

**REGULAR MEETING
SEPTEMBER 14, 2017**

The Ashland Board of Commissioners met in Regular Session in the Commissioners' Chambers, City Building, Ashland, Kentucky, on Thursday, September 14, 2017, at the hour of 12:00 PM. Those present were Commissioners: Amanda Clark, Marty Gute, Matt Perkins, Marshall Steen and Mayor Stephen E. Gilmore, who presided. Also present were: Michael S. Graese, City Manager; John F. Vincent, Corporation Counsel; Susan W. Maddix, City Clerk; Todd Kelley, Chief of Police; Kevin P. Sinnette, Assistant Corporation Counsel; Sean Murray, Director of Human Resources/Parks & Recreation; Greg Ray, Fire Chief; Ryan Eastwood, Director of Engineering and Utilities; Chris Pullem, Community and Economic Development Director; Tony Grubb, Finance Director; Michelle Veach, Assistant Finance Director; Randy Carpenter, Acting Director of Public Works; Mike Adkins, Risk Manager; Major Bill Hensley, Ashland Police Department; Brian Felty, Central Garage; Reed Downs, Water Distribution; Cynthia Daniel, Community and Economic Development; and Reporters.

The invocation was given by Commissioner Gute.

The Pledge of Allegiance was conducted.

AGENDA

City Manager Graese presented the agenda of September 14, 2017. Motion was made by Clark, seconded by Gute, to receive & file the agenda. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay - none. Motion passed.

MINUTES

Motion was made by Gute, seconded by Clark, to dispense with reading and approve the minutes of the Regular Meeting held on August 24, 2017. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay - none. Motion passed.

HEARINGS AND REPORTS

Mayor and Commissioners' Comments

Commissioner Gute welcomed the audience to the meeting and reminded everyone that Poage Landing Days kicks off on Friday, September 15. Commissioner Gute also invited everyone to the Ironton vs. Ashland football game at Putnam Stadium on Friday night at 7:30 PM, September 15, where the 1967 team will be recognized.

Commissioner Clark reported she was unable to attend the last Commission meeting due to her attendance at the Governor's Local Issue Conference in Louisville which is held each year in order to introduce local officials to state officials and Cabinet Secretaries. Commissioner Clark also reported that she and Commissioner Perkins participated in a ride-a-long with Code Enforcement officers and thanked the Department of Community and Economic Development for the eye-opening experience.

Mayor Gilmore made comments regarding the 29th Street combined sewer overflow (CSO) project and its effect on the 29th Street businesses and residents travelling the route. He reported the City Manager is putting together a project team to deal specifically with these effects.

Commissioner Clark thanked the Department of Engineering and Utilities and the Department of Community and Economic Development for the preparation of the proposed mitigation plan.

**REGULAR MEETING SEPTEMBER 14, 2017
HEARINGS AND REPORTS CONTINUED**

Mayor Gilmore read the following Proclamation:

**PROCLAMATION BY
STEPHEN E. GILMORE, MAYOR
CITY OF ASHLAND, KENTUCKY**

WHEREAS, the week of September 17-23, 2017 has been recognized as Adult Day Services Week by the National Adult Day Services Association, members, staff, communities and states across the country; and

WHEREAS, public awareness and education enhance a community's understanding of the issues affecting seniors and adults of all ages who have disabilities; and

WHEREAS, the number of adults with Alzheimer's disease and other forms of dementia, as well as other chronic conditions, continues to grow at high rate; and

WHEREAS, adult day services provide socialization, therapeutic programming, nutrition, supervised healthcare, rehabilitative therapies and respite for families allowing older adults and adults with disabilities to remain vibrant members of the communities and in their homes for longer;

WHEREAS, Active Day of Ashland and the National Adult Day Services Association have designated September 17 - 23, 2017, as National Adult Day Services Week.

NOW THEREFORE, I, Stephen E. Gilmore, Mayor of the City of Ashland, Kentucky, do hereby proclaim the week of September 17-23, 2017, as

National Adult Day Services Week

in the City of Ashland, celebrating "Adult Day Services: Care, Compassion, Community," and urge the citizens of Ashland to honor and celebrate this special event.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Ashland, Kentucky to be affixed this 18th day of September, 2017.

