



K E N T U C K Y

**Ashland Board of Commissioners**

**Thursday, February 28, 2019**

**6:00 PM**

**Commissioners' Chambers**

**AGENDA**

**I. CALL TO ORDER**

**II. INVOCATION**

**III. PLEDGE OF ALLEGIANCE**

**IV. RECEIVE AND FILE AGENDA**

**V. RECEIVE AND FILE MINUTES**

**VI. ELECTION OF MAYOR PRO-TEM**

**VII. HEARINGS AND REPORTS**

a. *Mayor and Commissioners' Comments*

b. *City Manager's Report*

**VIII. PUBLIC PARTICIPATION - FOR ITEMS NOT LISTED ON THE AGENDA.** Anyone with a comment or request may come to the podium and address the Commission concerning matters related to City business, services or personnel. Comments related to election issues or concerning personal disputes will not be allowed. Personal attacks, obscene, or threatening language will not be tolerated. 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.

**IX. OLD BUSINESS**

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

*AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE A MUTUAL AID AGREEMENT BETWEEN THE CITY OF ASHLAND, ASHLAND FIRE DEPARTMENT, AND THE TRI-STATE AIRPORT AUTHORITY FIRE RESCUE.*

*Fiscal Note:*

*Cost cannot be determined because amount of cost would depend on the plane crash or other emergency that occurs.*

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

*AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE TASK ORDER #23 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND STRAND ASSOCIATES, INC. REGARDING THE 2018 ANNUAL COMBINED SEWER OVERFLOW REPORTS FOR THE DEPARTMENT OF PUBLIC SERVICES & UTILITY OPERATIONS IN AN AMOUNT NOT TO EXCEED \$15,000.00.*

*Fiscal Note:*

*Annual required report not to exceed \$ 15,000 to Strand Engineering. This cost is budgeted and funded by CSO charges on Utility Bill. This is an annual expense.*

- c. *Other Old Business*

**X. 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 of Pay Request #12 dated January 25, 2019 in the amount of \$89,743.30 to Tri- State Construction & Enterprise for the work completed on the Mill Street Facility Project, Phase II.*

*Fiscal Note: This is Final Payment on contract. Original Contract on Phase II = \$ 735,886. Final Contract Amount with Change Order #1 -6 (Totaling \$90,339) = \$ 826,225. This is not final cost on project as various other items to complete such as fencing, gravel, site work, security, concrete and demolition of building. These items were budgeted and funded with proceeds from a 2015 Utility Bond Issue.*

2. *City Manager recommends approval for payment of Pay Request #1 dated February 20, 2019 in the amount of \$60,957.11 to Morris Contracting, Inc for the work completed on the South 29th Street Waterline Replacement Project.*

*Fiscal Note: The contract awarded by Ordinance 122, 2018 is \$ 225,787.20. First payment request is \$ 60,957.11 which leaves a balance on the contract of \$ 164,830.09.*

3. *City Manager recommends approval to award the bid for the purchase of all labor and materials for miscellaneous asphalt and concrete repair work for up to one year to BLK Construction, LLC, Department of Public Services.*

*Fiscal Note: Total Bid Amount is \$465,070 and budgeted in various City divisions. Prices vary per type of concrete project needed.*

4. *City Manager recommends approval to award the bid for the Safe Harbor Building #3 Renovations in the amount of \$58,058.58 to Tri-State Construction, LLC.*

*Fiscal Note: Budgeted amount was \$65,000, included in the CDBG 2018 Annual Plan. The bid for the contract was \$58,058.58 for the ADA Compliant Transitional Unit. TSHD Architects has been paid \$4,725 and is owed \$525 for a total amount of \$5,250. Contract and Architect costs = \$ 63,308.58.*

5. *City Manager recommends approval for the Holy Family School to host their Leaping Leprechaun Annual 5k on March 16, 2019 from 7:30 am - 8:30 am with all proceeds going to Holy Family School at an estimated City Staff cost of \$259.08, to be paid by Holy Family School. Sponsor is asking for any City fees to be waived.*

*Fiscal Note: If City fees are waived, cost of City Staff estimated at \$259.08. Streets 2 employees, 4 OT hours each, costs are deducted from the Streets Department budget.*

6. *City Manager recommends approval for the Boyd County Public Library to host the Love Your Library Annual 5k to promote library awareness, utilizing City Route B on Friday, April 26th, 2019 from 7:00 pm - 8:30 pm with an estimated City Staff cost of \$1,129.71, to be paid by Boyd County Public Library. Sponsor is asking for all City fees to be waived.*

