



**Ashland Board of Commissioners
Thursday, December 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 November 14, 2019*
- b. *Recessed Meeting November 15, 2019*

VI. HEARINGS AND REPORTS

- a. *Mayor and Commissioners' Comments*
- b. *Fire Department Pinning*
- c. *Police Department Pinning*
- d. *Poage Elementary City Shapers First LEGO League Presentation*
- e. *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, ADOPTING THE REVISED JOB DESCRIPTION FOR THE POSITION OF PUBLIC INFORMATION OFFICER IN THE DEPARTMENT OF GENERAL GOVERNMENT, DIVISION OF CITY MANAGER; ADOPTING THE JOB DESCRIPTION FOR THE POSITION OF METER SERVICES FIELD SUPERVISOR AS A REPLACEMENT FOR THE POSITIONS OF METER MECHANIC AND METER SERVICES SUPERVISOR IN THE DEPARTMENT OF UTILITIES OPERATIONS, DIVISION OF WATER DISTRIBUTION AND METER SERVICES; AND AMENDING THE AUTHORIZED POSITIONS TO REFLECT THIS CHANGE AND THE ADDITION OF A METER SERVICE WORKER OF THE "POLICIES AND PROCEDURES, COMPENSATION PLAN AND CLASSIFICATION PLAN" AS ADOPTED BY ORDINANCE NO. 51, SERIES OF 2017, AS PREVIOUSLY AMENDED.

FISCAL NOTE: Personnel changes regarding the Meter Services Position would reflect an estimated savings of \$10,127. The Public Information Officer grade has been modified to 112. Salary change to Grade 112 = Salary = \$48,219 Benefits = \$ 35,160 Total = \$83,379. This is a difference of \$5,689. No budget adjustment is needed because position has been vacant for 5 months = \$ 32,370.

- b. *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 #0154266 dated November 8, 2019 in the amount of \$11,342.15 to Strand Associates, Inc. for the engineering services associated with the City of Ashland Wastewater Treatment Plant Expansion and Improvements Project.*

FISCAL NOTE: Total contract amount \$535,990, balance of contract after this pay request \$503,056.43. FY20 budget is \$300,000. Phase I proposal not to exceed \$535,990, which extends over multiple budgets. This project is paid for with CSO funds.

2. *City Manager recommends authorizing payment of Invoices #0053610 and #0053611 dated October 31, 2019 in the total amount of \$12,455 to GRW for the design and engineering work performed for the Ashland Water Treatment Plant SCADA and Instrumentation Upgrades Project.*

FISCAL NOTE: Contract amount \$251,110, balance of contract after this pay request \$82,875. Contract payment included in FY20 SCADA capital project budget of \$1,019,669.

3. *City Manager recommends authorizing payment of Invoice #0116816A.00-7 dated November 7, 2019 in the amount of \$9,750 to LJB, Inc for the engineering services provided on the 2019 Waterline Replacement Project.*

FISCAL NOTE: Original contract amount plus Change Order #1 \$218,290. Contract balance after of this payment \$59,741.25. 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). Total spent/encumbered = \$ 721,585.39 in FY 20 for Waterline replacement. Remaining funds for waterline replacement = \$ 853,543.61.

4. *City Manager recommends authorizing payment of Invoice #6938 dated November 23, 2019 in the amount of \$70,000 to Network Innovation Solutions for the upgrade to the telephone system and initial security measures.*

FISCAL NOTE: Final payment on this budgeted contract. A budget adjustment is pending to carryover prior year funding. Project expenses to date = \$ 317,811.71.

5. *City Manager recommends approval to award the bid for the 16th Street Plaza Renovation Project in the amount of \$1,137,000 to Debcon, Inc., Department of Engineering.*

FISCAL NOTE: 16th Street Plaza Renovation = \$1,137,000 included in the FY 20 Capital Budget of \$ 1,350,000 which also includes various Streetscape.
6. *City Manager recommends approval to award the bid for the removal and disposition of sludge from the Wastewater Treatment Plant and Water Treatment Plant in the amount of \$245,683.20 to Rumpke of Kentucky, Inc.*

FISCAL NOTE: Total bid amount \$245,683.20. Removal of sludge \$15.56 per ton, no change from last contract. Tipping Fee \$21.00 per ton, no change from last contract. Fiscal Year 2020 Budget = \$ 210,000. No change from last years bid price.
7. *City Manager recommends approval to award the bid for the purchase and professional installation of Ship Themed Play Equipment designed for ages 2 to 5 years, including all labor, materials, supervision and safety to install for Central Park in the amount of \$98,284.13 to Bluegrass Recreation & Sales, Department of Parks and Recreation.*

