



Ashland Board of Commissioners
Thursday, April 09, 2020
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 March 12, 2020*
- b. *Regular Meeting March 26, 2020*

VI. HEARINGS AND REPORTS

- a. *Mayor and Commissioners' Comments*
- b. *City Manager's Report*
- c. *Overview of proposed ordinances related to chronic nuisance properties*

VII. OLD BUSINESS

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

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING ORDINANCE NO. 55, SERIES OF 2013, AS PREVIOUSLY AMENDED, WHICH FIXED THE DAYS, THE TIME AND PLACE FOR MEETINGS OF THE BOARD OF COMMISSIONERS OF SAID CITY CHANGING THE MEETING TIME FOR ALL REGULARLY SCHEDULED MEETINGS DURING THE MONTHS OF APRIL THROUGH SEPTEMBER TO 12:00 PM (NOON).

FISCAL NOTE: No fiscal impact.

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

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING ORDINANCE NO. 47, SERIES OF 2016, REGARDING A POLICY PROVIDING FOR THE SUBMISSION OF GRANT APPLICATIONS.

FISCAL NOTE: City PIO reviews and records all grant applications. City Manager reviews and modifies as necessary prior to submission to the Board of Commissioners for approval. No Fiscal impact.

- c. *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 DEBCON, INC. INCREASING THE CONTRACT AMOUNT BY \$2,062.00 REGARDING THE 16TH STREET PLAZA (JUDD PLAZA) RENOVATION PROJECT FOR THE DEPARTMENT OF ENGINEERING.

FISCAL NOTE: Increased cost amount \$2,062. Total contract amount including previous change order \$1,162,113. Revised contract amount \$1,164,175. FY20 Streetscape Budget (Capital Purchase Improvement Fund) \$1,350,000.

- 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 SUBMIT THE PROGRAM YEAR 2019 AMENDED ACTION PLAN, ADOPTED BY ORDINANCE NO. 64, SERIES OF 2019, AS AMENDED BY ORDINANCE NO. 109, SERIES OF 2019, AND ORDINANCE NO. 149, SERIES OF 2019, 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 CARRY-OVER FUNDING IN THE AMOUNT OF \$1,089,482.00, TO REDISTRIBUTE FUNDING ALLOCATIONS, 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: Allocation of PY19 of \$561,481, plus carry over funding from 2015, 2016, 2017, and 2018 of \$1,089,482.

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

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING THE SUBMITTAL OF THE ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING (AI) AS REQUIRED BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) IN ORDER FOR CONTINUED COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOUSING CHOICE VOUCHER (HCV) FUNDING FOR THE CITY OF ASHLAND DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT.

FISCAL NOTE: This is a required administrative document on Fair Housing strategies and policies for HUD. There is no fiscal impact.

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

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ADOPTING THE PUBLIC HOUSING AGENCY (PHA) FIVE YEAR PLAN TO COMPLY WITH SECTION 511 OF THE QUALITY HOUSING AND WORK RESPONSIBILITY ACT AND THE ENSUING HUD REQUIREMENTS TO BE SUBMITTED TO THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, OFFICE OF PUBLIC AND INDIAN HOUSING.

FISCAL NOTE: Anticipated FY21 allocation \$3,126,066 for housing and utility assistance in Boyd County and \$274,560 for administrative costs. Compared to FY20 allocation of \$2,865,015. Only mission and objectives were changed in the plan, therefore no fiscal impact.

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

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ADOPTING THE 2020 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CITIZEN PARTICIPATION PLAN FOR DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT PROGRAMS AS REQUIRED BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD).

FISCAL NOTE: The City of Ashland encourages citizen participation and this plan outlines how we are going to encourage participation. There is only minimal fiscal impact such as advertising and administrative work.

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

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ADOPTING THE 2020 – 2024 CITY OF ASHLAND COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CONSOLIDATED PLAN AND THE 2020 ANNUAL PLAN FOR THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT.

FISCAL NOTE: Funding allocation: PY16 \$50,000, PY17 \$240,568.37, PY18 \$5,000, PY19 \$166,509.30, PY20 \$573,795 = Total Available \$1,035,873.

