



**Ashland Board of Commissioners
Thursday, June 27, 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. *Recessed Meeting May 21, 2019*

b. *Recessed Meeting May 22, 2019*

c. *Regular Meeting May 23, 2019*

d. *Regular Meeting June 13, 2019*

VI. HEARINGS AND REPORTS

a. *Mayor and Commissioners' Comments*

b. *City Manager's Report*

c. *Barton and Longuidice Presentation*

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, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE A SCHOOL RESOURCE OFFICER AGREEMENT BETWEEN THE CITY OF ASHLAND, KENTUCKY AND THE ASHLAND INDEPENDENT SCHOOL DISTRICT FOR THE TERM JULY 1, 2019 TO JUNE 30, 2020.

FISCAL NOTE: Salary and benefits reimbursed to the City by Ashland Independent Schools FYTD = \$40,542.80.

- 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 SHORT FORM AGREEMENT BETWEEN THE CITY OF ASHLAND, KENTUCKY AND HDR ENGINEERING, INC. FOR PROFESSIONAL SERVICES FOR A COST-OF-SERVICE (COS) STUDY OF RATES FOR BOTH THE WATER AND SEWER SYSTEMS IN THE AMOUNT OF \$72,000.00 AS ADOPTED BY ORDINANCE NO. 21, SERIES OF 2019, FOR THE DEPARTMENT OF UTILITIES.

FISCAL NOTE: Contract not to exceed \$72,000. Need to do budget adjustment for these studies.

- c. *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 17, 2019 IN THE AMOUNT OF \$11,280.00 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND SERVICE PUMP & SUPPLY, INC. FOR A CONTRACT ADOPTED BY ORDINANCE NO. 39, SERIES OF 2019, REGARDING REFURBISHING AND RE-INSTALLING ONE FLOWSERVE MODEL 23 EPM RAW WATER INTAKE PUMP FOR THE DEPARTMENT OF UTILITIES, DIVISION OF WATER PRODUCTION.

FISCAL NOTE: Original contract amount and change order total \$98,780. A budget adjustment was never completed on original contract approved in March therefore an adjustment for the entire amount will be needed.

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

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND APPROVING CHANGE ORDER NO. 2 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND ARROW ELECTRIC CO., INC. CHANGING THE COMPLETION DATE FROM MAY 11, 2019 TO JULY 16, 2019 FOR THE WINCHESTER AVENUE STREETScape PROJECT FOR THE DEPARTMENT OF PUBLIC WORKS.

FISCAL NOTE: No financial impact.

- e. *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 TRUST PARTICIPATION AGREEMENT FOR THE KENTUCKY LEAGUE OF CITIES INSURANCE SERVICES GENERAL INSURANCE TRUST FOR FY 2019-2020.

FISCAL NOTE: This agreement is for our property and liability insurance. Fiscal Year 2020 proposed costs = \$ 423,527.19. Costs are \$2,397 lower or .56% over prior year.

f. *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 PEOPLES INSURANCE AGENCY, LLC TO PROVIDE INSURANCE AND/OR RISK MANAGEMENT SUPPORT SERVICES FROM JULY 1, 2019 – JUNE 30, 2020 IN THE AMOUNT OF \$25,000.00 AND AUTHORIZING PAYMENT OF SAME.

FISCAL NOTE: Budgeted contract fee for Property and Casualty broker / agent services of \$25,000. No change from prior fiscal year.

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

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ADOPTING AND ENACTING SUPPLEMENTS S-71, S-72 AND S-73 TO THE CODE OF ORDINANCES OF THE CITY OF ASHLAND.

FISCAL NOTE: Supplements included in Budget at approximately \$8,000 to \$10,000 per year. The amount varies with the number of ordinance adopted by the City.

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

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING ORDINANCE NO. 61, SERIES OF 2019, WHICH ADOPTED BY REFERENCE THE “PROCUREMENT REGULATIONS FOR THE CITY OF ASHLAND, KENTUCKY, MAY 2019”.

FISCAL NOTE: Increasing bid limit from \$20,000 to \$30,000 pursuant to KRS 45A.360.

i. *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 GRW ENGINEERS, INC. REGARDING THEIR CONTRACT TO PROVIDE ENGINEERING SERVICES FOR THE POLLARD MILLS DRAINAGE IMPROVEMENT PROJECT MAKING NO CHANGE TO THE PROJECT TOTAL OF \$421,800.00 BUT RE-DISTRIBUTING FUNDS WITHIN THE CONTRACT FOR THE DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT.

FISCAL NOTE: Total contract amount will not be affected. Change Order #1 decreases CDBG Funding by \$1,745 to \$370,055 and increases Utility Funding by \$1,745 to \$51,745 (waterline replacement). Total spent to date, \$83,903.35.

j. *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 QUITCLAIM DEED OF CONVEYANCE BETWEEN THE CITY OF ASHLAND, KENTUCKY, AND PAUL D. STEWART, NELLA STEWART AND SAVONNA MONTGOMERY REGARDING THE ACCEPTANCE OF THE DONATION OF 3430 CENTRAL AVENUE IN EAST ASHLAND.

