

**CALLED MEETING
FEBRUARY 15, 2017**

The Ashland Board of Commissioners met in Called Session in the Commissioners' Chambers, City Building, Ashland, Kentucky, on Wednesday, February 15, 2017, at the hour of 12:00 PM. Those present were Commissioners: Amanda Clark, Marty Gute, Matt Perkins and Mayor Stephen E. Gilmore, who presided. Absent: Commissioner Marshall Steen. Also present were: Stephen W. Corbitt, Interim City Manager; John F. Vincent, Corporation Counsel; Susan Maddix, City Clerk; Todd Kelley, Chief of Police; Chris Pullem, Economic Development Director and Acting Planning and Community Development Director; Sean Murray, Director of Human Resources/Parks and Recreation; Marion Russell, Director of Public Works; Ryan Eastwood, Director of Engineering and Utilities; Tony Grubb, Finance Director; Michelle Veach, Assistant Finance Director; Greg Ray, Acting Fire Chief; Major Mark McDowell and Lt. Ryan Conley, Ashland Police Department; Kandi Hale, Benefits Administrator/ABC Administrator/Assistant City Clerk; Sean Miller and Cynthia Daniel, Department of Planning and Community Development; Brad Maggard and Lee Hanners, Ashland Fire Department; and Reporters.

The invocation was given by Commissioner Gute.

The Pledge of Allegiance was conducted.

CALL LETTER

February 13, 2017

DELIVERED BY: DATE: TIME:

TO:

Amanda Clark, City Commissioner	Scott Sexton	2/13/17	1820
Marty Gute, City Commissioner	Scott Sexton	2/13/17	1747
Matt Perkins, City Commissioner	Robert Simpson	2/14/17	0852
Marshall Steen, City Commissioner	Mark A. Wessel	2/13/17	1940
Stephen W. Corbitt, Acting City Manager	Todd Kelley	2/14/17	1100
John F. Vincent, Corporation Counsel	Todd Kelley	2/14/17	1000
Susan W. Maddix, City Clerk	Todd Kelley	2/13/17	1650

FROM: Stephen E. Gilmore, Mayor	Mark A. Wessel	2/13/17	2000
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Commissioners:

This is to advise that I hereby call a special meeting of the Board of Commissioners of the City of Ashland, Kentucky to be held in the Commissioners' Chambers, City Building, 1700 Greenup Avenue, Ashland, Kentucky:

DATE: Wednesday, February 15, 2017

TIME: 12:00 PM

PURPOSE: See Attached Agenda.

Very truly yours,

/s/Stephen E. Gilmore
Mayor

/sm

CALLED MEETING FEBRUARY 15, 2017
CALL LETTER CONTINUED

Page Two

Amanda Clark, Marty Gute, Matt Perkins and Marshall Steen, City Commissioners
Stephen W. Corbitt, Acting City Manager
John F. Vincent, Corporation Counsel
Susan W. Maddix, City Clerk

Executed by delivering a true copy of the foregoing letter to each of the persons named in the caption thereof.

/s/Chief Todd Kelley
Signature and rank of officer in charge
of execution of this letter

The appropriately executed original of this letter shall be filed in the Office of the City Clerk of the City of Ashland, Kentucky.

True copies of the foregoing notice of special meeting have been served by mail upon the media sources shown on the list attached to the executed copy of this letter.

cc: **The Independent**
 Attn: Mark Maynard
 Email: mmaynard@dailyindependent.com

The Herald Dispatch
 Attn: Dave Malloy
 Email: dmalloy@herald-dispatch.com

Lexington Herald Leader
 Attn: Delano Massey
 Email: dmassey@herald-leader.com

The Courier Journal
 Attn: Mike Trautman
 Email: news@courier-journal.com

WRVC, WTKZ, WCMJ
 The Planet Radio
 Kindred Communications
 Attn: News Director
 Email: pr@kindredcom.net

