



**Ashland Board of Commissioners
Regular Meeting
Thursday, August 22, 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

VI. HEARINGS AND REPORTS

- a. *Mayor and Commissioners' Comments*
- b. *City Manger'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 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, AMENDING PART III. CONDITIONS OF EMPLOYMENT; C. DISCIPLINARY ACTION AND PART V. COMPENSATION PLAN; J. STEP-UP PAY OF THE "POLICIES AND PROCEDURES, COMPENSATION PLAN AND CLASSIFICATION PLAN" AS ADOPTED BY ORDINANCE NO. 51, SERIES OF 2017, AS PREVIOUSLY AMENDED.

FISCAL IMPACT: Fiscal impact will be minimal as policy only affects small number of salaried employees.

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 SUBMIT THE PROGRAM YEAR 2019 AMENDED ACTION PLAN FOR A COMMUNITY DEVELOPMENT BLOCK GRANT TO THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) IN THE AMOUNT OF \$561,481.00 PLUS THE CARRY-OVER FROM 2018 IN AN APPROXIMATE AMOUNT OF \$998,804.00, 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: No Fiscal impact. Only administrative and verbiage changes as requested by HUD.

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 SUBMIT THE ANNUAL SECTION 8 MANAGEMENT ASSESSMENT PROGRAM (SEMAP) CERTIFICATION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

FISCAL NOTE: There is no fiscal impact. This assessment measures the performance of the Assisted Housing Voucher Program in 14 key areas.

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 A UTILITY KEEP COST BETTERMENT AGREEMENT BETWEEN THE KENTUCKY TRANSPORTATION CABINET, DIVISION OF RIGHT-OF-WAY & UTILITIES, AND THE CITY OF ASHLAND REGARDING WORK BY THE CABINET'S HIGHWAY CONTRACTOR ON WINCHESTER AVENUE BETWEEN 9TH & 10TH STREETS AT A COST OF \$1,835.00 TO THE CITY OF ASHLAND.

FISCAL NOTE: Estimated cost to the city, \$1,835. The balance is to be paid by KYTC.

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

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ESTABLISHING THE ASHLAND TOURIST AND CONVENTION COMMISSION, ESTABLISHING THE FUNDING OF THE COMMISSION BY THE TRANSIENT ROOM TAX AND THE COMPOSITION OF ITS MEMBERS, AND REPEALING ORDINANCE NO. 25, SERIES OF 1982, AND ORDINANCE NO. 8, SERIES OF 1997, OF THE CITY OF ASHLAND, KENTUCKY.

FISCAL NOTE: Minimal Fiscal impact in increased collection fees due to additional revenue on 30 day plus rentals.

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

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, APPROVING AN AMENDED LOAN AGREEMENT (#2017-M-001A) WITH TIPTON'S TRADITIONS, LLC IN THE AMOUNT OF \$42,000.00, THE REMAINING PRINCIPAL BALANCE OF THE ORIGINAL LOAN (#2017-M-001) APPROVED BY RESOLUTION NO. 6, SERIES OF 2017, DUE TO A CHANGE IN OWNERSHIP OF TIPTON'S TRADITIONS AND AUTHORIZING STEPHEN E. GILMORE, MAYOR, TO EXECUTE THE AMENDED LOAN DOCUMENTS.

FISCAL NOTE: No Fiscal Impact as the funds were expended during Fiscal Year 2017.

- g. *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 SOUTHERN OHIO TRENCHING & EXCAVATING, INC. FOR A CONTRACT REGARDING THE WATERLINE REPLACEMENT ON U.S. 23 FROM 43RD STREET (ASHLAND) TO 11TH STREET (CATLETTSBURG) IN THE AMOUNT OF \$52,100.00 FOR THE DEPARTMENT OF UTILITIES, DIVISION OF WATER DISTRIBUTION.

FISCAL NOTE: Included in FY 20 Waterline replacement budget of \$1,000,000. Contract remaining after approval of this change order is \$318,151.72. FY 20 Waterline replacement budget is \$1,000,000 (a pending budget adjustment of prior year unspent funds will make available FY20 budget of \$1,575,129).

- 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 approval for payment of Fiscal Year 20 contribution in the amount of \$11,250 to The Salvation Army as adopted in the Fiscal Year 2020 Budget.*

FISCAL NOTE: FY 20 budgeted contribution in the amount of \$11,250.

2. *City Manager recommends approval for payment of Fiscal Year 20 contribution in the amount of \$3,750 to The Ashland Senior Center as adopted in the Fiscal Year 2020 Budget.*

FISCAL NOTE: FY 20 budgeted contribution in the amount of \$3,750.