*Fiscal Note: If City fees are waived, cost of City Staff estimated at \$1,129.71 . Police = \$320.09 based on 2 officers working 4 hours each. Streets = \$809.62 ( 5 employees with 5 hours OT), costs deducted from both Police and Street Department budgets.*

7. *City Manager recommends for the Mayor, Stephen E. Gilmore, to sign a letter of commitment to Kentucky Housing Corporation for Ashland Assisted Housing Authority to provide seventy-seven project-based vouchers to the Gla-Low Apartment Development.*

*Fiscal Note: Seventy-seven of our Section 8 Housing Vouchers will be taken off the street and reserved for Gla-Low Apartment Development. These 77 units will be a mixture of one bedroom, two bedroom and three bedroom units with contract rent of \$725 for Three Bedroom unit, \$583 for Two Bedroom Unit and \$ 484 for One Bedroom Unit. The average tenant payment will be approximately \$271 per month per tenant. The City's Housing Assistance Payment will be on average \$480.12 per month per unit or \$ 36,969.24 monthly for 77 units. Yearly Housing Assistance Payments (HAPS) will be approximately \$ 443,631 which will be made to Gla-Low Apartments from City's Section 8 Voucher program. City's January Housing Assistance Payments from the Department of Housing and Urban Development = \$ 224,450 and Housing Assistance Payments to Landlords = \$ 215,750. Excess Funds in January = \$ 8,700. Project based units payments would have been \$39,969 which is a shortage of \$28,269 which would have to come from reserves or tenant attrition of approximately 59 in current program before program implementation next year which should be easily achieved.*

8. *City Manager recommends the probationary appointment of Mayor Secretary II, Grade 105, Department of General Government, contingent upon satisfactory completion of physical examination.*
9. *City Manager recommends the appointment of Streets Superintendent, Grade 112, Division of Streets, Department of Public Services & Utility Operations, effective March 4, 2019.*
10. *City Manager recommends approval of a Declaration of a Local State of Emergency where during the month of February, 2019, severe weather events occurred in Ashland, Kentucky and heavy rains, flooding, mud slides and road slips have occurred and it is necessary to protect property, life, safety and welfare of the citizens of Ashland.*

*Fiscal Note:  
Unknown at this time*

11. *Other Consent Items*

## **XI. 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 BLK CONSTRUCTION, LLC FOR ALL LABOR & MATERIALS FOR MISCELLANEOUS CONCRETE AND ASPHALT REPAIR WORK FOR UP TO ONE YEAR IN THE AMOUNT OF \$465,070.00 FOR THE DEPARTMENT OF PUBLIC SERVICES AND UTILITY OPERATIONS, DIVISIONS OF WASTEWATER COLLECTION AND WATER DISTRIBUTION.*

*Fiscal Note:*

*Total bid amount is \$465,070 and budgeted in various City divisions. Prices vary per type of concrete project needed.*

*b. 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, KENTUCKY AND TRI-STATE CONSTRUCTION & ENTERPRISE L.L.C. IN THE AMOUNT OF \$58,058.58 FOR RENOVATIONS AT SAFE HARBOR OF NORTHEAST KENTUCKY, BUILDING #3, RESULTING IN AN ADA COMPLIANT TRANSITIONAL UNIT, TO BE PAID FROM COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR PROGRAM YEAR 2018 FOR THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT.*

*Fiscal Note:*

*Budgeted amount was \$65,000, included in the CDBG 2018 Annual Plan. The bid for the contract was \$58,058.58 for the ADA Compliant Transitional Unit. TSHD Architects has been paid \$4,725 and is owed \$525 for a total amount of \$5,250. Contract and Architect costs = \$ 63,308.58.*

*c. First reading and approval of an ordinance entitled:*

*AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING SECTION 14 OF ORDINANCE NO. 105, SERIES OF 2000, AS PREVIOUSLY AMENDED, RESTRICTING ANIMALS WITHIN THE CITY, COMMONLY KNOWN AND REFERRED TO AS THE ANIMAL CONTROL ORDINANCE.*

*Fiscal Note:*

*Additional costs are minimal and majority of calls will be made during personnel regular shifts.*

*d. First reading and approval of an ordinance entitled:*

*AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING ORDINANCE NO. 87, SERIES OF 1992, AS PREVIOUSLY AMENDED BY ORDINANCE NO. 29, SERIES OF 1995, ORDINANCE NO. 118, SERIES OF 2002, AND ORDINANCE NO. 18, SERIES OF 2013, WHICH ADOPTED THE "PROCUREMENT REGULATIONS FOR THE CITY OF ASHLAND, KENTUCKY, JUNE 30, 1992."*