WTCR, WIRO, WKEE, WAEZ, WNST,
 Clearchannel
 Attn: Jim Davis
 Email: jim.davis@clearchannel.com

WMKY Radio
 Attn: News/Public Affairs
 Email: wmky@moreheadstate.edu

WNTO Radio 93.1
 Attn: Tina Diddle
 Email: tina@sunny93.net

WLGC Radio
 Attn: Jim Forrest
 Email: jimforrest@wlgcradio.com

Daystar Television
 Attn: Virgil Adkins
 Email: virgiladkins@daystar.com

WSAZ – TV
 News Department
 Email: news@wsaz.com

WOWK-TV
 Attn: News Director
 Email: news@wowktv.com

WCHS – TV
 Attn: News Director
 Email: news@wchstv.com



Ashland Board of Commissioners
Wednesday, February 15, 2017
12:00 PM
Commissioners' Chambers

CALLED MEETING FEBRUARY 15, 2017
CALL LETTER CONTINUED

AGENDA

I. CALL TO ORDER

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. RECEIVE AND FILE AGENDA

V. RECEIVE AND FILE MINUTES

VI. HEARINGS AND REPORTS

- a. *Mayor and City Commissioner's Comments*
- b. *City Manager's Report*

VII. PUBLIC PARTICIPATION - FOR ITEMS NOT LISTED ON THE AGENDA. Anyone with a comment or request may come to the podium and address the Commission. Presentations are limited to five (5) minutes. A yellow light indicates 30 seconds remain and a red light means the time limit has expired. Only one speaker is permitted per subject. No action will be taken at this meeting. Those with comments are asked to fill out an "Inquiry/Complaint Form" and leave it with the City Clerk for distribution to the proper City Department.

VIII. OLD BUSINESS

- a. *Second reading and adoption of an ordinance entitled:*

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND APPROVING CHANGE ORDER NO. 1 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND STRAIGHT EDGE CONSTRUCTION, LLC FOR A CONTRACT REGARDING THE SAFE ROUTES TO SCHOOL PROJECT FOR THE DEPARTMENT OF ENGINEERING AND UTILITIES.

- b. *Second reading and adoption of an ordinance entitled:*

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, REGARDING NO INCREASE FOR 2017 IN THE FEES FOR THE GATHERING, DISPOSING, AND DESTRUCTION OF GARBAGE, RUBBISH AND RELATED WASTE MATERIALS WITHIN THE CITY OF ASHLAND.

- c. *Second reading adoption of an ordinance entitled:*

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 MORRIS CONTRACTING, INC. FOR ALL LABOR & MATERIALS FOR THE MISCELLANEOUS CONCRETE AND ASPHALT REPAIR WORK FOR UP TO ONE YEAR FOR THE DEPARTMENT OF ENGINEERING AND UTILITIES.

CALLED MEETING FEBRUARY 15, 2017
CALL LETTER CONTINUED

d. *Second reading and adoption of an ordinance entitled:*

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, COMBINING THE DEPARTMENTS OF PLANNING AND COMMUNITY DEVELOPMENT AND ECONOMIC DEVELOPMENT; ADOPTING THE JOB DESCRIPTION FOR THE POSITION OF COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR AS A REPLACEMENT FOR THE JOB DESCRIPTIONS OF PLANNING AND COMMUNITY DEVELOPMENT DIRECTOR IN THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT AND ECONOMIC DEVELOPMENT DIRECTOR IN THE DEPARTMENT OF GENERAL GOVERNMENT; ADOPTING THE JOB DESCRIPTION FOR THE POSITION OF ECONOMIC DEVELOPMENT SPECIALIST IN THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT; ADOPTING THE JOB DESCRIPTION OF FINANCIAL ADMINISTRATIVE ASSISTANT IN THE DEPARTMENT OF FINANCE; AND AMENDING THE AUTHORIZED POSITIONS LIST TO REFLECT THE COMBINATION OF THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT AND THE DEPARTMENT OF ECONOMIC DEVELOPMENT; ADDING THE POSITION OF FINANCIAL ADMINISTRATIVE ASSISTANT IN THE DEPARTMENT OF FINANCE; AND MOVING THE DIVISION OF ASSISTED HOUSING (SECTION 8) FROM THE DEPARTMENT OF FINANCE TO THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT; OF THE "POLICIES AND PROCEDURES, COMPENSATION PLAN AND CLASSIFICATION PLAN" FOR THE CITY OF ASHLAND AS ADOPTED BY ORDINANCE NO. 91, SERIES OF 2011, AS PREVIOUSLY AMENDED.