/s/STEPHEN E GILMORE, MAYOR

Attest:

/s/SUSAN W. MADDIX, CITY CLERK

City Manager's Report

City Manager Graese reported the City will publish a calendar for road impacts on the City's website regarding the 29th Street area. He thanked the Departments of Engineering and Utilities and Community and Economic Development for the preparation of the proposed construction mitigation plan. He also thanked City staff and those working on the project for moving the work forward. The original proposed date to be through the intersection was October 9 and it was actually August 31. Gravel has been placed on the road to improve the condition of the road.

City Manager Graese reported the ordinance regarding the reduction of crime is not on the agenda today for second reading. There is currently a survey taking place to get input from the community.

REGULAR MEETING SEPTEMBER 14, 2017
HEARINGS AND REPORTS CONTINUED

City Manager Graese recognized Nancy Miller whom he met at Central Park. Mr. Graese noted that Nancy is constantly wearing a smile and picking up trash while walking around the park. Mr. Graese wanted to publicly recognize and thank Nancy for her volunteerism and noted she is also a part of Build Ashland. Commissioner Clark noted that Nancy Miller is Build Ashland's Volunteer of the Month.

City Manager Graese recognized Water Distribution workers for going above and beyond and for their great work ethic. During the week of August 17, the City had 7 water line breaks in 3 days. The workers recognized were: Andy Guffey, Tom Layne, Jonathan Waddell, Matt Rowen, Shawn Baldwin, Dale White, Eddie Rearden, Derek Stapleton, Brandon Carpenter, Joe Hanners, Chris Moye, Adam Wellman and Reed Downs. Mr. Graese also thanked Marathon, the City of Russell and American Water.

City Manager Graese explained that during the same 3-day period mentioned above a water break occurred affecting a homeowner by flooding her basement with over 5 feet of water where her furnace, hot water heater and breaker box was located. The Director of Engineering and Utilities contacted Risk Manager Mike Adkins who drove from his home 45 minutes away at 1:00 AM to sit with the homeowner for several hours while walking her through the process for the filing of the claim. Mr. Graese thanked Mr. Adkins for a job well done.

PUBLIC PARTICIPATION

Shannon Hill with Build Ashland advised the Commission that Build Ashland will be taking monetary donations at the gate of the Ashland/Ironton football game at Putnam Stadium on Friday for flood relief, hurricane relief, etc. Commissioner Perkins noted the donations will go to the local chapters of the Red Cross, Salvation Army, etc.

Todd Young, Director of The Neighborhood, appeared before the Commission and thanked the City for its support. Mr. Young also invited members of the Commission to come and tour the facility and serve lunch.

OLD BUSINESS
SECOND READING & FINAL ADOPTION

ORDINANCE NO. 86, 2017

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF ASHLAND, KENTUCKY AND ASSURECO RISK MANAGEMENT AND REGULATORY COMPLIANCE LLC FOR RISK MANAGEMENT PLAN COMPLIANCE SERVICES IN THE AMOUNT OF \$7,200.00 FOR THE FIRST YEAR AND \$4,200.00 PER YEAR THEREAFTER FOR THE DEPARTMENT OF ENGINEERING AND UTILITIES, DIVISION OF WASTEWATER TREATMENT.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Stephen E. Gilmore, Mayor of the City of Ashland, Kentucky, be and is hereby authorized to execute a Professional Services Agreement between the City of Ashland, Kentucky and AssureCo Risk Management and Regulatory Compliance LLC d/b/a Municipal H2O for Risk Management Plan compliance services at the Ashland Wastewater (Sewer) Treatment Plant for the Department of Engineering and Utilities. The cost for said agreement is \$7,200.00 for the first year and \$4,200.00 per year thereafter. A copy of said agreement is attached hereto and made a part hereof by reference.