FISCAL NOTE: Playground Equipment is \$98,284.13 and will finish Phase II of the Central Park playground. Total investment = \$ 327,438.54. A pending budget adjustment for this equipment will be completed.
8. *City Manager recommends approval to award the bid for the purchase and professional installation of playground equipment for the Police Substation in the amount of \$66,688.39 to Bluegrass Recreation & Sales, Community and Economic Development Department.*

FISCAL NOTE: Total Project cost budgeted in CDBG Amended Action Plan is \$ 274,000 to include site design, container office, site work and playground. Playground Equipment including installation = \$ 66,688.39, Engineering = \$12,000 and container office = \$ 110,000. Estimated total project cost to date = \$ 188,688.39.
9. *City Manager recommends approval to award the bid for the Pollard Mills Storm Water, Curb, Gutter, Sidewalk and Paving Project/Utility Waterline Project in the amount of \$716,023.20 to Fredrick & May Construction Company, Inc., contingent upon the agreement of Fredrick & May Construction Company, Inc., to Change Order #1 reducing the total award to \$439,685, Department of Community & Economic Development.*

FISCAL NOTE: CDBG Funds will be used to construct new storm drainage, gutters, curbs, sidewalks and paving on Dixon Street between Pollard Mills and Blackburn Avenue totaling \$439,685. Utility work will be completed by city crews.
10. *City Manager recommends approval to award the bid for Ashland Sub-Station, Site Preparation Project in the amount of \$164,163 to Womack Excavating, LLC, Department of Community & Economic Development.*

FISCAL NOTE: Total project cost currently budgeted in CDBG Amended Action Plan is \$274,000, to include site design, container office, site work and playground. Site design bid = \$ 164,163 CDBG Action Plan will be revised to allocate funds to this project. A budget adjustment will be necessary.
11. *City Manager recommends authorizing an agreement between the Ashland Police Department and Appalachia High Intensity Drug Trafficking Areas (HIDTA).*

FISCAL NOTE: Grant funding to reimburse for officer overtime and equipment in accordance with regulations.

12. *City Manager recommends approval of the private sale of collateral repossessed from Alma's Italian, LLC to Paul Castle for \$4,000, the appraised value of the equipment.*
13. *City Manager recommends the probationary appointment of Police Sergeant, Ashland Police Department, effective December 15, 2019.*

FISCAL NOTE: Police Sergeant salary \$58,557, benefits \$45,542, total \$104,099.

14. *City Manager recommends the probationary appointment of Water Plant Operator III, Grade 109, Water Production Division, Utilities Department, contingent upon the satisfactory completion of a physical.*

FISCAL NOTE: Water Plant Operator III salary \$35,781, benefits \$31,221, total \$67,002.

15. *City Manager recommends the probationary appointment of (2) Fire Fighters, Ashland Fire Department, contingent upon the satisfactory completion of a physical and polygraph test.*

FISCAL NOTE: Firefighter salary \$61,717, benefits \$46,839, total \$108,556 per employee.

16. *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 APPROVING CHANGE ORDER NO. 1 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND SHIELD ROOFING AND CONSTRUCTION LLC FOR A CONTRACT ADOPTED BY ORDINANCE NO. 127, SERIES OF 2019, REGARDING THE ROOF REPLACEMENT AT THE 21ST STREET GARAGE INCREASING THE CONTRACT AMOUNT BY \$2,498.00 FOR THE DEPARTMENT OF PUBLIC SERVICES.

FISCAL NOTE: Original contract amount \$36,600. New contract amount after Change Order \$39,098.00. A budget adjustment for the change order will be needed. The change order is for the installation of wood around the perimeter of building needed to attach the new roofing.

- 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 EMPLOYEE ASSISTANCE PROGRAM MANAGEMENT AGREEMENT BETWEEN THE CITY OF ASHLAND AND ASHLAND HOSPITAL CORPORATION D/B/A KING'S DAUGHTERS MEDICAL CENTER FOR A PERIOD OF THREE (3) YEARS BEGINNING JANUARY 1, 2020 AS A CONTINUATION OF THE AGREEMENT BEGINNING JANUARY 1, 2004 ADOPTED BY ORDINANCE NO. 146, SERIES OF 2003.