e. *Second reading and adoption of an ordinance entitled:*

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING THE ZONING MAP OF THE OFFICIAL ZONING ORDINANCE OF THE CITY OF ASHLAND NO. 101, SERIES OF 1986, AS PREVIOUSLY AMENDED, BY CHANGING THE ZONING CLASSIFICATION OF 622 AND 624 13TH STREET FROM (R-5) MULTI/SINGLE FAMILY RESIDENTIAL/MEDIUM DENSITY TO (B-2) GENERAL BUSINESS.

IX. CONSENT AGENDA - Reading and adoption of a resolution adopting, authorizing and approving the course of action recommended by the City Manager on items appearing on the Consent Agenda.

1. *City Manager recommends approval for payment in the amount of \$41,087.97 to Mike Enyart & Sons for work completed on the Miscellaneous Concrete and Asphalt Repair Work Project.*
2. *City Manager recommends approval for payment in the amount of \$42,945.00 to OTP Industrial Solutions, Inc. for the work completed on the purchase and replacement of two vertical turbine pumps, two breakers, and two variable frequency drives at Roberts Drive Water Booster Station project.*
3. *City Manager recommends approval for early payoff of the KIA loan for the water plant in the amount of \$847,241.24, with a maturity date of 12/01/22.*
4. *City Manager recommends approval to award the bid to furnish a suitable landfill location for the receipt and disposal of compacted garbage collected by the City for a period of one year to River Cities Disposal.*
5. *City Manager recommends approval for four Fire Department personnel to attend the Scott Safety Air Supplied Technician Training class in Louisville, Kentucky on March*
6. *City Manager recommends approval for the Fire Marshal and Fire Inspector to attend the Certified Fire & Explosion Investigator program at Eastern Kentucky University on March 13 - 16, 2017.*

CALLED MEETING FEBRUARY 15, 2017
CALL LETTER CONTINUED

7. *City Manager recommends approval for the Fire Department to apply for the 2017 Kentucky Office of Homeland Security Grant for the purpose of purchasing rescue tools.*
8. *City Manager recommends approval for the Fire Department to apply for the 2017 Firehouse Subs Grant for the purpose of purchasing six Automatic External Defibrillators.*
9. *City Manager recommends approval of an economic incentive package up to \$150,000.00, pursuant to Ordinance No. 2, 2014, to support the new development being constructed on Central Avenue at the 9th Street intersection.*
10. *City Manager recommends approval for the Board of City Commissioners to accept the property located at 1401 Winchester as a donation from Louisa Community Bank, in exchange for documentation evidencing the donation at the current assessed value.*
11. *City Manager recommends approval for the Mayor to sign a letter to the Commonwealth of Kentucky's General Assembly in support of an amendment to KRS 243.0341 allowing for a local option to reduce the minimum seating requirement from one-hundred (100) seats to fifty (50) seats for restaurants that serve alcohol within the City of Ashland's two wet precincts.*
12. *City Manager recommends the appointment of a Meter Service Worker, Grade 26, in the Engineering & Utilities Department, Water Distribution/Meter Services Division, contingent upon satisfactory completion of a physical examination.*
13. *City Manager recommends the termination of a Police Officer, effective February 15, 2017.*

X. NEW BUSINESS

- a. *First reading and approval of an ordinance entitled:*

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 RIVER CITIES DISPOSAL, LLC FOR A SUITABLE LANDFILL LOCATION FOR THE RECEIPT AND DISPOSAL OF COMPACTED GARBAGE AND REFUSE, RUBBLE AND RUBBISH, COLLECTED BY THE CITY OF ASHLAND FOR A PERIOD OF ONE (1) YEAR IN AN AMOUNT NOT TO EXCEED \$17.75 PER TON FOR THE DEPARTMENT OF PUBLIC WORKS, DIVISION OF SANITATION.