**REGULAR MEETING SEPTEMBER 14, 2017
ORDINANCE NO. 86, 2017 CONTINUED**

SECTION 2. All ordinances of the City of Ashland and any parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: August 24, 2017
READOPTED BY THE BOARD OF COMMISSIONERS: September 14, 2017
PUBLISHED:

MOTION

Motion was made by Gute, seconded by Clark, to adopt Ordinance No. 86, 2017, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 87, 2017

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ADOPTING THE JOB DESCRIPTION FOR THE POSITION OF PUBLIC INFORMATION OFFICER IN THE DEPARTMENT OF GENERAL GOVERNMENT, DIVISION OF CITY MANAGER, WITH AN ESTIMATED ANNUAL SALARY OF \$41,608.00 MINIMUM AND \$62,412.00 MAXIMUM AND AMENDING THE AUTHORIZED POSITION TO INCLUDE THE POSITION IN THE "POLICIES AND PROCEDURES, COMPENSATION PLAN AND CLASSIFICATION PLAN" AS ADOPTED BY ORDINANCE NO. 51, SERIES OF 2017.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Ordinance No. 51, series of 2017, being an ordinance entitled, "AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ADOPTING THE POLICIES AND PROCEDURES, COMPENSATION PLAN AND CLASSIFICATION PLAN FOR THE CITY OF ASHLAND, KENTUCKY AND REPEALING ORDINANCE NO. 91, SERIES OF 2011, AND ALL AMENDMENTS THERETO" is hereby amended. The job description for the position of Public Information Officer in the Department of General Government, Division of City Manager, and the amended Authorized Positions Listing of the Policies and Procedures, Compensation Plan and Classification Plan are hereby adopted. A copy of said job description and amended Authorized Positions List is attached hereto and made a part hereof by reference.

SECTION 2. All other ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption and readoption and shall later be published as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance shall be in summary form.

**REGULAR MEETING SEPTEMBER 14, 2017
ORDINANCE NO. 87, 2017 CONTINUED**

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: August 24, 2017
READOPTED BY THE BOARD OF COMMISSIONERS: September 14, 2017
PUBLISHED:

MOTION

Motion was made by Gute, seconded by Perkins, to adopt Ordinance No. 87, 2017, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 88, 2017

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE COMMONWEALTH OF KENTUCKY, FINANCE AND ADMINISTRATION CABINET, AND THE CITY OF ASHLAND, KENTUCKY REGARDING THE ENCROACHMENT UPON CITY RIGHTS-OF-WAY FOR THE CONSTRUCTION OF THE KENTUCKY WIRED NETWORK.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Stephen E. Gilmore, Mayor of the City of Ashland, Kentucky, be and is hereby authorized to execute a Memorandum of Understanding between the Commonwealth of Kentucky, Finance and Administration Cabinet, and the City of Ashland, Kentucky for the encroachment upon the rights-of-way of the City for the construction of modern, high capacity fiber. The Commonwealth of Kentucky will be constructing an open access fiber optic network (KentuckyWired Network) throughout the Commonwealth.

A copy of said Memorandum of Understanding is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances of the City of Ashland and any parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: August 24, 2017
READOPTED BY THE BOARD OF COMMISSIONERS: September 14, 2017
PUBLISHED:

**REGULAR MEETING SEPTEMBER 14, 2017
ORDINANCE NO. 86, 2017 CONTINUED**

MOTION

Motion was made by Clark, seconded by Gute, to adopt Ordinance No. 88, 2017, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 89, 2017

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, NOT WITHSTANDING THE PROVISIONS OF ORDINANCE NO. 51, SERIES OF 2017, GRANTING A TWO PERCENT (2%) INCREASE RETROACTIVE TO JULY 1, 2017 TO THOSE EMPLOYEES AFFECTED BY SAID ORDINANCE.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. Notwithstanding the provisions set forth in Ordinance No. 51, Series of 2017, of the City of Ashland, Kentucky, it is hereby authorized and directed that the following employees are hereby granted a two percent (2%) increase as approved in the FY 2017-2018 Budget:

- Maintenance Worker II, Department of Public Works
- Building Custodian, Department of General Government
- Administrative Assistant, Ashland Fire Department
- Secretary II, Ashland Police Department
- Equipment Operator II, Department of Public Works
- Database Administrator, Department of Finance

SECTION 2. That said two percent (2%) increase is retroactive to July 1, 2017.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, re-adoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

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| ADOPTED BY THE BOARD OF COMMISSIONERS: | August 24, 2017 |
| READOPTED BY THE BOARD OF COMMISSIONERS: | September 14, 2017 |
| PUBLISHED: | |

MOTION

Motion was made by Gute, seconded by Clark, to adopt Ordinance No. 89, 2017, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

**REGULAR MEETING SEPTEMBER 14, 2017
ORDINANCE NO. 90, 2017**

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 90, 2017

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 2016 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) FOR THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Stephen E. Gilmore, Mayor, is hereby authorized and directed to submit the City of Ashland's Community Development Block Grant 2016 Consolidated Annual Performance and Evaluation Report (CAPER) for the Department of Community and Economic Development. Said report is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances of the City of Ashland and any parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption, and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: August 24, 2017
READOPTED BY THE BOARD OF COMMISSIONERS: September 14, 2017
PUBLISHED:

MOTION

Motion was made by Clark, seconded by Gute, to adopt Ordinance No. 90, 2017, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Steen and Mayor Gilmore. Nay – none. Abstain – Commissioner Perkins. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 91, 2017

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND APPROVING CHANGE ORDER NO. 1 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND MORRIS CONTRACTING INCREASING THE CONTRACT AMOUNT BY \$12,312.00 FOR A CONTRACT REGARDING THE FLOYD STREET STREET/SKYLINE DRIVE WATERLINE REPLACEMENT PROJECT FOR THE DEPARTMENT OF ENGINEERING AND UTILITIES.

**REGULAR MEETING SEPTEMBER 14, 2017
ORDINANCE NO. 91, 2017 CONTINUED**

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Change Order No. 1 in the contract authorized by Ordinance No. 27, 2017 between the City of Ashland, Kentucky and Morris Contracting for the Floyd Street/Skyline Drive waterline replacement project is hereby approved as follows:

Change Order No. 1

| | |
|--|------------------|
| Original Contract Price | \$106,197.40 |
| Previous Change Orders | 0.00 |
| Contract Price prior to this Change Order | 106,197.40 |
| Net Increase/Decrease of this Change Order | <u>12,312.00</u> |
| Contract Price with all approved Change Orders | \$118,509.40 |

A true copy of Change Order No. 1 is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances of the City of Ashland and any parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

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| ADOPTED BY THE BOARD OF COMMISSIONERS: | August 24, 2017 |
| READOPTED BY THE BOARD OF COMMISSIONERS: | September 14, 2017 |
| PUBLISHED: | |

MOTION

Motion was made by Gute, seconded by Clark, to adopt Ordinance No. 91, 2017, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 92, 2017

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE A SCHOOL RESOURCE OFFICER AGREEMENT BETWEEN THE CITY OF ASHLAND, KENTUCKY AND THE ASHLAND INDEPENDENT SCHOOL DISTRICT FOR THE TERM JULY 1, 2017 TO JUNE 30, 2018.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Stephen E. Gilmore, Mayor, be and he is hereby authorized and directed to execute a School Resource Officer Agreement between the City of Ashland, Kentucky and the Ashland Independent School District for the term July 1, 2017 through June 30, 2018. A copy of said agreement is attached hereto and made a part hereof by reference.