*Fiscal Note: No fiscal impact, this is an administrative update to procurement ordinance.*

*e. First reading and approval of an ordinance entitled:*

*AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, REQUIRING THE PREPARATION OF A FISCAL NOTE FOR ANY ITEM SUBMITTED TO THE ASHLAND BOARD OF CITY COMMISSIONERS FOR APPROVAL OF THE EXPENDITURE OF CITY FUNDS, EITHER DIRECTLY OR INDIRECTLY.*

*Fiscal Note: Cost will vary on each preparation of Fiscal Note.*

f. *First reading and approval of an ordinance entitled:*

*AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ACCEPTING THE PROPOSAL OF HDR INC. TO PROVIDE PROFESSIONAL ENGINEERING AND RATE DEVELOPMENT SERVICES FOR A COST-OF-SERVICE (COS) STUDY OF RATES FOR BOTH THE WATER AND SEWER SYSTEMS IN AN AMOUNT NOT TO EXCEED \$72,000.00 FOR THE DEPARTMENT OF PUBLIC SERVICES AND UTILITY OPERATIONS.*

*Fiscal Note:*

*The costs of the water and sewer rate study is not to exceed \$72,000.*

g. *First reading and approval of an ordinance entitled:*

*AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ACCEPTING THE PROPOSAL OF LJB INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN AND PERMITTING OF THE REPLACEMENT OF WATERLINES WITHIN VARIOUS AREAS OF THE CITY'S DISTRIBUTION SYSTEM IN AN AMOUNT NOT TO EXCEED \$206,000.00 FOR THE DEPARTMENT OF PUBLIC SERVICES AND UTILITY OPERATIONS.*

*Fiscal Note:*

*Engineering costs are based on hourly rate schedule. An Engineer rates vary from \$ 85-\$205 an hour, Survey crew chief = \$ 90 an hour and Designer = \$ 65- \$110 an hour. This agreement is per hour based on employee utilized and their position with an not to exceed amount of \$ 206,000. The list of water lines engineered construction costs using figures in BlueWater Report total \$ 5,027,431 in approximated costs or 9.39 miles on lines. City Engineer projects city waterline crew can install 1 mile of line per year with yearly labor costs of \$261,636.*

h. *First reading and approval of an ordinance entitled:*

*AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING PART III. CONDITIONS OF EMPLOYMENT, SECTION C. DISCIPLINARY ACTION, OF THE "POLICIES AND PROCEDURES, COMPENSATION PLAN AND CLASSIFICATION PLAN" AS ADOPTED BY ORDINANCE NO. 51, SERIES OF 2017, AS PREVIOUSLY AMENDED.*

*Fiscal Note:*

*Clarification in policy with minimal fiscal impact. Employee will be responsible for their health insurance deductions while on leave without pay. The City contribution/benefit to healthcare insurance shall not be forfeited, and the employee continues to pay their premium.*

i. *First reading and approval of an ordinance entitled:*

*AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ADOPTING THE JOB DESCRIPTION FOR THE POSITION OF CITY ENGINEER AS A REPLACEMENT FOR THE POSITION OF CITY ENGINEER AND CAPITAL PROGRAM DIRECTOR IN THE DEPARTMENT OF ENGINEERING; ELIMINATING THE POSITION OF DIRECTOR OF PUBLIC SERVICES AND UTILITY OPERATIONS IN THE DEPARTMENT OF PUBLIC SERVICES AND UTILITY OPERATIONS; CREATING THE DEPARTMENT OF UTILITIES AND ADOPTING THE JOB DESCRIPTION FOR THE POSITION OF*

*DIRECTOR OF UTILITIES; CREATING THE DEPARTMENT OF PUBLIC SERVICES; AND AMENDING THE AUTHORIZED POSITIONS LISTING TO REFLECT THESE CHANGES TO THE "POLICIES AND PROCEDURES, COMPENSATION PLAN AND CLASSIFICATION PLAN" AS ADOPTED BY ORDINANCE NO. 51, SERIES OF 2017, AS PREVIOUSLY AMENDED.*

*Fiscal Note: Overall this is budget neutral. Utility Director salary and benefits = \$ 111,087 at starting salary for Grade 115.*

j. *Appointment:*

*APPOINTMENT OF MARK BLAIR TO THE ASHLAND CODE ENFORCEMENT BOARD.*

k. *Other New Business*

## **XII. ADJOURNMENT OR RECESS**