FISCAL NOTE: Donation acceptance estimated cost, \$987.61 for back taxes owed. Maintenance costs to maintain grass and loss of minimal property tax revenue.

k. *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 VOLUNTARY DISCLOSURE AGREEMENT REGARDING OCCUPATIONAL LICENSE FEES DURING THE PERIOD OF FEBRUARY 1, 2016 THROUGH AND INCLUDING JANUARY 31, 2019.

FISCAL NOTE: Occupational tax revenue will be received.

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

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING SECTION 2 OF ORDINANCE NO. 101, SERIES OF 2018, PREVIOUSLY AMENDED BY ORDINANCE NO. 161, SERIES OF 2018, AND ORDINANCE NO. 41, SERIES OF 2019, WHICH IS COMMONLY KNOWN AND REFERRED TO AS THE "BUDGET ORDINANCE" OF THE CITY OF ASHLAND.

FISCAL NOTE:

*General Fund Increase \$893,498
Tax Increment Finance Fund Increase \$80,956
Floodwall Fund Increase \$18,900
Utility Fund Increase \$447,498
Recreation Operating Fund Increase \$167,354
Capitol Purchase Improvement Fund Increase \$712,146
Total Increase \$2,320,352 (Net of transfers \$1,440,852)*

m. *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 WITH THE ASHLAND CHILD DEVELOPMENT CENTER, INC., THE SUB-RECIPIENT OF \$7,000.00 FROM THE 2019 PROGRAM YEAR COMMUNITY DEVELOPMENT BLOCK GRANT.

FISCAL NOTE: Budgeted project included in FY 2020 CDBG Fund of \$ 7,000 for the reimbursement of operating expenses including utilities and liability insurance.

n. *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 WITH ASHLAND COMMUNITY KITCHEN, INC., THE SUB-RECIPIENT OF \$5,000.00 FROM THE 2019 PROGRAM YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG).

FISCAL NOTE: Budgeted project included in FY 2020 CDBG Fund for \$5,000 for the reimbursement of operating expenses including utilities and liability insurance.

o. *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 WITH THE BOYD COUNTY COUNCIL ON AGING, INC., ASHLAND SENIOR CENTER, THE SUB-RECIPIENT OF \$14,000.00 FROM THE 2019 PROGRAM YEAR COMMUNITY DEVELOPMENT BLOCK GRANT.

FISCAL NOTE: Budgeted project included in FY 2020 CDBG Fund for \$ 14,000 for operating expenses of Ashland Senior Center including utilities, food, supplies and liability insurance.

p. *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 WITH COMMUNITY ASSISTANCE REFERRAL SERVICE, INC. (CARES), THE SUB-RECIPIENT OF \$30,000.00 FROM THE 2019 PROGRAM YEAR COMMUNITY DEVELOPMENT BLOCK GRANT.

FISCAL NOTE: Budgeted project to reimburse Cares up to \$ 30,000 for case manager staff salaries.

q. *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 WITH HILLCREST BRUCE MISSION, THE SUB-RECIPIENT OF \$18,000.00 FROM THE 2019 PROGRAM YEAR COMMUNITY DEVELOPMENT BLOCK GRANT.

FISCAL NOTE: Budgeted project included in FY 2020 CDBG Fund.

r. *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 WITH SHELTER OF HOPE, INC., THE SUB-RECIPIENT OF \$5,000.00 FROM THE 2019 PROGRAM YEAR COMMUNITY DEVELOPMENT BLOCK GRANT.

FISCAL NOTE: Fiscal Year 2020 budget includes \$ 5,000 for the reimbursement of operating expenses including utilities and liability insurance.

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

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, APPROVING LOAN NO. 2019-M-002 TO CCC MANAGEMENT, LLC D/B/A GILLUM DRUG IN THE AMOUNT OF \$42,135.51 TO BE PAID FROM THE 2018 PROGRAM YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND AUTHORIZING STEPHEN E. GILMORE, MAYOR, TO EXECUTE LOAN DOCUMENTS.

FISCAL NOTE: Money is budgeted in FY19 budget and included in Program year 2018 CDBG Action Plan for forgivable loan in the amount of \$ 42,135.51.

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

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, FIXING THE AD VALOREM TAX LEVY FOR THE YEAR 2019, PAYABLE IN THE YEAR 2019, ON REAL ESTATE, PERSONAL PROPERTY, AND FRANCHISES IN THE CITY OF ASHLAND FOR THE CITY REVENUE PURPOSES, PROVIDING FOR A DISCOUNT OF ONE PERCENT (1%) ON AD VALOREM TAXES ONLY WHICH ARE PAID ON OR BEFORE THE 15TH DAY FOLLOWING THE BILL DATE AND PROVIDING FOR A PENALTY OF TEN PERCENT (10%) AND SIX PERCENT (6%) INTEREST PER ANNUM FOR ANY TAXES WHICH ARE PAID AFTER THE DUE DATE, SAID DUE DATE BEING 30 DAYS FOLLOWING THE BILL DATE.