- b. *Reading and adoption of a resolution entitled:*

A RESOLUTION OF THE CITY OF ASHLAND, KENTUCKY, APPROVING LOAN NO. 2017-M-001 IN THE TOTAL AMOUNT OF \$70,000.00 TO BE PAID IN TWO INCREMENTS OF \$35,000.00 FROM THE ECONOMIC DEVELOPMENT MINORITY LOAN FUND.

- c. *Appointment:*

APPOINTMENT OF LARRY BROWN TO THE ASHLAND HOUSING AUTHORITY BOARD.

- d. *Appointment:*

APPOINTMENT OF BOBBY VANOVER TO THE ASHLAND PARK BOARD.

- e. *Appointment:*

APPOINTMENT OF W. RICHARD MARTIN, JR. TO THE BOYD COUNTY EMERGENCY AMBULANCE SERVICE.

CALLED MEETING FEBRUARY 15, 2017
CALL LETTER CONTINUED

f. *Appointment:*

APPOINTMENT OF LYNDI LOWMAN TO THE ASHLAND TENNIS COMMISSION.

XI. EXECUTIVE SESSION

a. *Individual Personnel Matter*

XI. ADJOURNMENT OR RECESS

VOTE - CALL LETTER

Motion was made by Clark, seconded by Gute, to receive, file and record the call letter. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins and Mayor Gilmore. Nay - none. Motion passed.

MINUTES

Motion was made by Gute, seconded by Perkins, to dispense with reading and approve the minutes of the Regular Meeting held on January 26, 2017. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins and Mayor Gilmore. Nay – none. Motion passed.

HEARINGS AND REPORTS

Mayor and City Commissioners' Comments

None

City Manager's Report

None

PUBLIC PARTICIPATION

Robert G. Batchelor, 164 Saddle Ridge, appeared before the Commission to file ethics complaints. Mayor Gilmore and Corporation Counsel Vincent advised Mr. Batchelor that pursuant to Ordinance No. 155, Series of 1994, as amended by Ordinance No. 142, Series of 2003, any complaint filed as an ethics complaint is to remain confidential until a final determination is made by the Ethics Commission. Mr. Batchelor was advised to submit the complaints to the Mayor's office and the complaints would be forwarded to the Ethics Commission for review.

OLD BUSINESS

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 9, 2017

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND APPROVING CHANGE ORDER NO. 1 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND STRAIGHT EDGE CONSTRUCTION, LLC FOR A CONTRACT REGARDING THE SAFE ROUTES TO SCHOOL PROJECT FOR THE DEPARTMENT OF ENGINEERING AND UTILITIES.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

CALLED MEETING FEBRUARY 15, 2017
ORDINANCE NO. 9, 2017 CONTINUED

SECTION 1. That Change Order No. 1 in the contract authorized by Ordinance No. 121, 2016 between the City of Ashland, Kentucky and Straight Edge Construction, LLC for the Safe Routes to School Project along Gartin Avenue, Ferguson Drive, Division Street and Summit Street is hereby approved as follows:

Change Order No. 1

Net Increase of this Change Order	120 days
Substantial Completion Date	May 25, 2017
Final Completion Date	June 9, 2017

A true copy of Change Order No. 1 is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances of the City of Ashland and any 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:	January 26, 2017
READOPTED BY THE BOARD OF COMMISSIONERS:	February 15, 2017
PUBLISHED:	

MOTION

Motion was made by Clark, seconded by Gute, to adopt Ordinance No. 9, 2017, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins and Mayor Gilmore. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 10, 2017

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, REGARDING NO INCREASE FOR 2017 IN THE FEES FOR THE GATHERING, DISPOSING, AND DESTRUCTION OF GARBAGE, RUBBISH AND RELATED WASTE MATERIALS WITHIN THE CITY OF ASHLAND.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. The terms set forth in Ordinance No. 68, Series of 2015, relating to an increase in collection fees for garbage, rubbish and related waste materials within the City of Ashland shall be suspended for calendar year 2017.