3. *City Manager recommends approval for payment of Fiscal Year 20 contribution in the amount of \$5,000 to Shelter of Hope as adopted in the Fiscal Year 2020 Budget.*

FISCAL NOTE: FY 20 budgeted contribution in the amount of \$5,000.

4. *City Manager recommends approval for payment of Fiscal Year 20 contribution in the amount of \$30,000 to Poage Landing Days Festival as adopted in the Fiscal Year 2020 Budget.*

FISCAL NOTE: FY 20 budgeted contribution in the amount of \$30,000.

5. *City Manager recommends approval for payment of Fiscal Year 20 contribution in the amount of \$3,000 to Ashland School Safety Patrol as adopted in the Fiscal Year 2020 Budget.*

FISCAL NOTE: FY 20 budgeted contribution in the amount of \$3,000.

6. *City Manager recommends authorizing payment of Invoice #0116816A.00-4 dated August 4, 2019 in the amount of \$29,764.76 to LJB, Inc. for the engineering services performed for the 2019 waterline replacement project.*

FISCAL NOTE: Included in FY 20 Waterline replacement budget of \$1,575,129. Contract remaining after approval of this payment is \$86,719.25. FY 20 Waterline replacement budget is \$1,575,129 (a pending budget adjustment of prior year unspent funds is \$1,575,129).

7. *City Manager recommends approval of the purchase of a 12x2 Cutaway bus from the Commonwealth of Kentucky Department of Transportation Public Transit Association (KPTA) Bid #8.*

FISCAL NOTE: The Ashland Bus System's investment in the capital purchase will be 10%. Federal = \$48,861 / State = \$6,108 and City = \$6,107. This bus is included in the FY20 budget.

8. *City Manager recommends approval to award the bid for the purchase of ten Eclipse all climate automatic flushing devices to Consolidated Pipe & Supply Co., Inc., in the amount of \$21,710 and approving payment upon acceptance of the devices, Division of Water Distribution, Department of Utility Operations.*

FISCAL NOTE: Total bid \$21,710, this is included in the FY20 Capital Budget. Total budgeted amount \$45,000.

9. *City Manager recommends approval to award the bid for the purchase and installation of the 26th Street sewage station channel grinder replacement to Service Pump and Supply in the amount of \$60,638, Department of Utility Operations.*

FISCAL NOTE: FY 20 budgeted project included in Wastewater Capital, \$60,638 bid price. Total budgeted amount \$85,000

10. *City Manager recommends approval to award the bid for the purchase of a new one-ton regular cab truck with utility bed for the Central Garage in the amount of \$38,309 to Don Hall Supercenter and approving payment upon acceptance of the vehicle.*

FISCAL NOTE: FY 20 budget item. Total bid of \$38,309 exceeded budget by \$3,309 and will require a budget adjustment.

11. *City Manager recommends approval to award the bid to provide all labor, material, equipment, supervision, tools and perform all work and service necessary for re-roofing the Water Treatment Plant and River Intake Building in the amount of \$150,000 to Bri-Den Roofing, Division of Water Production, Department of Utility Operations.*

FISCAL NOTE: FY 20 budget of \$ 140,000 for roof over plant and river intake. Bid exceeded budget by \$10,000 and will require a budget adjustment.

12. *City Manager recommends approval to award the bid for the purchase of one new 2020 Cubic Yard, Rear Loading Packer Truck in the amount of \$150,666.00 to Municipal Equipment, Inc., and approving payment upon acceptance of vehicle, Division of Sanitation, Department of Public Services.*

FISCAL NOTE: FY 20 budget item. Bid exceeded budget by \$ 666. A budget adjustment will be required.

13. *City Manager recommends approval to award the bid for the purchase of one new 3/4 Ton Crew Cab Truck in the amount of \$31,777 to Don Hall Supercenter and approving payment upon acceptance of the vehicle, Division of Water Distribution, Department of Utility Operations.*

FISCAL NOTE: Total bid \$31,771, this is included in the FY20 budget for \$25,000. A budget adjustment will be required.

14. *City Manager recommends approval to award the bid for the purchase of one new 3/4 Ton Crew Cab in the amount of \$31,771.20 to Don Hall Supercenter, Division of Water Treatment Plant, Department of Utility Operations.*

FISCAL NOTE: Total bid \$31,771.20, this is included in the FY20 budget for \$25,000. A budget adjustment will be required.

