



**Ashland Board of Commissioners
Regular Special Meeting (COVID-19)
Thursday, April 23, 2020
12:00 PM
Commissioners' Chambers**

AGENDA

I. CALL TO ORDER

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. RECEIVE AND FILE CALL LETTER

V. RECEIVE AND FILE MINUTES

- a. *Regular Special Meeting (COVID-19 Circumstances) on April 9, 2020*

VI. HEARINGS AND REPORTS

- a. *Mayor and Commissioners' Comments*
- b. *City Manager's Report*

VII. OLD BUSINESS

- a. *Second reading and adoption 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. *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 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, CAPITAL EXPENDITURES AND CARES ACT EXPENSES; 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. *Second reading and adoption 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. *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 #2634 dated April 8, 2020 in the amount of \$153,991.68 to Anthratech 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 current contract after this pay request = \$177,016.64. A budget adjustment will be needed to complete this project and bond issue will be completed to fund this project. To complete this project, we will also have demolition and media costs associated.

2. *City Manager recommends authorizing payment of Invoices #1097 dated February 26, 2020, #1115 dated March 13, 2020, and #1129 dated March 24, 2020 in the total amount of \$98,284.13 to Bluegrass Recreation Sales and Installation, LLC for the purchase and installation of ship-themed playground equipment.*

FISCAL NOTE: Playground for tot lot = \$98,284.13.

3. *City Manager recommends authorizing payment of Invoice #1200260267 dated April 10, 2020 in the amount of \$3,600 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 = \$39,600.

4. *City Manager recommends authorizing payment of Invoice #4 dated March 27, 2020 in the amount of \$12,855.00 to Howerton Engineering & Surveying PLLC for engineering services associated with the preparation of the cured in place pipe lining rehabilitation project for the Department of Engineering.*

FISCAL NOTE: Original contract amount = \$40,000.00. Change Orders = \$24,500.00. Total Current Contract = \$64,500.00. Contract amount remaining following payment of this invoice = \$26,685.00.

5. *City Manager recommends authorizing payment of Invoice #3 dated March 20, 2020 in the amount of \$10,350.00 to Howerton Engineering & Surveying PLLC for the development of design drawings, plans, specifications, and bidding services for the DeBord Terrace sidewalks, stairs and handrail project.*

FISCAL NOTE: Amount currently in FY20 budget. Total contract amount = \$48,000.00. Amount paid to date = \$30,150.00. Amount of current payment = \$10,350.00. Balance of contract remaining = \$7,500.00.

6. *City Manager recommends approval authorizing the Mayor to submit the Set-Aside Funding application for the Housing Choice Voucher Program (HCV) to the Department of Housing and Urban Development (HUD).*

FISCAL NOTE: Possible additional Federal funding of \$267,063 which helps house 43 additional families for a year. City would receive approximately \$24,221 in administrative fees for the additional units.

7. *Other Consent Items.*

IX. NEW BUSINESS

- a. *Emergency Clause first and second reading and final 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, ORDINANCE NO. 149, SERIES OF 2019, AND ORDINANCE NO. 33, SERIES OF 2020, 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 AND COVID-19 FUNDS IN THE AMOUNT OF \$337,555.00, 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 AND DECLARING AN EMERGENCY TO EXIST TO ALLOW TWO READINGS OF THIS ORDINANCE ON THE SAME DAY.

FISCAL NOTE: The Department of Housing and Urban Development added CARES funding to our entitlement grant of \$337,555 which gives us a total funding from this Action Plan (budget) of \$1,988,518. The CARES act lifted the normal 15% limitation on service agency funding. This allows us to allocate additional funding to these agencies during this Pandemic. The following is a list of the projects that we propose funding to:

Cares - Additional \$10,000 of funding to provide case management, utilities, liability insurance and food pantry expenses. Total Funding = \$40,000.

Shelter of Hope - Additional \$12,000 of funding to provide case management, utilities, liability insurance and food pantry expenses. Total Funding = \$17,000.

Safe Harbor - Additional \$12,000 of funding to provide utilities, liability insurance and food pantry expenses. Total Funding = \$17,000.

Community Kitchen - Additional \$21,000 of funding to provide staff salaries, utilities, liability insurance and supplies for meal prep. Total Funding = \$26,000.

Hillcrest Bruce- Additional \$22,000 of funding to provide for utilities, liability insurance and Food Pantry. Total Funding = \$40,000.

Senior Center- Additional \$11,000 of funding to provide for utilities, liability insurance and Food Pantry. Total Funding = \$25,000.

ACDC - Additional \$5,000 of funding to provide for utilities and liability insurance. Total Funding = \$12,000.

Salvation Army - \$10,000 of funding to provide for utilities. Total Funding = \$10,000.

City of Ashland Service Programs

Utility Assistance Program = \$75,000 to assist 500 plus families.

Clean Start Kits/ Supplies = \$5,000 to assist 100 plus families.

Food Boxes = \$5,000 to assist 100 plus families.

Personal Protection Equipment = \$5,000 to the production of 2,000 units.

Operational Expenses - Payroll of City of Ashland employee to manage service projects = \$40,000.

Code Enforcement project decreased from \$40,000 to \$36,000

Ashland Community Center project decreased from \$362,364 to 0.

DeBord Terrace Infrastructure increased \$73,000 from \$234,555 to \$358,605.

Pollard Mills Infrastructure increased \$248,592 from \$497,041 to \$746,633.

Senior Center Flooring increased \$58 from \$11,868 to \$11,926.

Minority Business loans increased \$10,350 from \$170,823 to \$181,173.