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

SECTION 3. It is hereby authorized that publication of this ordinance be in summary form.

CALLED MEETING FEBRUARY 15, 2017
ORDINANCE NO. 10, 2017 CONTINUED

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: January 26, 2017
READOPTED BY THE BOARD OF COMMISSIONERS: February 15, 2017
PUBLISHED:

MOTION

Motion was made by Gute, seconded by Clark, to adopt Ordinance No. 10, 2017, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins and Mayor Gilmore. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 11, 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 MORRIS CONTRACTING, INC. FOR ALL LABOR & MATERIALS FOR THE MISCELLANEOUS CONCRETE AND ASPHALT REPAIR WORK FOR UP TO ONE YEAR FOR THE DEPARTMENT OF ENGINEERING AND UTILITIES.

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Stephen E. Gilmore, Mayor of the City of Ashland, Kentucky be and is hereby authorized to execute a contract between the City of Ashland, Kentucky, and Morris Contracting, Inc. for all labor and materials for the miscellaneous concrete and asphalt repair work for up to one (1) year in an amount not to exceed those specified in their bid for the Department of Engineering and Utilities. A copy of said contract is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances of the City of Ashland and any 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: January 26, 2017
READOPTED BY THE BOARD OF COMMISSIONERS: February 15, 2017
PUBLISHED:

CALLED MEETING FEBRUARY 15, 2017
ORDINANCE NO. 11, 2017 CONTINUED

MOTION

Motion was made by Clark, seconded by Gute, to adopt Ordinance No. 11, 2017, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins and Mayor Gilmore. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 12, 2017

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, COMBINING THE DEPARTMENTS OF PLANNING AND COMMUNITY DEVELOPMENT AND ECONOMIC DEVELOPMENT; ADOPTING THE JOB DESCRIPTION FOR THE POSITION OF COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR AS A REPLACEMENT FOR THE JOB DESCRIPTIONS OF PLANNING AND COMMUNITY DEVELOPMENT DIRECTOR IN THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT AND ECONOMIC DEVELOPMENT DIRECTOR IN THE DEPARTMENT OF GENERAL GOVERNMENT; ADOPTING THE JOB DESCRIPTION FOR THE POSITION OF ECONOMIC DEVELOPMENT SPECIALIST IN THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT; ADOPTING THE JOB DESCRIPTION OF FINANCIAL ADMINISTRATIVE ASSISTANT IN THE DEPARTMENT OF FINANCE; AND AMENDING THE AUTHORIZED POSITIONS LIST TO REFLECT THE COMBINATION OF THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT AND THE DEPARTMENT OF ECONOMIC DEVELOPMENT; ADDING THE POSITION OF FINANCIAL ADMINISTRATIVE ASSISTANT IN THE DEPARTMENT OF FINANCE; AND MOVING THE DIVISION OF ASSISTED HOUSING (SECTION 8) FROM THE DEPARTMENT OF FINANCE TO THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT; OF THE “POLICIES AND PROCEDURES, COMPENSATION PLAN AND CLASSIFICATION PLAN” FOR THE CITY OF ASHLAND AS ADOPTED BY ORDINANCE NO. 91, SERIES OF 2011, AS PREVIOUSLY AMENDED.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Ordinance No. 91, series of 2011, as previously amended, being an ordinance entitled, “AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, UPDATING POLICIES AND PROCEDURES, COMPENSATION PLAN AND CLASSIFICATION PLAN FOR THE CITY OF ASHLAND, KENTUCKY AND REPEALING ORDINANCE NO. 77, SERIES OF 2003, AND ALL AMENDMENTS THERETO” is hereby amended. The job description for the position of Community and Economic Development Director is hereby adopted. The job description for the position of Economic Development Specialist in the Department of Community and Economic Development is hereby adopted. The job description for the position of Financial Administrative Assistant in the Department of Finance is hereby adopted. The amended Authorized Positions are hereby adopted. A copy of said job descriptions and amended Authorized Positions List is attached hereto and made a part hereof by reference.