FISCAL NOTE:

FY19 Proposed Tax Rate = \$.2714 per \$100 of assessed property value

FY 18 Proposed Tax Rate = \$.2834 per \$100 of assessed property value

FY19 Proposed Tax Rate = \$70,000 house bill = \$189.98

FY18 Tax Rate = \$70,000 house bill = \$198.38

FY19 Proposed Tax Rate decrease on \$70,000= \$(8.40) per year

u. *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 Invoices #0052648 and #0052649 dated May 31, 2019 in the combined amount of \$5,852.03 to GRW Engineering for the work completed on the Pollard Mills Storm Water, Sidewalks, Curbs, Gutters and Paving Contract.*

FISCAL NOTE: Budgeted for FY2019. CDBG Fund (storm water, sidewalks, curbs and gutters) FYTD expenses - \$67,162.88 after approval of this payment.

2. *City Manager recommends authorizing payment of Invoice #647445 dated May 29, 2019 in the amount of \$26,400.01 to Rumpke for the removal and disposition of sludge from the Wastewater Treatment Plant from April 24 - May 24, 2019.*

FISCAL NOTE: Payment of budgeted bid item for sludge removal. Budget = \$190,000, FYTD expense = \$201,864.01 or 106.2% after payment of this invoice.

3. *City Manager recommends authorizing payment of Invoice #103380 dated May 15, 2019 in the amount of \$25,789 to Xylem Water Solutions for the purchase of a filter underdrain, filters and services at the Water Treatment Plant.*

FISCAL NOTE: First and final payment for emergency repair per Ordinance 43, 2019.

4. *City Manager recommends authorizing payment of Invoice #1143 dated May 1, 2019 in the amount of \$31,965 to Marine Diving Services, Inc. for the cleaning of debris from the river intake structure for the Department of Utility Operations, Division of Water Production.*

FISCAL NOTE: Unbudgeted expense, purchase order exceeded by \$19,465. Total expense, \$31,965.

5. *City Manager recommends authorizing payment of Invoice #CI-0000013103 dated May 9, 2019 in the amount of \$52,340 to Service Pump & Supply for purchase and installation of equipment required to convert existing aerator motors to VFD controlled,*

FISCAL NOTE: First and final payment of budgeted expense for Wastewater Treatment Plant, \$52,340.

7. *City Manager recommends authorizing payment of Fiscal Year 2020 Recreation Contribution in the amount of \$30,000 to Summer Motion as adopted in the Fiscal Year 2020 Budget.*

FISCAL NOTE: Annual contribution budgeted for \$30,000 payable FY 2020. FY 2019 in-kind labor, \$23,573.69.

8. *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 FIVE-YEAR EXTENSION TO THE HOUSING ASSISTANCE PAYMENTS CONTRACT BETWEEN THE CITY OF ASHLAND, KENTUCKY AND HARBOR HILL, LLLP REGARDING THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT PROJECT-BASED ASSISTANCE HOUSING CHOICE VOUCHER PROGRAM FOR THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT ADOPTED BY ORDINANCE NO. 104, SERIES OF 2009, AND REPEALING ORDINANCE NOS. 55 AND 148, SERIES OF 2018.

FISCAL NOTE: Addition of one unit rent ranging from \$668-1,087 monthly payable from HUD funds.

b. *Reading and adoption of a Municipal Order entitled:*

A MUNICIPAL ORDER OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE A DONATION AGREEMENT REGARDING ACCEPTANCE BY THE CITY OF ASHLAND OF A DONATION OF BRONZE STATUES KNOWN AS AND DEPICTING VULCAN, VENUS AND GENESIS.

FISCAL NOTE: No cost to the City for purchase, transportation or setup. Electric set up costs are estimated at \$2159 total with \$1,520 in materials and \$639 for labor.

c. *Reading and adoption of a municipal order entitled:*

A MUNICIPAL ORDER OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE A SERVICE AND REPAIR ORDER TERMS AND CONDITIONS AGREEMENT WITH OTIS ELEVATOR COMPANY TO PROVIDE LABOR AND MATERIAL TO FURNISH AND INSTALL A REMOTE HALL BUTTON STATION IN THE AMOUNT OF \$4,950.00 FOR ADDED SECURITY FOR USE OF THE ELEVATOR LOCATED AT THE CITY BUILDING AT 1700 GREENUP AVENUE.

FISCAL NOTE: The cost of \$4,950 is within the amount budgeted for City Building security upgrades.

d. *Reading and adoption of a municipal order entitled:*

A MUNICIPAL ORDER OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE AN INDEMNITY AGREEMENT BETWEEN TRUE NORTH TOWER, LLC AND THE CITY OF ASHLAND, KENTUCKY REGARDING TRUE NORTH TOWER'S TEMPORARY USE OF REAL ESTATE PROPERTY BELONGING TO THE CITY OF ASHLAND.

FISCAL NOTE: There is no financial impact to the City.

e. *Other New Business*

XI. EXECUTIVE SESSION

a. *Potential Litigation*

XII. ADJOURNMENT OR RECESS