

**REGULAR MEETING
DECEMBER 8, 2016**

The Ashland Board of Commissioners met in Regular Session in the Commissioners' Chambers, City Building, Ashland, Kentucky, on Thursday, December 8, 2016, at the hour of 12:00 PM. Those present were Commissioners: Larry Brown, Amanda Clark, Kevin Gunderson, Marty Gute and Mayor Chuck D. Charles, who presided. Also present were: Stephen W. Corbitt, Acting 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; Osei Amo-Mensah, Planning and Community Development; Richard W. Martin, former Corporation Counsel and Interim City Manager; and Reporters.

The invocation was given by Commissioner Gunderson.

The Pledge of Allegiance was conducted.

AGENDA

Acting City Manager Corbitt presented the agenda of December 8, 2016. Motion was made by Clark, seconded by Gunderson, to receive & file the agenda. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay - none. Motion passed.

MINUTES

Motion was made by Gute, seconded by Brown, to dispense with reading and approve the minutes of the Regular Meeting held on November 10, 2016 and the Recessed Meeting held on November 11, 2016. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

HEARINGS AND REPORTS

Mayor and City Commissioners' Comments

Commissioner Clark welcomed everyone to the meeting. She thanked Commissioners Gunderson and Brown for helping guide her through her first term as City Commissioner. She also thanked Mayor Charles for his service to the City. Commissioner Clark stated it had been a privilege to have served with each of them.

Commissioner Gunderson advised being a City Commissioner has been the honor of his life and something he has never regretted. The meeting was Commissioner Gunderson's last after 26 years of service as a Commissioner. Kevin Gunderson was hired by the City of Ashland as a Police Officer 39 years ago and was wounded in the line of duty. He was first elected as a Commissioner in 1990. Commissioner Gunderson stated he was proud of the new police station, 2 new fire stations, the Ashland Town Center Mall, Riverfront Park, the Melody Mountain revitalization and the connection of the sewer lines between Boyd County and Ashland. Commissioner Gunderson thanked the employees and Department Heads. He stated he believed he was leaving the City in better shape than when he began and wishes nothing but the best to the new Commission.

Commissioner Brown stated it had been a pleasure to serve the citizens of Ashland as a City Commissioner for the past 16 years. He is proud of his work on the Riverfront Development project. He stated the City was borrowing money to make payroll when he was first elected and is proud that the City now has a fund balance of \$6.49 million. Commissioner Brown listed a few "Larryisms" for the incoming Commission such as: Become a better listener, be truthful, be honest, get all the facts before making a decision, leave on your own terms, etc.

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HEARINGS AND REPORTS CONTINUED

Commissioner Gute welcomed everyone to the meeting and thanked the Winter Wonderland of Lights committee on a successful parade. Commissioner Gute thanked Commissioners Gunderson and Brown, with whom he has served as Commissioner for 8 years, and Mayor Charles, with whom he has served for 4 years. He stated the meeting was bitter-sweet.

OLD BUSINESS

CONSENT AGENDA

RESOLUTION NO. 38, 2016

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 **DECEMBER 8, 2016**.

* * * * *

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, **December 8, 2016**, 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/CHUCK D. CHARLES
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: December 8, 2016

MOTION

Motion was made by Clark, seconded by Brown, to adopt Resolution No. 38, 2016. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

CONSENT AGENDA ITEMS

1. City Manager recommends approval for payment in the amount of \$32,978.00 to Bobby's Mulch for mulch used in the removal of sludge from the reservoir for the Department of Engineering and Utilities, Divisions of Water Distribution and Water Production.
2. City Manager recommends approval for payment in the amount of \$81,200.00 to Mike Enyart & Sons for work completed on the Miscellaneous Concrete and Asphalt Repair Work Project.
3. City Manager recommends approval for payment in the amount of \$52,583.94 to Mike Enyart & Sons for work completed on the Miscellaneous Concrete and Asphalt repair work.

