



K E N T U C K Y

**Ashland Board of Commissioners**

**Thursday, May 09, 2019**

**12:00 PM**

**Commissioners' Chambers**

**AGENDA**

**I. CALL TO ORDER**

**II. INVOCATION**

**III. PLEDGE OF ALLEGIANCE**

**IV. RECEIVE AND FILE AGENDA**

**V. RECEIVE AND FILE MINUTES**

- a. *Regular Meeting April 25, 2019*

**VI. HEARINGS AND REPORTS**

- a. *Mayor and Commissioners' Comments*

**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 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.

**VIII. OLD BUSINESS**

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

*AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ADOPTING AMENDMENT 9 FOR CITY EMPLOYEES AND AMENDMENT 8 FOR THE FIRE DEPARTMENT UNION FOR THE CITY OF ASHLAND, KENTUCKY MEDICAL CARE PLAN AND SUMMARY PLAN ADOPTED BY ORDINANCE 46, 2012 AND PREVIOUSLY AMENDED, DUE TO THE NAME CHANGE OF THE ORGAN AND TRANSPLANT POLICY PROVIDER.*

*FISCAL NOTE: Policy provider name change due to sale of company with no additional premiums.*

- 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 A CONTRACT BETWEEN THE CITY OF ASHLAND AND MOUNTAIN ENTERPRISES, INC. FOR THE PLACEMENT AND REPLACEMENT OF BITUMINOUS ASPHALT MATERIAL FOR THE 2019 STREET PAVING PROGRAM IN THE AMOUNT OF \$865,375.00 FOR THE CITY OF ASHLAND, DEPARTMENT OF PUBLIC WORKS.*

*FISCAL IMPACT: Bid increased from prior year 17.4%. FY 19 current budget is \$1,199,120 with \$852,950 remaining. Mountain Enterprises was the only bid received.*

c. *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 PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF ASHLAND, KENTUCKY AND TAYLOR SIEFKER WILLIAMS DESIGN GROUP LLC IN THE AMOUNT OF \$32,980.00 FOR THE PREPARATION OF A COMPREHENSIVE PLAN FOR THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT.*

*FISCAL NOTE: Contract cost = \$32,980 of which 50% to be paid by CDBG funds and 50% by the General Fund. The budget will be adjusted to include costs of Comprehensive Plan. There are adequate funds available to fund this plan. Estimated 50% will be paid during this Fiscal Year.*

d. *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 AN AGREEMENT BETWEEN THE CITY OF ASHLAND, KENTUCKY AND DIXON ENGINEERING, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE PROJECT ADMINISTRATION AND INSPECTION SERVICES FOR THE COATING, PAINTING AND REPAIRING OF THE 1,000,000 GALLON SUMMIT WATER STORAGE TANK IN AN AMOUNT NOT TO EXCEED \$67,522.65.*

*FISCAL NOTE: Inspection services= \$67,522.65. The total amount will include the cost of the painting and rehabilitation \$215,800 by Horizon Brothers, the design and specification cost from Dixon Engineering of \$4,500. Total FY 19 budget for this project is \$300,000 with \$287,823 spent / committed if bid is awarded.*

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

*AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING THE "POLICIES AND PROCEDURES, COMPENSATION PLAN AND CLASSIFICATION PLAN" AS ADOPTED BY ORDINANCE NO. 51, SERIES OF 2017, AS PREVIOUSLY AMENDED, TO INCLUDE A SMOKING/TOBACCO USE POLICY.*

*FISCAL NOTE: Fiscal Impact is minimal. The cost of publishing ordinance and updating personnel policy is only known fiscal impact.*

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

*AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND APPROVING CHANGE ORDER NO. 1 DATED APRIL 18, 2019 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND SUMMIT FENCE COMPANY, INC. INCREASING THE CONTRACT AMOUNT BY \$6,050.00 FOR THE INSTALLATION OF FENCING, GATES AND ALL APPURTENANCES FOR THE NEW MILL STREET FACILITY FOR THE DEPARTMENT OF UTILITIES.*

*FISCAL NOTE: Change order for fencing contract exceeds project budget of \$570,000. Total spent / committed with proposed change order \$577,771.*