Shelter of Hope floors increased \$33,364 from \$14,067 to \$47,431.

b. Emergency Clause first and second reading and final 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), REPEALING ORDINANCE NO. 36, SERIES OF 2020, AND DECLARING AN EMERGENCY TO EXIST TO ALLOW TWO READINGS OF THIS ORDINANCE ON THE SAME DAY.

FISCAL NOTE: This is required plan for Department of Housing and Urban Development. Fiscal impact is staff time and any advertising costs which are covered by grant funds.

c. Emergency Clause first and second reading and final 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, REPEALING ORDINANCE NO. 37, 2020, AND DECLARING AN EMERGENCY TO EXIST TO ALLOW TWO READINGS OF THIS ORDINANCE ON THE SAME DAY.

FISCAL NOTE: Plan Year (PY) 2016 = \$30,000.00. PY2017 = \$314,896.60. PY2018 = \$238,074.38. PY2019 = \$363,432.47. PY2020 = \$573,795.00. COVID-19 = \$104,055.00. TOTAL AVAILABLE = \$1,624,253.45

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

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, REQUIRING THE REGISTRATION OF RESIDENTIAL HOUSING UNITS WITHIN THE CITY OF ASHLAND AND PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE.

FISCAL NOTE: Administrative costs (salary, postage, computer hardware for storage of information) not to exceed \$2,000.00.

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

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ENACTING REGULATIONS TO PROMOTE THE ABATEMENT OF PUBLIC NUISANCES AND PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE BY OWNERS OF PROPERTIES WHO PERMIT THE REOCCURRENCE OF PUBLIC NUISANCE ACTIVITIES ON THEIR PROPERTIES WITHOUT TAKING REASONABLE ACTIONS TO ABATE THE MISUSE OF THEIR PROPERTIES.

FISCAL NOTE: No fiscal impact.

- f. *First reading and approval 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 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: The proposed engineering changes do not increase contract amount. Contract = \$421,800.

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

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ADOPTING AMENDMENT 11 FOR CITY EMPLOYEES AND AMENDMENT 10 FOR THE FIRE DEPARTMENT UNION FOR THE CITY OF ASHLAND, KENTUCKY MEDICAL CARE PLAN AND SUMMARY PLAN ADOPTED BY ORDINANCE 46, 2012 AND PREVIOUSLY AMENDED, TO INCLUDE TELEHEALTH SERVICES.

FISCAL NOTE: No additional cost.

- h. *First reading and approval 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 FREDERICK & MAY CONSTRUCTION CO., INC. REGARDING THEIR CONTRACT FOR THE POLLARD MILLS DRAINAGE IMPROVEMENT PROJECT INCREASING THE CONTRACT AMOUNT BY \$2,992.00 FOR THE DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT.

FISCAL NOTE: Increase of Change Order #2 = \$2,992.00. Total spent / encumbered for Pollard Mills \$954,217.60 (CDBG=\$842,320.38 and Utility=\$111,897.22).

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

A SERIES BOND ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING THE ISSUANCE OF \$10,500,000 PRINCIPAL AMOUNT OF WATER AND SEWER SYSTEM REVENUE BONDS, SERIES 2020A (WHICH AMOUNT MAY BE INCREASED OR DECREASED BY UP TO \$1,050,000); DESIGNATING THE PAYING AGENT AND REGISTRAR IN RESPECT THEREOF; APPROVING THE PREPARATION OF A PRELIMINARY AND FINAL OFFICIAL STATEMENT IN RESPECT THEREOF; PROVIDING FOR THE SALE OF SUCH BONDS TO THE LOWEST AND BEST BIDDER; AND AUTHORIZING THE MAYOR AND THE CITY CLERK TO EXECUTE DOCUMENTS ON BEHALF OF THE CITY.

FISCAL NOTE: A bond ordinance authorizing up to \$10,500,000. Average Annual Debt Service = \$687,736. All-inclusive interest cost = 3.50%. Bond term is for 20 years. Total interest costs = \$3,942,458. The bond also funds a Debt Service Reserve = \$695,540.

Projects include:

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| <i>Water Treatment Plant Filter upgrades = \$845,300</i> | <i>Filter Media for Water Treatment Plant = \$150,000</i> |
| <i>Scada for Water Treatment Plant = \$3,419,507</i> | <i>Florida Street Pump Station Upgrades = \$38,000</i> |
| <i>Baugess Drive Pump Station = \$38,000</i> | <i>Repair / replace 42" raw water line = \$200,000</i> |
| <i>26th Street Pump station rehab = \$970,000</i> | <i>Summit tank interior coating = \$550,000</i> |
| <i>New Acti Flo tube settlers = \$150,000</i> | |
| <i>New pump Station Johnson Fork & Catlettsburg Creek = \$75,000</i> | |
| <i>Debord Hill mixer and blower upgrade = \$1,000,000</i> | |
| <i>13th Street above ground water storage tank = \$1,500,000</i> | |

j. *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 INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF ASHLAND, KENTUCKY AND THE CITY OF RUSSELL, KENTUCKY AUTHORIZING ASHLAND AND RUSSELL POLICE OFFICERS TO EXERCISE THEIR POWERS THROUGHOUT BOTH CITIES IN ORDER TO COMBAT ILLEGAL ACTIVITY.

Fiscal Note: Fiscal Impact is minimal. This is a solution to jurisdictional powers that confront both the Ashland and Russell Police Departments during the course of their duties.

k. *Other New Business.*

X. ADJOURNMENT OR RECESS