless the City receives a request in writing from the property owner, which the City understands may be forthcoming. Corporation Counsel Vincent also noted that neighboring states are not governed by the 6th Circuit.

REGULAR MEETING JANUARY 5, 2017
ADJOURNMENT

ADJOURNMENT

Mayor Gilmore declared the meeting adjourned at 1:08 PM.

STEPHEN E. GILMORE
MAYOR

ATTEST:

SUSAN W. MADDIX
CITY CLERK