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

*AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ADOPTING BY REFERENCE UPDATED "PROCUREMENT REGULATIONS FOR THE CITY OF ASHLAND, KENTUCKY, MAY 2019" AND REPEALING ORDINANCE NO. 87, SERIES OF 1992, AND ALL AMENDMENTS THERETO.*

*FISCAL NOTE: Administrative procurement changes to reflect updates in Kentucky Revised Statutes and Federal Procurement Regulations. This is administrative in nature and has no fiscal impact.*

h. *Other Old 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 authorizing payment of Invoice #19-4919 dated February 1, 2019 in the amount of \$17,927.98 to Dixon Engineering, Inc. for engineering and inspection services on the Catlettsburg Water Storage Tank for the Department of Utilities, Division of Water Distribution.*

*FISCAL NOTE: Final payment for engineering contract. Total engineering contract = \$ 62,477.98. Total Catlettsburg tank project = \$ 407,731.98.*

2. *City Manager recommends authorizing payment for Pay Request #4, including invoices #52255 and #52253 dated March 31, 2019 in the total amount of \$27,556.25 to GRW for the work completed on the Pollard Mills Drainage Improvement Project.*

*FISCAL NOTE: Budgeted for FY2019 CDBG Fund - \$16,438.75 (storm water, sidewalks, curbs and gutters) Utility Fund - \$11,117.50 (waterline replacement)*

3. *City Manager recommends authorizing payment for Pay Request #5, including invoices #52344 and #52345 dated April 30, 2019 in the total amount of \$32,044.68 to GRW for the work completed on the Pollard Mills Drainage Improvement Project.*

*FISCAL NOTE: Budgeted for FY2019 CDBG Fund - \$25,544.68 (storm water, sidewalks, curbs and gutters) Utility Fund - \$6,500 (waterline replacement)*

4. *City Manager recommends authorizing payment of Invoice #CI-0000012736 dated April 4, 2019 in the amount of \$58,364 to Service Pump & Supply Co., Inc. for the purchase and installation of the 26th Street sewage station channel grinder replacement, Department of Utilities, Division of Wastewater Collection.*

*FISCAL NOTE: Payment of budgeted grinder replacement = \$58,364.*

5. *City Manager recommends authorizing payment for Pay Request #3 dated April 9, 2019 in the amount of \$9,359.16 to Mike Enyart & Sons, Inc. for the work completed on the Louisa Street Waterline Project.*

*FISCAL NOTE: Final payment on budgeted contract for Louisa Street, \$9,359.16.*

6. *City Manager recommends authorizing payment of Invoice #644457 dated April 25, 2019 in the amount of \$20,476.15 to Rumpke for the removal and disposition of sludge from the Wastewater Treatment Plant from March 25 to April 23, 2019.*

*FISCAL NOTE: Payment of budgeted bid item for sludge removal. Budget = \$190,000, FYTD expense = \$ 144,634.07 or 76.1% after payment of this invoice.*

7. *City Manager recommends approval for the Paramount Arts Center to conduct PAC Live @ Ashland Riverfront Park on September 14, 2019 from 6:00 pm - 11:00 pm. All proceeds will be going to the Paramount Arts Center at an estimated City Staff cost of \$3,462.29 to be paid by the Paramount Arts Center. Sponsor is asking for any City fees to be waived.*

*FISCAL NOTE: If City fees are waived, cost of City Staff estimated at \$3,462.29. Police Department, 7-11 Officers, 49 - 77 hours, costs are deducted from the Police Department budget.*

8. *City Manager recommends approval to declare the attached list as surplus property.*

*FISCAL NOTE: Disposal of property through auction. Revenue received will be recognized in appropriate funds. FY 18 revenue from surplus auction = \$ 21,019. Also, insurance savings from disposal of capital assets.*

9. *City Manager recommends approval for the Mayor to sign a Memorandum of Agreement between the City of Ashland and Kentucky Community and Technical College System to establish guidelines and responsibilities of off-campus educational experiences for students in the Diesel Technology and Auto Technology programs.*

