



**Ashland Board of Commissioners
Thursday, September 12, 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 July 25, 2019*
- b. *Recessed Meeting July 26, 2019*
- c. *Regular Meeting August 8, 2019*
- d. *Regular Meeting August 22, 2019*

VI. HEARINGS AND REPORTS

- a. *Mayor and Commissioners' Comments*
- b. *City Manager'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, 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. *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 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. *Second reading and adoption 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. *Second reading and adoption 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. *Second reading and adoption 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. *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 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. *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. 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 \$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. *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 #18044-01 dated August 14, 2019 in the amount of \$3,550 to Taylor Siefker Design Group for the review and update of the City's Comprehensive Plan.*

FISCAL NOTE: Total budget \$32,980 split equally between CDBG and the General Fund. This invoice will be paid 50% out of each fund leaving a contract balance of \$29,430. CDBG will require a budget adjustment to the CDBG General Administration Fund.

2. *City Manager recommends authorizing payment of Invoices 0053110, 0053106, 0053107R and 0053109 dated July 31, 2019 totaling \$11,503.51 to GRW Engineering for the work performed on the Pollard Mills Storm Water, Sidewalks, Curbs, Gutters and Paving Contract.*

FISCAL NOTE: FY 20 expense budgeted in CDBG and Utility Fund. Original contract amount \$421,800, balance remaining after proposed payment is \$305,856.11.

3. *City Manager recommends authorizing payment of Pay Request #2 dated September 4, 2019 in the amount of \$188,027.21 to Southern Ohio Trenching & Excavating Inc., for the work performed on the US 23 from 43rd St to 11th St Waterline Replacement Project.*

FISCAL NOTE: Total contract amount \$429,705, balance after this pay request \$78,024.51. FY20 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). Contracted / spent after agenda payments and change orders = \$ 654,038.13. FY20 funds available = \$ 921,090.87.

4. *City Manager recommends authorizing payment of Invoice #0053101 dated July 31, 2019 in the amount of \$25,617.50 to GRW Engineering for the design and engineering for the Water Treatment Plant SCADA and instrumentation upgrades.*

FISCAL NOTE: Original contract amount \$218,640, balance of contract after this pay request \$80,780. Contract payment included in FY 20 SCADA capital project budget of \$1,019,669.

5. *City Manager recommends approval to award the bid for the purchase and delivery of Clow fire hydrant risers to C.I. Thornburg Co., Inc., in the amount of \$49,269.10 and approving payment upon acceptance of delivery.*

FISCAL NOTE: Bid award for hydrant risers included in Water Distribution pipe / fittings budget of \$175,000. FY 20 expenditures total \$ 1,211.

6. *City Manager recommends approval to award the bid for the purchase of a 2020 custom fire rescue vehicle and pre-payment in the amount of \$623,071 to Super Vacuum Mfg. Co., Inc., Department of Fire.*

FISCAL NOTE: FY 19 and FY 20 funding total, \$350,000. However, if a 100% pre-payment is made there will be a \$17,036 discount off of the original bid amount of \$640,107. If 100% pre-payment is approved for \$623,071, a budget adjustment from the General Fund to the Capital Improvement Fund is necessary.

7. *City Manager recommends approval to award the bid to provide all labor, material, equipment, supervision, tools and perform all work and services necessary for roof replacement at the Street Department building to Shield Roofing and Construction in the amount of \$36,600, Division of Streets, Department of Public Services.*

FISCAL NOTE: This is an unbudgeted expense for FY 20 of \$ 36,600 and will require a budget adjustment from the General Fund.

8. *City Manager recommends approval for Winter Wonderland of Lights to host the Annual Winter Wonderland of Lights Festival to run from November 18, 2019 through January 5, 2020 and to include use of Central Park and downtown streets for decorations and the parade.*

FISCAL NOTE: Annual personnel costs contribution budgeted for \$5,937, estimated personnel costs, \$6,443.52 (parade costs only). These numbers do not include the costs of assembly and disassembly of the lights and other decorations throughout the city.

9. *City Manager recommends amending the previously approved Paramount Arts Center PAC Live @ Ashland Riverfront Park event to include a car and bike show starting at 4:00 pm.*

FISCAL NOTE: There is no fiscal change from the original request.

10. *City Manager recommends the approval for Calvary Episcopal and First Christian churches to host a Blessing of the Animals on October 2, 2019 from 5:30 - 7:00 pm and blocking a portion of the Paramount Arts Center parking lot.*

FISCAL NOTE: No fiscal impact.