CALLED MEETING FEBRUARY 15, 2017
ORDINANCE NO. 12, 2017 CONTINUED

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 and readoption and shall later be published as required by law.

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

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: January 26, 2017
READOPTED BY THE BOARD OF COMMISSIONERS: February 15, 2017
PUBLISHED:

MOTION

Motion was made by Clark, seconded by Gute, to adopt Ordinance No. 12, 2017, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute and Mayor Gilmore. Nay – Commissioner Perkins. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 13, 2017

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING THE ZONING MAP OF THE OFFICIAL ZONING ORDINANCE OF THE CITY OF ASHLAND NO. 101, SERIES OF 1986, AS PREVIOUSLY AMENDED, BY CHANGING THE ZONING CLASSIFICATION OF 622 AND 624 13TH STREET FROM (R-5) MULTI/SINGLE FAMILY RESIDENTIAL/MEDIUM DENSITY TO (B-2) GENERAL BUSINESS.

* * * * *

WHEREAS, Madd Ventures, LLC requested the rezoning of 622 and 624 13th Street from R-5 Multi/Single Family Residential/Medium Density to B-2 General Business, and

WHEREAS, the Ashland Planning Commission held a duly advertised and conducted public hearing on said application January 17, 2017, and on the basis of evidence presented thereat made certain factual determinations and concluded therefrom that the proposed change is in conformance with the adopted Comprehensive Plan; and made a recommendation to the Ashland City Commission that said application be approved as requested;

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

SECTION 1. On the basis of the aforementioned factual determinations and recommendation by the Ashland Planning Commission with further review of such facts of the Ashland Board of City Commissioners, and pursuant to KRS Chapter 100, that the official Zoning Ordinance of the City of Ashland, No. 101, series of 1986 and the official Zoning Map which is a part thereof, be hereby amended as follows:

CALLED MEETING FEBRUARY 15, 2017
ORDINANCE NO. 13, 2017 CONTINUED

The zoning classification of 622 and 624 13th Street is hereby changed from R-5 Multi/Single Family Residential/Medium Density to B-2 General Business.

SECTION 2. The invalidity of any provision of this Ordinance shall not affect the validity of any other provision.

SECTION 3. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 4. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 5. 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: January 26, 2017
READOPTED BY THE BOARD OF COMMISSIONERS: February 15, 2017
PUBLISHED:

MOTION

Motion was made by Gute, seconded by Clark, to adopt Ordinance No. 13, 2017, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins and Mayor Gilmore. Nay – none. Motion passed.

CONSENT AGENDA

RESOLUTION NO. 5, 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 **FEBRUARY 15, 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, **February 15, 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.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

CALLED MEETING FEBRUARY 15, 2017
CONSENT AGENDA CONTINUED

ADOPTED BY THE BOARD OF COMMISSIONERS: February 15, 2017

MOTION TO REMOVE ITEM (13) FROM CONSENT AGENDA

Motion was made by Clark, seconded by Perkins, to remove Item (13) - *City Manager recommends the termination of Ashland Police Officer Larry J. Smith, Jr. effective February 15, 2017* - from the Consent Agenda and vote on it separately. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins and Mayor Gilmore. Nay – none. Motion passed.

MOTION TO ADOPT CONSENT AGENDA AS AMENDED

Motion was made by Gute, seconded by Clark, to adopt Resolution No. 5, 2017.