REGULAR MEETING SEPTEMBER 14, 2017
ORDINANCE NO. 92, 2017 CONTINUED

SECTION 2. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: August 24, 2017
READOPTED BY THE BOARD OF COMMISSIONERS: September 14, 2017
PUBLISHED:

MOTION

Motion was made by Gute, seconded by Clark, to adopt Ordinance No. 92, 2017, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 93, 2017

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, PROHIBITING PARKING ON 41ST STREET FROM WINCHESTER AVENUE (U.S. 23) TO BROWN STREET ON THE SOUTH SIDE, AND FROM WINCHESTER AVENUE (U.S. 23) EXTENDING TO A POINT AT 570' ON THE NORTH SIDE, AND PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That it shall be unlawful for any person, firm or corporation to park and leave standing any vehicle on the south side of 41st Street from Winchester Avenue (U.S. 23) to Brown Street and on the north side from Winchester Avenue (U.S. 23) extending for a distance of 570' in the vicinity of the City of Ashland Water Treatment Plant.

SECTION 2. The Director of Public Works is hereby authorized and directed to install appropriate signs and/or curb or street markings to properly carry the provisions of this ordinance into effect.

SECTION 3. The Chief of Police is hereby authorized and directed to properly carry the provisions of this ordinance into effect and to take appropriate steps to enforce same.

SECTION 4.

4.1 Any person, firm or corporation violating the terms of this ordinance who chooses to prepay the administrative penalty, the rate shall not be less than Ten Dollars (\$10.00).

**REGULAR MEETING SEPTEMBER 14, 2017
ORDINANCE NO. 93, 2017 CONTINUED**

4.2 If violation of this ordinance results in a uniform citation being issued, any person, firm or corporation who shall violate the provisions of this ordinance shall be deemed guilty of a violation and shall be punished by a fine not less than Ten Dollars (\$10.00) nor more than any stated amount provided in KRS 534.040 for a violation offense.

SECTION 5. All other ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 6. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: August 24, 2017
READOPTED BY THE BOARD OF COMMISSIONERS: September 14, 2017
PUBLISHED:

MOTION

Motion was made by Clark, seconded by Gute, to adopt Ordinance No. 93, 2017, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 94, 2017

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO SUBMIT THE REVISED 2017-2018 ACTION PLAN FOR A COMMUNITY DEVELOPMENT BLOCK GRANT TO THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD), 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.

WHEREAS, it is necessary and in the public interest that the City of Ashland, Kentucky, avail itself of the financial assistance provided by Title I of the Housing and Community Development Act of 1974 in order to continue a Community Development Program within the City of Ashland; and

WHEREAS, the Federal Department of Housing and Urban Development requires that such a statement for Title I assistance be submitted to the Department of Housing and Urban Development (HUD) thirty (30) days prior to the beginning of the next program year; and

REGULAR MEETING SEPTEMBER 14, 2017
ORDINANCE NO. 94, 2017 CONTINUED

WHEREAS, it is recognized that the federal contract for such financial assistance, pursuant to said Title I, will impose certain obligations and responsibilities upon the City of Ashland and will require, among other things:

- (1) approval of a satisfactory statement by the Federal Department of Housing and Urban Development (HUD);
- (2) certification by the City of Ashland, Kentucky, or its designee, relating to activities such as civil rights, citizen participation, relocation payments, acquisition of properties, national environmental policies and accounting practices; and
- (3) other local obligations and responsibilities in connection with the undertaking and carrying out of the Community Development Program;

WHEREAS, in those areas where acquisition and clearance is proposed, the objectives of the program cannot be achieved through more extensive rehabilitation comprising the program; and

WHEREAS, duly advertised and conducted Public Meetings were held on April 10 and April 17, 2017 and a duly advertised and conducted Public Hearings on this proposal was held on June 22, 2017 and July 27, 2017; and

WHEREAS, said **REVISED** Statement contains an allocation of funds and a scheme or proposed expenditures for the Community Development Block Grant:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That the **REVISED** Statement on behalf of the City of Ashland for Community Development Block Grant Funding under Title I of the Federal Housing and Community Development Act of 1974, is attached to this Ordinance and the 2017 - 2018 Action Plan are hereby approved by the Board of Commissioners of said City and Stephen E. Gilmore, Mayor, is hereby authorized and directed to execute and submit said **REVISED** Statement, and subsequent Agreement to the Federal Department of Housing and Urban Development for approval; to provide such documentation and certifications as may be required by the Department of Housing and Urban Development; and, further, to act as the authorized correspondent of the City of Ashland relating to the Community Development Program.