FISCAL NOTE: Employee assistance program for employees and family for \$ 4 per employee per year. Estimated annual cost of providing program = \$ 1,284. No increase from previous contract period.

- 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 AN AMENDED AGREEMENT WITH COMMUNITY ASSISTANCE REFERRAL SERVICE, INC. (CARES), THE SUB-RECIPIENT OF \$30,000.00 FROM THE 2019 PROGRAM YEAR COMMUNITY DEVELOPMENT BLOCK GRANT AUTHORIZED BY ORDINANCE NO. 95, SERIES OF 2019, TO INCLUDE THE REIMBURSEMENT OF UTILITIES.

FISCAL NOTE: Funds allocated in CDBG action plan and Fiscal Year 20 City budget. Cares may ask for reimbursement on Case Manager salaries or Utilities. No increase in amount will allow funds to be allocated to Cares before May 1, 2020 Federal spending deadline.

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 EXECUTE AN AGREEMENT BETWEEN THE CITY OF ASHLAND AND THE COMMONWEALTH OF KENTUCKY, TRANSPORTATION CABINET, DEPARTMENT OF HIGHWAYS, FOR FUNDING IN THE AMOUNT OF \$520,000.00 FOR THE RESURFACING/REPAIRING OF VARIOUS STREETS IN THE CITY OF ASHLAND.

FISCAL NOTE: Transportation Grant of \$ 520,000 to resurface Oakview Road from US 60 extending southerly to KY 168, Sixth Street from KY 168 extending northeasterly to the end of city limits, Beech Street from 29th Street extending northwesterly to Old 13th Street and to repair the culvert on Oakview Road at the intersection of Hood Street. A budget adjustment will need to be completed to reflect the grant funds and street improvements.

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

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING THE ZONING MAP OF THE OFFICIAL ZONING ORDINANCE OF THE CITY OF ASHLAND NO. 101, SERIES OF 1986, AS PREVIOUSLY AMENDED, BY CHANGING THE ZONING CLASSIFICATION OF 1112 AND 1116 CENTRAL AVENUE, THE VACANT LOT FORMERLY KNOWN AS 1120, 1124 AND 1128 CENTRAL AVENUE AND 503 AND 509 MARTIN LUTHER KING JR. BOULEVARD (12TH STREET) FROM (R-4) MULTI/SINGLE FAMILY RESIDENTIAL/HIGH DENSITY TO (B-2) GENERAL BUSINESS.

FISCAL IMPACT: Possible additional revenue from zoning change to business.

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 RUMPKE OF KENTUCKY, INC. FOR THE REMOVAL AND DISPOSITION OF SLUDGE FROM THE CITY OF ASHLAND WASTEWATER TREATMENT PLANT AND WATER TREATMENT PLANT FOR A PERIOD OF ONE (1) YEAR IN THE AMOUNT OF \$245,683.20 FOR THE DEPARTMENT OF UTILITIES.

FISCAL NOTE: Total bid amount \$245,683.20. Removal of sludge \$15.56 per ton, no change from last contract. Tipping Fee \$21.00 per ton, no change from last contract. Fiscal Year 2020 Budget = \$ 210,000. No change from last years bid price.

g. *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 DEBCON, INC. FOR THE 16TH STREET PLAZA RENOVATION PROJECT IN THE AMOUNT OF \$1,137,000.00 FOR THE DEPARTMENT OF ENGINEERING.

FISCAL NOTE: 16th Street Plaza Renovation = \$1,137,000 included in the FY 20 Capital Budget of \$ 1,350,000 which also includes various Streetscape.

h. *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 BLUEGRASS RECREATION SALES AND INSTALLATION FOR THE PURCHASE AND PROFESSIONAL INSTALLATION OF SHIP-THEMED PLAY EQUIPMENT DESIGNED FOR AGES 2-5 YEARS, INCLUDING ALL LABOR, MATERIALS, SUPERVISION, INSTALLATION AND SAFETY, IN THE AMOUNT OF \$98,284.13 FOR THE DEPARTMENT OF PARKS AND RECREATION.