DISCUSSION

Economic Development Director Chris Pullem appeared before the Commission to answer questions regarding Item (9) *Approval of an economic incentive package up to \$150,000.00, pursuant to Ordinance No. 2, 2014, to support the new development being constructed on Central Avenue at the 9th Street intersection* and Item (10) *Approval for the Board of City Commissioners to accept the property located at 1401 Winchester as a donation from Louisa Community Bank, in exchange for documentation evidencing the donation at the current assessed value* on the Consent Agenda. Regarding Item (9), EDD Pullem advised the Commission that any incentive will be in the form of public infrastructure upgrades on public right-of-way. Regarding Item (10), EDD Pullem advised the Commission that currently a developer is working on a project which could not move forward without the City's acceptance of the donated property. Mr. Pullem advised the City will accept the property as a donation while providing documentation to the donor, Louisa Bank, evidencing the assessed value of said property and improvements after the related project provides assurances of intent to proceed. If the developers representing the related project should abandon the project after assurances have been satisfied, the City would maintain ownership of said property.

VOTE ON MOTION TO ADOPT CONSENT AGENDA

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

CONSENT AGENDA ITEMS

1. City Manager recommends approval for payment in the amount of \$41,087.97 to Mike Enyart & Sons for work completed on the Miscellaneous Concrete and Asphalt Repair Work Project.
2. City Manager recommends approval for payment in the amount of \$42,945.00 to OTP Industrial Solutions, Inc. for the work completed on the purchase and replacement of two vertical turbine pumps, two breakers, and two variable frequency drives at Roberts Drive Water Booster Station project.
3. City Manager recommends approval for early payoff of the KIA loan for the water plant in the amount of \$847,241.24, with a maturity date of 12/01/22.
4. City Manager recommends approval to award the bid to furnish a suitable landfill location for the receipt and disposal of compacted garbage collected by the City for a period of one year to River Cities Disposal.
5. City Manager recommends approval for four Fire Department personnel to attend the Scott Safety Air Supplied Technician Training class in Louisville, Kentucky on March 14 – 17, 2017.

CALLED MEETING FEBRUARY 15, 2017
CONSENT AGENDA CONTINUED

6. City Manager recommends approval for the Fire Marshal and Fire Inspector to attend the Certified Fire & Explosion Investigator program at Eastern Kentucky University on March 13 - 16, 2017.
7. City Manager recommends approval for the Fire Department to apply for the 2017 Kentucky Office of Homeland Security Grant for the purpose of purchasing rescue tools.
8. City Manager recommends approval for the Fire Department to apply for the 2017 Firehouse Subs Grant for the purpose of purchasing six Automatic External Defibrillators.
9. City Manager recommends approval of an economic incentive package up to \$150,000.00, pursuant to Ordinance No. 2, 2014, to support the new development being constructed on Central Avenue at the 9th Street intersection.
10. City Manager recommends approval for the Board of City Commissioners to accept the property located at 1401 Winchester as a donation from Louisa Community Bank, in exchange for documentation evidencing the donation at the current assessed value.
11. City Manager recommends approval for the Mayor to sign a letter to the Commonwealth of Kentucky's General Assembly in support of an amendment to KRS 243.0341 allowing for a local option to reduce the minimum seating requirement from one-hundred (100) seats to fifty (50) seats for restaurants that serve alcohol within the City of Ashland's two wet precincts.
12. City Manager recommends the appointment of Tyler S. Martin to the position of Meter Service Worker, Grade 26, in the Engineering & Utilities Department, Water Distribution/Meter Services Division, contingent upon satisfactory completion of a physical examination.
13. Other Consent Items.

MOTION AUTHORIZING THE TERMINATION OF ASHLAND POLICE OFFICER LARRY J. SMITH, JR.

Motion was made by Gute, seconded by Perkins, authorizing the termination of Ashland Police Officer Larry J. Smith, Jr. effective February 15, 2017. Upon roll call, voting aye were Commissioners Gute, Perkins and Mayor Gilmore. Nay – none. Abstain – Commissioner Clark. Motion passed.