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CONSENT AGENDA CONTINUED

4. City Manager recommends approval for payment in the amount of \$91,756.00 to National Bus Sales and Leasing for the purchase of one Goshen G Force 33 bus through a state approved bid of the The Kentucky Public Transit Association (KPTA).
5. City Manager recommends approval for the NAACP to conduct the annual Martin Luther King, Jr. March downtown on Monday, January 16, 2017. Approval is also recommended for the Ashland Police Department to provide a Color Guard.
6. City Manager recommends the appointment of Tonia L. Bodkins to the position of Part-Time Customer Service Representative, Grade 26, Finance Department, contingent upon satisfactory completion of physical examination.
7. City Manager recommends the appointment of Janet Y. Riggs to the position of Applications Clerk/Receptionist, part-time, Finance Department, Assisted Housing Division, contingent upon satisfactory completion of physical examination.
8. City Manager recommends the appointment of W. Cody Clark to the position of Police Officer, Ashland Police Department, contingent upon satisfactory completion of the polygraph and physical examination.
9. City Manager recommends the appointment of Roy J. Dillon and Sean D. Wood to the position of Water Distribution Operator I, Grade 23, in the Engineering & Utilities Department, Water Distribution/Meter Services Division, contingent upon satisfactory completion of physical examinations.
10. City Manager recommends the appointment of Edward T. Rearden, III and Adam T. Wellman to the position of Water Distribution Operator I, Grade 23, in the Engineering & Utilities Department, Water Distribution/Meter Services Division, effective Monday, December 12, 2016.
11. City Manager recommends the appointment of William E. Boyd to the position of Wastewater Collection Operator I, Grade 23, Engineering & Utilities Department, Wastewater Collection Division, contingent upon satisfactory completion of physical examination.
12. City Manager recommends the appointment of Andrew C. Hatfield to the position of Solid Waste Worker I, Grade 21, Public Works Department, Fleet Maintenance/Solid Waste Division, effective Monday, December 12, 2016.
13. City Manager recommends the appointment of Gary R. Elswick, Jr. 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.
14. Other Consent Items.

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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 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.

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 Brown, Clark, Gunderson, Gute and Mayor Charles. 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 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.

MOTION

Motion was made by Brown, seconded by Gunderson, to adopt Ordinance No. _____, 2017, at this its first reading. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. 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 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.

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ORDINANCE NO. _____, 2016 CONTINUED

MOTION

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

FIRST READING AND ADOPTION ONLY

ORDINANCE NO. _____, 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.

MOTION

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

DISCUSSION ITEM

Time and Date of Ashland Board of City Commissioners meeting for January, 2017
– The first regular meeting of the Board of Commissioners is scheduled for Thursday, January 12, 2017. Kentucky League of Cities has scheduled the 2017 City Officials Academy for January 11 – 13, 2017 in Lexington, Kentucky. Motion was made by Gute, seconded by Clark, moving the January 12 meeting to Thursday, January 5, 2017 at 12:00 PM (NOON). Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

EXECUTIVE SESSION

Motion was made by Gunderson, seconded by Clark, to go into Executive Session at 12:25 PM to discuss an individual personnel matter and pending litigation. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

RECONVENED

The meeting reconvened at 12:55 PM and Mayor Charles announced that the only items discussed were an individual personnel matter and pending litigation with no final action taken.

Retirement Agreement of Fire Chief F. Scott Penick

Motion was made by Gute, seconded by Brown, authorizing an agreement between the City of Ashland and Fire Chief F. Scott Penick for payment of one year of military retirement credit and his retirement from the City of Ashland to be effective January 31, 2017 as a result thereof, subject to execution of an agreement by Chief Penick memorializing these terms and requirements of the Kentucky Retirement System. Upon roll call, voting aye were Commissioners Brown, Gute and Mayor Charles. Nay – Commissioners Clark and Gunderson. Motion passed.

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OTHER NEW BUSINESS CONTINUED

Tire Investigation and Insurance Settlement

Motion was made by Clark, seconded by Brown, authorizing the settlement of the claim of the City of Ashland against its insurance company by acceptance of \$150,000.00 relating to employee dishonesty as to the missing tire investigation. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

Statement by Mayor Chuck D. Charles

Mayor Charles stated it had been a privilege to serve the City of Ashland as Mayor and he will always stand ready to help in any way. He has truly enjoyed the position of Mayor.

ADJOURNMENT

Mayor Charles declared the meeting adjourned at 1:00 PM.

CHUCK D. CHARLES
MAYOR

ATTEST:

SUSAN W. MADDIX
CITY CLERK