15. *City Manager recommends approval to award the bid for the purchase of a Regenerative/Direct Vac Air Sweeper in the amount of \$248,332 to Stringfellow, Inc. and approving payment upon acceptance of the vehicle, Division of Streets, Department of Public Services.*

FISCAL NOTE: Total bid amount \$248,332, included in the FY20 Budget. Total amount budgeted \$275,000.

16. *City Manager recommends the probationary appointment for GIS Analyst, Grade 110, Department of Engineering, contingent upon the satisfactory completion of a physical examination.*

FISCAL NOTE: FY 20 budgeted position, salary and benefits = \$ 61,314.

17. *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 AN AGREED ORDER BETWEEN THE CITY OF ASHLAND, KENTUCKY, AND THE COMMONWEALTH OF KENTUCKY ENERGY AND ENVIRONMENT CABINET, DIVISION OF ENFORCEMENT; AUTHORIZING THE PAYMENT OF A CIVIL PENALTY IN THE AMOUNT OF \$22,500.00.

FISCAL NOTE: Unbudgeted penalty in the amount of \$22,500 for the Water Distribution & Treatment Plant. Budget Adjustment will be 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 AN AMENDMENT TO THE GRANT AGREEMENT BETWEEN THE CITY OF ASHLAND, KENTUCKY AND WB HOSPITALITY, LLC ADOPTED BY ORDINANCE NO. 177, SERIES OF 2018, AMENDING ARTICLE I – DEFINITIONS AND ARTICLE III – AGENCY’S AGREEMENT TO MAKE GRANT; DISBURSEMENT AND RECEIPT REGARDING THE ACQUISITION, CONSTRUCTION, AND FINANCING OF THE HOTEL REDEVELOPMENT PROJECT.

FISCAL NOTE: The additional funds available to WB Hospitality, LLC is equal to \$69,001.80 and are part of the premium received from the sale of bonds. A budget adjustment from the General Fund will be needed.

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

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, DESIGNATING A HANDICAP PARKING SPACE ON THE EAST SIDE OF 16TH STREET IN THE 200 BLOCK; AND PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE.

FISCAL NOTE: There is no fiscal impact.

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

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING STEPHEN E. GILMORE, MAYOR, TO EXECUTE A CONTRACT BETWEEN THE CITY OF ASHLAND AND BRI-DEN ROOFING FOR PROVIDING ALL LABOR, MATERIAL, EQUIPMENT, SUPERVISION, TOOLS AND PERFORMING ALL WORK AND SERVICE NECESSARY FOR RE-ROOFING THE WATER TREATMENT PLANT AND RIVER INTAKE BUILDING IN THE AMOUNT OF \$150,000.00 FOR THE DEPARTMENT OF UTILITY OPERATIONS, DIVISION OF WATER PRODUCTION.

FISCAL NOTE: Total bid amount \$150,000. FY20 Budget \$140,000. A budget adjustment will be required.

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

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, REPEALING ORDINANCE NO. 21, SERIES OF 1997, WHICH DESIGNATED A HANDICAP PARKING SPACE AT 1600 GREENUP AVENUE.

FISCAL NOTE: There is no fiscal impact.

- f. *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 SERVICE PUMP & SUPPLY, INC. IN THE AMOUNT OF \$60,638.00 FOR THE PURCHASE AND INSTALLATION OF THE 26TH STREET SEWAGE STATION CHANNEL GRINDER REPLACEMENT FOR THE DEPARTMENT OF UTILITIES, DIVISION OF WASTEWATER COLLECTION.

FISCAL NOTE: FY 20 budgeted project of \$ 85,000, bid amount total \$ 60,638.

- g. *First reading and approval 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. IN THE AMOUNT OF \$32,470.00 REGARDING A CONTRACT TO PROVIDE ENGINEERING SERVICES FOR THE WATER TREATMENT PLANT SCADA DESIGN WITHIN THE CONTRACT FOR THE DEPARTMENT OF UTILITIES, DIVISION OF WATER PRODUCTION.

FISCAL NOTE: FY 20 budgeted project. Original contract amount was \$218,640. New amount after this Change Order \$251,110. If proposed change order is approved remaining contract balance will be \$138,867.50.

- h. *Reading and adoption of a municipal order 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 MICHAEL A. THOMPSON AND MARILYN J. THOMPSON REGARDING THE ACCEPTANCE OF THE DONATION OF 3112 CENTRAL AVENUE IN EAST ASHLAND.

FISCAL NOTE: Donation of land acceptance. Prior City property taxes were \$53.74 and school taxes were \$150.68.

- i. *Other New Business*

XI. ADJOURNMENT OR RECESS