SECTION 2. That the United States of America and the Secretary of Housing and Urban Development be, and hereby are, assured of full compliance by the Board of Commissioners of the City of Ashland, Kentucky, with certifications relating to all regulations and administration of Civil Rights Act, citizen participation, relocation payments, acquisition processes, accounting procedures, the Hatch Act, minimum wage and minimum hour provisions of the Fair Labor Standards Act, and all requirements of the National Environmental Policy Act of 1968.

SECTION 3. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 4. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 5. It is hereby authorized that publication of this ordinance be in summary form.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: September 13, 2017
READOPTED BY THE BOARD OF COMMISSIONERS: September 14, 2017
PUBLISHED:

**REGULAR MEETING SEPTEMBER 14, 2017
ORDINANCE NO. 94, 2017 CONTINUED**

MOTION

Motion was made by Clark, seconded by Gute, to adopt Ordinance No. 94, 2017, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Steen and Mayor Gilmore. Nay – none. Abstain – Commissioner Perkins. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 95, 2017

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE A CONTRACT WITH CONSOLIDATED PIPE AND SUPPLY COMPANY FOR THE PURCHASE OF STOCK AND PARTS FOR A WATERLINE REPLACEMENT PROJECT TO INCLUDE APPROXIMATELY 1,800 FEET OF 12-INCH PVC C900 DR14 PIPE, VALVES AND FITTINGS FOR THE DEPARTMENT OF ENGINEERING AND UTILITIES, DIVISION OF WATER DISTRIBUTION, IN THE AMOUNT OF \$71,322.20.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Stephen E. Gilmore, Mayor of the City of Ashland, Kentucky be and is hereby authorized to execute a contract between the City of Ashland, Kentucky, and Consolidated Pipe and Supply Company for the purchase of stock and parts for a waterline replacement project to include approximately 1,800 feet of 12-inch PVC C900 DR14 pipe, valves and fittings for the Department of Engineering and Utilities, Division of Water Distribution, in the amount of \$71,322.20. A true copy of said contract is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances of the City of Ashland and any parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: September 13, 2017
READOPTED BY THE BOARD OF COMMISSIONERS: September 14, 2017
PUBLISHED:

MOTION

Motion was made by Clark, seconded by Gute, to adopt Ordinance No. 95, 2017, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

REGULAR MEETING SEPTEMBER 14, 2017
CONSENT AGENDA

CONSENT AGENDA

RESOLUTION NO. 34, 2017

A RESOLUTION OF THE CITY OF ASHLAND, KENTUCKY, ADOPTING, AUTHORIZING AND APPROVING THE COURSE OF ACTION PRESENTED BY THE CITY MANAGER ON THE ITEMS APPEARING ON THE CONSENT AGENDA, AS AMENDED, FOR THE REGULAR MEETING OF THE BOARD OF CITY COMMISSIONERS OF **SEPTEMBER 14, 2017**.

BE IT RESOLVED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. The Board of City Commissioners hereby adopts, authorizes and approves the action presented by the City Manager on each item appearing on the "Consent Agenda", as amended, for the regular meeting, **September 14, 2017**, attached hereto and incorporated herein, as if set out in full, is a copy of the "Consent Agenda" hereby adopted, authorized and approved.

SECTION 2. This resolution shall be in full force and effect from and after its adoption, as required by law.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: September 14, 2017

MOTION

Motion was made by Gute, seconded by Clark, to adopt Resolution No. 34, 2017. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

CONSENT AGENDA ITEMS

1. City Manager recommends approval for pay request #1 off of Invoice #415 dated August 31, 2017 to Bobby Jack Faulkner & Company in the amount of \$31,550 for the work performed on the homeowner rehab project at 3317 Central Avenue approved on August 10, 2017.
2. City Manager recommends awarding the bid for the purchase of gravel, stone and sand to Olive Hill Trucking, Inc., for the Departments of Engineering & Utilities and Public Works pursuant to the amounts listed in their bid dated August 17, 2017.
3. City Manager recommends to award the bid for the installation of new energy efficient HVAC units at 1526 & 1538 Central Avenue at the Ashland Child Development Center in the amount of \$67,943.00 to Ashland Furnace Company, 2700 Winchester Avenue, Ashland, KY 41101, paid by the Community Development Block Grant (CDBG), Department of Community and Economic Development.
4. City Manager recommends approval for the Chief of Police to attend mandated yearly in-service training for Kentucky Peace Officer certification conducted by the Department of Criminal Justice Training at Barren River State Resort Park in Lucas, Kentucky October 1-6, 2017.