Proposed projects: Admin \$80,000, Housing \$46,000, Infrastructure \$688,873 (Debord Terrace Infrastructure \$260,569, Pollard Mills \$428,304), Homeless Services \$63,000, Public Facilities \$128,000 (Ashland Child Development Center \$7,000, Ashland Senior Center \$14,000, Community Center \$100,000, Shelter of Hope floors \$2,000, Non-Housing Admin \$5,000), Minority Loans \$30,000 = Total Available \$1,035,873

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

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ADOPTING THE HOUSING CHOICE VOUCHER PROGRAM 2020B ADMINISTRATIVE PLAN FOR THE CITY OF ASHLAND, DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, DIVISION OF ASSISTED HOUSING (SECTION 8).

FISCAL NOTE: Anticipated FY21 allocation = \$3,126,066 for housing and utility assistance in Boyd County and \$274,560 for administrative costs. Compared to FY20 allocation of \$2,865,015.

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

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND APPROVING CHANGE ORDER NO. 4 DATED MARCH 16, 2020 IN THE AMOUNT OF \$11,890.59 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND WOMACK EXCAVATING, LLC REGARDING THE COMMUNITY CENTER FOR THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT.

FISCAL NOTE: Included in the 2019 Annual Action Plan. Total contract amount including pending change orders \$183,400.59. Community Center Budget with pending Action Plan revisions = \$362,364.21. Containers cost including pending change orders = \$116,645, site prep = \$183,400.59 & playground = \$68,689. Amount spent / encumbered on Community Center = \$401,610.90.

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

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND APPROVING CHANGE ORDER NOS. 1 AND 2 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND BRISTLECONE VENTURES 2, LLC D/B/A FALCON STRUCTURES INCREASING THE CONTRACT AMOUNT BY \$6,475.00 REGARDING THE COMMUNITY CENTER PROJECT FOR THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT.

FISCAL NOTE: Original contract amount \$110,170, new contract amount after change orders \$116,645. Community Center Budget with pending Action Plan revisions = \$362,364.21. Containers cost including pending change orders = \$116,645, site prep = \$183,400.59 & playground = \$68,689. Amount spent / encumbered on Community Center = \$401,610.90.

l. *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 ORDERS CONSTRUCTION COMPANY INC. FOR THE CONSTRUCTION OF THE ASHLAND WATER TREATMENT PLANT SUPERVISORY CONTROL AND DATA ACQUISITION SYSTEM (SCADA) IN THE AMOUNT OF \$3,195,800.00 FOR THE DEPARTMENT OF ENGINEERING.

FISCAL NOTE: Total bid amount \$3,195,800. Bond funds will have to be allocated for this project.

m. *Other Old Business*

VIII. 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 #0158416 dated March 11, 2020 in the amount of \$7,197.61 to Strand Associates, Inc. for engineering services associated with the City of Ashland's Consent Judgement Annual Report.*

FISCAL NOTE: Total contract amount not to exceed \$15,000, balance after this pay request \$5,304.09. This is paid with CSO funds and budgeted in CSO Administrative Costs.

2. *City Manager recommends authorizing payment of Invoices #0054422 and #0054423 dated February 29, 2020 in the total amount of \$12,517.50 to GRW Engineering for the design and engineering work performed for the Ashland Water Treatment Plant SCADA and Instrumentation Upgrades Project.*

FISCAL NOTE: Engineering amount = \$251,110, balance of engineering contract after this pay request = \$58,075.00. Contract payment included in the FY20 SCADA and Field Instrument Upgrade Budget of \$2,261,624.

3. *City Manager recommends authorizing payment of Invoice #2618 dated February 25, 2020 in the amount of \$153,991.68 to Anthratech (AWI) U.S., Inc for the Phoenix Underdrain System Filters 1-3 at the Ashland Water Treatment Plant.*

FISCAL NOTE: Total contract amount, not to exceed \$485,000. Balance of contract after this pay request = \$331,008.32. A budget adjustment will be needed to complete this project and bond issue will be completed to fund this project.

4. *City Manager recommends authorizing payment of Invoice #0116816A.00-11 dated March 11, 2020 to LJB, Inc. for the engineering services for the 2019 waterline replacement project.*

FISCAL NOTE: Total contract amount including change orders \$218,290. Balance on contract after this pay request \$22,690. Waterline replacement budget = \$1,575,129. Total spent/encumbered \$ 946,123.08 in FY20 for waterline replacement. Remaining funds for waterline replacement \$ 629,005.92.