FISCAL NOTE: Playground Equipment is \$98,284.13 and will finish Phase II of the Central Park playground. Total investment = \$ 327,438.54. A pending budget adjustment for this equipment will be completed.

i. *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 BLUEGRASS RECREATION SALES AND INSTALLATION FOR THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT IN THE AMOUNT OF \$68,689.04 FOR THE EAST CENTRAL SUBSTATION THROUGH THE PROGRAM YEAR 2019 COMMUNITY DEVELOPMENT BLOCK GRANT FOR THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT.

FISCAL NOTE: Total Project cost budgeted in CDBG Amended Action Plan is \$ 274,000 to include site design, container office, site work and playground. Playground Equipment including installation = \$ 66,688.39, Engineering = \$12,000 and container office = \$ 110,000. Estimated total project cost to date = \$188,688.39.

j. *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 FREDRICK & MAY CONSTRUCTION COMPANY, INC. IN THE AMOUNT OF \$716,023.20 FOR THE PURCHASE OF ALL LABOR AND MATERIAL FOR THE POLLARD MILLS STORM WATER, CURB, GUTTER, SIDEWALK, PAVING AND WATERLINE PROJECT AND TO EXECUTE CHANGE ORDER NO. 1 TO DECREASE THE CONTRACT AMOUNT BY \$276,338.20 RESULTING IN A GRAND TOTAL OF \$439,685.00 FOR THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT TO BE FUNDED THROUGH THE HOUSING AND URBAN DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG).

FISCAL NOTE: CDBG Funds will be used to construct new storm drainage, gutters, curbs, sidewalks and paving on Dixon Street between Pollard Mills and Blackburn Avenue totaling \$439,685.

k. *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 WOMACK EXCAVATING, LLC FOR THE ASHLAND SUB-STATION SITE PREPARATION IN THE AMOUNT OF \$164,163.00 FOR THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT.

FISCAL NOTE: Total project cost currently budgeted in CDBG Amended Action Plan is \$274,000, to include site design, container office, site work and playground. Site design bid = \$ 164,163 CDBG Action Plan will be revised to allocate funds to this project. A budget adjustment will be necessary.

l. *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 AND SUBMIT AN APPLICATION TO THE KENTUCKY TRANSPORTATION CABINET, DEPARTMENT OF HIGHWAYS, FOR A COMMERCIAL ENCROACHMENT PERMIT ON WINCHESTER AVENUE FROM 14TH TO 18TH STREETS.

FISCAL NOTE: No cost for application submission.

m. *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 HISTORICAL MARKERS CONCERNING THE AK STEEL BELLEFONTE AND AMANDA BLAST FURNACES AND AN INGOT MOLD.

FISCAL NOTE: Minimal Fiscal Impact for the installation and upkeep of the markers.

n. *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 ON BEHALF OF THE CITY OF ASHLAND, ASHLAND BUS SYSTEM, AN AGREEMENT FOR THE PURPOSE OF OPERATING THE KENTUCKY UNIFIED CERTIFICATION PROGRAM ADMINISTERED BY THE KENTUCKY TRANSPORTATION CABINET'S OFFICE FOR CIVIL RIGHTS AND SMALL BUSINESS DEVELOPMENT.

FISCAL NOTE: There is no fiscal impact. City already abides by these regulations with the Federal Transportation Administration. State Transportation matches 10% of all Capital Projects for the Ashland Bus System.

o. *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 EARLY ACCESS AGREEMENT BETWEEN AK STEEL CORPORATION AND THE CITY OF ASHLAND.

FISCAL NOTE: Agreement to enter AK Steel property consideration for \$1. Insurance requirements are no additional cost.

p. *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 AGREEMENT BETWEEN THE CITY OF ASHLAND AND COMMUNITY TRUST BANK, INC., 1544 WINCHESTER AVENUE, REGARDING AN ENCROACHMENT FOR THE INSTALLATION OF FIBER OPTIC CABLE OVER THE ALLEY THAT RUNS PARALLEL TO WINCHESTER AND CARTER AVENUES FROM 15TH STREET TO 16TH STREET DIRECTLY BEHIND THE BANK TO THE PARKING GARAGE LOCATED AT THE CORNER OF 16TH STREET AND CARTER AVENUE ON THE CITY'S RIGHT-OF-WAY.

FISCAL NOTE: There is no fiscal impact.

q. *Discussion Item:*

Sign Appeal for Edward Jones at 2025 13th Street.

FISCAL NOTE: This sign appeal is for an additional tenant in building and has no direct fiscal impact on the City other than staff time on recommendations.

r. *Other New Business*

XI. ADJOURNMENT OR RECESS