*FISCAL NOTE: EDUCATIONAL PROGRAM FOR STUDENTS IN ACTC DIESEL TECHNOLOGY AND AUTO TECHNOLOGY PROGRAM AT NO COST TO THE CITY EXCEPT ADMINISTRATIVE TIME WITH STUDENTS AND COLLEGE ADMINISTRATORS. PROGRAM COULD ALSO BRING AWARENESS TO NEW TECHNOLOGY TO CURRENT CITY STAFF AT NO COSTS.*

10. *City Manager recommends approving the appointment of Utilities Director, Grade 115, Utilities Department, effective May 13, 2019.*

*FISCAL NOTE: Minimum salary and benefits for Grade 115 is \$110,140. FY 19 budget for Public Services Utilities Operations Director position is \$158,306. FY 20 proposed budget for Utility Director is \$118,729.*

11. *City Manager recommends approval for the appointment of Crew Leader / Bus Driver, Grade 109, Department of Finance, Division of Mass Transit, effective May 13, 2019.*

*FISCAL NOTE: Position is authorized and budgeted. Salary and benefits = \$ 64,819.*

12. *City Manager recommends approval for the appointment of Bus Driver, Grade 106, Department of Finance, Division of Mass Transit, effective May 13, 2019.*

*FISCAL NOTE: Position is authorized and budgeted. Salary and benefits = \$ 58,385.*

13. *City Manager recommends approval for the appointment of (3) Relief Bus Driver, Grade 106, Department of Finance, Division of Mass Transit, effective May 13, 2019.*

*FISCAL NOTE: Positions budgeted and authorized. Salary and Benefit Costs = \$ 161,121.*

14. *Other Consent Items*

## **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 CONTRIBUTION-IN-AID-OF-CONSTRUCTION AGREEMENT FOR THE INSTALLATION OF UNDERGROUND SERVICE TO THE NEW STOP LIGHTS IN THE 1200 BLOCK OF WINCHESTER AVENUE FOR THE STREETSCAPE PROJECT IN THE AMOUNT OF \$449.59.*

*FISCAL NOTE: Construction fee cost of \$449.59 payable to Kentucky Power for underground service installation. Streetscape budget = \$ 800,000 and Total cost of 1200 Block of Streetscape = \$ 317,823.86 and FYTD expenses = \$ 193,770.46.*

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 SUBMIT THE FFY 2019 GRANT APPLICATION TO THE FEDERAL TRANSIT ADMINISTRATION ON BEHALF OF THE ASHLAND BUS SYSTEM FOR OPERATING COSTS, PREVENTATIVE MAINTENANCE, PARA TRANSIT SERVICE, MAINTENANCE PAYROLL AND CAPITAL EXPENDITURES; AND FURTHER AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY FOR THE IMPLEMENTATION OF THIS GRANT.*

*FISCAL NOTE: Submittal of FFY 20 FTA 5307 / 5339 grant funds for the Ashland Bus System. FTA Grant = \$720,672, State Transportation Grant Match = \$ 50,581, City Grant Match = \$366,615 for a total of \$1,137,868.*

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

*AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO SUBMIT THE PROGRAM YEAR 2019 ACTION PLAN FOR A COMMUNITY DEVELOPMENT BLOCK GRANT TO THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD), AND UPON ACCEPTANCE OF SAID APPLICATION FROM HUD, TO EXECUTE ON BEHALF OF THE CITY OF ASHLAND, AN AGREEMENT WITH THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO ENABLE THE CITY TO UNDERTAKE THESE ACTIVITIES AND/OR ANY AND ALL DOCUMENTS ASSOCIATED WITH THE GRANT SUBMITTAL.*

*FISCAL NOTE: City Fiscal Year 2020 Grant = \$ 561,481 and Estimated Carry-Over funds = \$998,805 totaling \$ 1,560,286.*

*The following projects are included in the plan:*

*Administration of Grant = \$ 110,581.*

*Code Enforcement of Pollard Mills, East Central and City Central neighborhoods = \$ 43,530.*

*Project Administration of Rehab projects = \$12,000.*

*Ashland Child Development Center = \$ 7,000 for reimbursement of utilities and liability insurance.*

*Ashland Community Kitchen = \$ 5,000 for reimbursement of utilities and liability insurance.*