11. *City Manager recommends approval for The Neighborhood to host the 3rd Annual Steak Fry on October 11, 2019 from 1:00 - 11:00 pm and including closing the alley behind The Neighborhood.*

PROPOSED FISCAL NOTE: No fiscal impact

12. *City Manager recommends the probationary appointment of City Engineer, Grade 116, Department of Engineering, contingent upon the satisfactory completion of a physical examination.*

FISCAL NOTE: FY20 budgeted salary \$110,000 plus standard city benefits.

13. *City Manager recommends the probationary appointment of Water Distribution Operator I, Grade 104, Division of Water Distribution, Department of Utilities, contingent upon the satisfactory completion of a physical examination.*

FISCAL NOTE: FY20 budgeted salary \$23,564 plus standard city benefits.

14. *Other Consent Items*

X. NEW BUSINESS

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

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ESTABLISHING THE ASHLAND PUBLIC ARTS COUNCIL FOR THE CITY OF ASHLAND, KENTUCKY.

FISCAL NOTE: No fiscal impact.

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 TASK ORDER NO. 1 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND LJB INC. REGARDING THE WATERLINE REPLACEMENT DESIGN AND PERMITTING PROJECT IN AN ADDITIONAL AMOUNT OF \$12,290.00.

FISCAL NOTE: Original contract amount \$206,000. New contract amount after Change Order #1 \$218,290. FY20 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). Contracted / spent after agenda payments and change orders = \$ 654,038.13. FY20 funds available \$921,090.87.

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 EXECUTE TASK ORDER #1 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND EN ENGINEERING REGARDING THE ENGINEERING AND DRAFTING SERVICES ASSOCIATED WITH THE RENOVATION OF JUDD PLAZA (16TH STREET PLAZA) INCREASING THE AMOUNT OF THE PROPOSAL \$45,000.00.

FISCAL NOTE: Original Contract \$31,700. New contract amount \$76,700. Included in FY 20 Downtown Improvements budget of \$1,350,000.

d. *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 CITY OF ASHLAND'S COMMUNITY DEVELOPMENT BLOCK GRANT 2018 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) FOR THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT.

FISCAL NOTE: No fiscal impact. This is a year-end report on the projects completed and expenditures with our CDBG funds for July 1, 2018 to June 30, 2019.

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

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, PROHIBITING THE CARRYING OR POSSESSION OF CERTAIN SPECIFIC ITEMS IN THE ASHLAND CITY BUILDING LOCATED AT 1700 GREENUP AVENUE AND/OR THE ASHLAND POLICE STATION LOCATED AT 201 17TH STREET, ASHLAND, KENTUCKY.

FISCAL NOTE: Personnel fiscal impact TBD.

- f. *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 SHIELD ROOFING AND CONSTRUCTION LLC FOR THE ROOF REPLACEMENT AT THE 21ST STREET GARAGE FOR THE DEPARTMENT OF PUBLIC SERVICES, DIVISION OF STREETS IN THE AMOUNT OF \$36,600.00.

FISCAL NOTE: This is an unbudgeted expense for FY 20 OF \$36,600 and will require a budget adjustment from the General Fund.

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

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, CREATING THE POSITION AND ADOPTING THE JOB DESCRIPTION OF EVIDENCE CLERK IN THE DEPARTMENT OF POLICE; AND AMENDING THE AUTHORIZED POSITIONS OF THE "POLICIES AND PROCEDURES, COMPENSATION PLAN AND CLASSIFICATION PLAN" AS ADOPTED BY ORDINANCE NO. 51, SERIES OF 2017, AS PREVIOUSLY AMENDED.

FISCAL NOTE: Additional costs for PSO Salary = \$ 10,067. Variance between a grade 103 and a 108 salary. City will also have to reimburse Kentucky Retirement for Cost of Health Insurance for officer. Need a budget adjustment.

- h. *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 MERCHANT APPLICATION & AGREEMENT WITH JET PAY PAYMENT SERVICES FOR THE DEPARTMENT OF FINANCE ENABLING PAY BY PHONE SERVICES FOR THE CITY OF ASHLAND.

FISCAL NOTE: Agreement with credit card processing system that is compliant with new utility system and offers pay by phone without a live Customer Service Representative. This will also replace PayPal. Negotiated rates with vendor also results in an approximate \$28K in credit / debit card processing fees.

- i. *Other New Business*

XI. EXECUTIVE SESSION

- a. *Potential Litigation*

XII. ADJOURNMENT OR RECESS