5. *City Manager recommends authorizing payment of Invoice #1200254485 dated March 13, 2020 in the amount of \$10,800 to HDR Engineering, Inc. for engineering services associated with a Cost of Service Study for water and sewer rates for the Department of Utilities.*

FISCAL NOTE: A Cost of Service Study is an extensive review of the rates, fees, revenues, and expenses of a utility and involves detailed cost analysis and allocation. Total contract amount = \$72,000. Remaining contract balance following this payment = \$43,200.

6. *City Manager recommends authorizing payment of Invoice #0158415 dated March 11, 2020 in the amount of \$15,641.43 to Strand Associates for engineering services associated with the City of Ashland Wastewater Treatment Plant Expansion and Improvements Project for the Department of Utilities.*

FISCAL NOTE: FY20 budget is \$300,000.00. Phase I proposal not to exceed \$535,990.00 which extends over multiple budgets. Payments to date = \$81,396.61. Current Invoice = \$15,641.43. Remaining balance of contract following this payment = \$438,951.96.

7. *City Manager recommends authorizing payment of Application #2 for the period ending April 1, 2020 in the amount of \$4,680 to Frederick & May Construction Co., Inc. for the Pollard Mills Storm Water, Sidewalks, Curbs, Gutters, and Paving project for the Department of Community & Economic Development from CDBG funds.*

FISCAL NOTE: Project budget in FY20. Total contract amount = \$444,885. Amount remaining following payment = \$316,238.06.

8. *City Manager recommends authorizing payment of Invoices #04714-10 and #04714-04 dated March 1, 2020 in the total amount of \$4,366.45 to GRW Engineering for the Pollard Mills Storm Water, Sidewalks, Curbs, Gutters, and Paving Contract.*

FISCAL NOTE: FY20 expenditure budgeted in CDBG and expense budgeted in Utility Fund. This is a multi-year project with original contract amount \$421,800. Balance remaining after proposed payment = \$252,777.71.

9. *Other Consent Items*

IX. NEW BUSINESS

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

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ADOPTING THE AMENDED MEDICAL CARE PLAN AND SUMMARY PLAN DESCRIPTION FOR CITY EMPLOYEES AND FOR THE FIRE DEPARTMENT UNION ADOPTED BY ORDINANCE 46, 2012 AND PREVIOUSLY AMENDED, TO MEET THE REQUIREMENTS OF THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT.

FISCAL NOTE: Financial impact TBD.

- 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 FY 2020 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: City was awarded \$642,224 in Operating, ADA, Security, Maintenance and Capital funds for Federal FY 2020. Also, Capital funds in 5339 program = \$76,503. The Cares Act funding granted the City of Ashland an additional \$1,818,432 to ensure the future operations of the Bus System routes, Para-Transit and PPE administrative leave as a result of the Pandemic. Also, the fund costs related to COVID-19. These funds do not require a local match. 100% funded by the Federal Transit Administration. City of Ashland grant match on other funds = \$419,519. City Finance Department will also apply for a 10% match state transportation match on all non-Cares Act funding.

- 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 ACCEPT THE PROPOSAL OF BLUEWATER KENTUCKY, LLC IN AN AMOUNT NOT TO EXCEED \$40,000.00 TO CONDUCT A WATER QUALITY STUDY FOR THE DEPARTMENT OF UTILITIES.

FISCAL NOTE: Total contract amount is \$40,000.00. This is not a budgeted project and a budget adjustment will be required. The remaining amount of contract needs added to Fiscal Year 2021 budget as the estimated completion date would be February 2021.

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

A MUNICIPAL ORDER OF THE CITY OF ASHLAND, KENTUCKY, EXTENDING THE AGREEMENT BETWEEN THE CITY OF ASHLAND AND ASHLAND CITY FIREFIGHTERS LOCAL 706, INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, AFL-CIO-CLC, TO JUNE 30, 2021.

FISCAL NOTE: No fiscal impact.

- e. *Other New Business*

X. EXECUTIVE SESSION

- a. *Individual Personnel Matter*

XI. ADJOURNMENT OR RECESS