*Ashland Senior Center = \$ 14,000 for reimbursement of operation expenses, including food, utilities and liability insurance.*

*Cares Staff Salaries = \$ 30,000 for salary reimbursement of homeless services.*

*Hillcrest Bruce Mission Food Pantry = \$ 18,000 for reimbursement of food pantry supplies.*

*Safe Harbor = \$ 5,000 for reimbursement of utilities and liability insurance.*

*Shelter of Hope = \$5,000 for reimbursement of utilities and liability insurance.*

*Public Facilities / Infrastructure = \$ 701,067 for installation of storm sewer drains, curbs, gutters, resurfacing of streets & retaining wall in Pollard Neighborhood.*

*DeBord Slippage - \$50,000 to provide funding for Ashland Housing Authority for DeBord slippage repair.*

*DeBord Steps & Handrails = \$156,634 to provide funding for Ashland Housing Authority DeBord steps & handrail project.*

*Gla-Low Windows = \$130,000 to provide windows for 8 buildings in the Gla-Low Apartment Complex.*

*Emergency/Energy Efficient Rehabilitation = \$17,688 to provide various property improvements such as roofs and guttering to low-moderate income applicants.*

*East Central Police Substation = \$ 189,995 to provide substation for police office dedicated to East Central neighborhood and community room.*

*Homeowner Rehabilitation = \$ 20,000 to provide hot water tanks and HVAC for qualified homeowner applicants in target neighborhoods.*

*Ashland Senior Center = \$10,000 for carpet in Ashland Senior Center.*

*Safe Harbor = \$ 34,791 for completion of Handicapped Accessible Unit.*

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

*AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ACCEPTING THE PROPOSAL OF KRONOS SAASHR, INC. TO PROVIDE A HUMAN RESOURCES SYSTEM FOR THE CITY OF ASHLAND IN AN EFFORT TO DIGITALIZE THE CURRENT SYSTEM FOR A ONE-TIME SETUP FEE OF \$5,000.00 AND A FEE OF \$84.00 ANNUALLY PER EMPLOYEE FOR AN APPROXIMATE AMOUNT OF \$25,200.00 BASED ON 300 EMPLOYEES FOR THE DEPARTMENT OF GENERAL GOVERNMENT, DIVISION OF HUMAN RESOURCES.*

*FISCAL NOTE: Pending budget adjustment for one time set-up fee of \$5,000. Estimated annual cost of \$25,200 for FY 20. Estimated cost savings of \$14,000 to \$19,050 associated with background check costs, 1095 reporting/distribution, job advertising and other various administrative cost reductions.*

e. *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 QUITCLAIM DEED OF CONVEYANCE BETWEEN THE CITY OF ASHLAND, KENTUCKY, AND NEXT LEVEL PROPERTIES, INC. REGARDING THE ACCEPTANCE OF THE DONATION OF 3408 CENTRAL AVENUE IN EAST ASHLAND.*

*FISCAL NOTE: Property value of donated land = \$ 13,000. City property tax revenue loss of approximately = \$ 37.*

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

*AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ADOPTING THE REVISED JOB DESCRIPTION FOR THE POSITIONS OF BUS DRIVER AND RELIEF BUS DRIVER; ADOPTING THE JOB DESCRIPTION FOR THE POSITION OF PARATRANSIT DRIVER; ALL IN THE DEPARTMENT OF FINANCE, DIVISION OF MASS TRANSIT; AND AMENDING THE AUTHORIZED POSITIONS TO REFLECT THE CHANGE IN GRADE OF BUS DRIVER AND RELIEF BUS DRIVER AND TO ADD THE POSITION OF PARATRANSIT DRIVER OF THE "POLICIES AND PROCEDURES, COMPENSATION PLAN AND CLASSIFICATION PLAN" AS ADOPTED BY ORDINANCE NO. 51, SERIES OF 2017, AS PREVIOUSLY AMENDED.*

*FISCAL NOTE: Reclassifications will not change total number of personnel. Grade changes will result in \$20,367 increase in salary and benefits.*

g. *Other New Business*

## **XI. EXECUTIVE SESSION**

a. *Potential Contractors Litigation*

**XII. ADJOURNMENT OR RECESS**