NEW BUSINESS
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 RIVER CITIES DISPOSAL, LLC FOR A SUITABLE LANDFILL LOCATION FOR THE RECEIPT AND DISPOSAL OF COMPACTED GARBAGE AND REFUSE, RUBBLE AND RUBBISH, COLLECTED BY THE CITY OF ASHLAND FOR A PERIOD OF ONE (1) YEAR IN AN AMOUNT NOT TO EXCEED \$17.75 PER TON FOR THE DEPARTMENT OF PUBLIC WORKS, DIVISION OF SANITATION.

CALLED MEETING FEBRUARY 15, 2017
ORDINANCE NO. _____, 2017 CONTINUED

MOTION

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

READING AND ADOPTION

RESOLUTION NO. 6, 2017

A RESOLUTION OF THE CITY OF ASHLAND, KENTUCKY, APPROVING LOAN NO. 2017-M-001 TO TIPTON’S TRADITIONS IN THE TOTAL AMOUNT OF \$70,000.00 TO BE PAID IN TWO INCREMENTS OF \$35,000.00 FROM THE ECONOMIC DEVELOPMENT MINORITY LOAN FUND.

BE IT RESOLVED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That the Board of Commissioners of the City of Ashland, Kentucky, hereby approves Loan No. 2017-M-001 to Tipton’s Traditions in the total amount of \$70,000.00 from the Economic Development Minority Loan Fund to be paid in two increments of \$35,000.00 each.

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

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: February 15, 2017

MOTION

Motion was made by Gute, seconded by Clark, to adopt Resolution No. 6, 2017. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins and Mayor Gilmore. Nay – none. Motion passed.

APPOINTMENTS

Ashland Housing Authority Board:

Motion was made by Clark, to approve the Mayor’s appointment of Larry Brown to the Ashland Housing Authority Board as the Mayor’s designee. Motion died for lack of a second.

Ashland Park Board:

Motion was made by Gute, seconded by Clark, to approve the Mayor’s appointment of Bobby Vanover to the Ashland Park Board for a four-year term that began on October 18, 2016 and will expire on October 18, 2020. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins and Mayor Gilmore. Nay – none. Motion passed.

CALLED MEETING FEBRUARY 15, 2017
APPOINTMENTS CONTINUED

Boyd County Emergency Ambulance Service:

Motion was made by Gute, seconded by Clark, to approve the Mayor's appointment of W. Richard Martin, Jr. to the Boyd County Emergency Ambulance Service for a two-year term that began on January 3, 2016 and will expire on January 3, 2018. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins and Mayor Gilmore. Nay – none. Motion passed.

Ashland Tennis Commission:

Motion was made by Clark, seconded by Perkins, to approve the Mayor's appointment of Lyndi Lowman to the Ashland Tennis Commission for a three-year term that began October 2, 2016 and will expire on October 2, 2019. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins and Mayor Gilmore. Nay – none. Motion passed.

EXECUTIVE SESSION

Motion was made by Clark, seconded by Perkins, to go into Executive Session at 12:39 PM to discuss individual personnel (City Manager applications). Upon roll call, voting aye were Commissioners Clark, Gute, Perkins and Mayor Gilmore. Nay – none. Motion passed.

RECONVENED

The meeting reconvened at 1:40 PM and Mayor Gilmore announced that the only item discussed was an individual personnel matter with no final action taken.

APPOINTMENT

Ashland Housing Authority Board:

Motion was made by Clark, seconded by Perkins, to approve the Mayor's appointment of Larry Brown to the Ashland Housing Authority Board as the Mayor's designee. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins and Mayor Gilmore. Nay – none. Motion passed.

ADJOURNMENT

Mayor Gilmore declared the meeting adjourned at 1:45 PM.

STEPHEN E. GILMORE
MAYOR

ATTEST:

SUSAN MADDIX
CITY CLERK