REGULAR MEETING SEPTEMBER 14, 2017
CONSENT AGENDA CONTINUED

5. City Manager recommends approval for the Ashland Police Department Crime Prevention/Community Resource Officer to attend the Crime Prevention Through Environmental Design Certification Seminar in Louisville, KY from October 9 - 13, 2017.
6. City Manager recommends approval for Revive Ministries to have a speaking engagement / revival service featuring an evangelist on October 29, 2017 from 7:00 - 8:30 pm with set-up time at 3:00 pm at the Central Park Bandstand.
7. City Manager recommends the probationary appointment of R. Scott Sexton to the position of Police Major, Grade 8, Ashland Police Department, effective September 17, 2017.
8. City Manager recommends approval for pay request off of invoice #004 dated August 21, 2017 to Morris Contracting in the amount of \$27,350.63 for the work completed on the Floyd Street and Skyline Drive waterline replacement project. (Contingent upon execution of releases by all sub-contractors)
9. Other Consent Items.

Ashland Police Department – Mayor Gilmore administered the Oath of Office and Constitutional Oath to R. Scott Sexton as Major of the Ashland Police Department. Major Sexton was pinned by his wife, Deana.

NEW BUSINESS
FIRST READING AND ADOPTION ONLY

ORDINANCE NO. _____, 2017

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE A CONTRACT BETWEEN THE CITY OF ASHLAND, KENTUCKY AND OLIVE HILL TRUCKING, INC. FOR THE PURCHASE OF GRAVEL, STONE AND SAND FOR THE DEPARTMENTS OF PUBLIC WORKS AND ENGINEERING AND UTILITIES.

MOTION

Motion was made by Gute, seconded by Clark, to adopt Ordinance No. _____, 2017, at this its first reading. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

REGULAR MEETING SEPTEMBER 14, 2017
ORDINANCE NO. _____, 2017

FIRST READING AND ADOPTION ONLY

ORDINANCE NO. _____, 2017

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE A CONTRACT BETWEEN THE CITY OF ASHLAND, ASHLAND FURNACE CO., INC. AND ASHLAND CHILD DEVELOPMENT CENTER FOR THE PURCHASE AND INSTALLATION OF AN HVAC SYSTEM AT 1526 AND 1538 CENTRAL AVENUE IN THE AMOUNT OF \$67,934.00, FUNDED BY THE CITY OF ASHLAND, DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT THROUGH THE HOUSING AND URBAN DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG).

MOTION

Motion was made by Clark, seconded by Gute, to adopt Ordinance No. _____, 2017, at this its first reading. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

FIRST READING AND ADOPTION ONLY

ORDINANCE NO. _____, 2017

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, DECLARING THE CARP PRECINCT ADVERSELY AFFECTED BY THE LEGAL SALE OF ALCOHOL IN NEIGHBORING PRECINCTS.

MOTION

Motion was made by Clark, seconded by Gute, to adopt Ordinance No. _____, 2017, at this its first reading.

DISCUSSION

Community and Economic Development Director Pullem advised the Commission this ordinance will allow the residents of the Carp Precinct to vote as to whether they want to allow alcohol sales in that precinct under the same rules that govern the current precincts in downtown Ashland.

VOTE

Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

REGULAR MEETING SEPTEMBER 14, 2017
RESOLUTION NO. 35, 2017

READING AND ADOPTION

RESOLUTION NO. 35, 2017

A RESOLUTION OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING THE FILING OF A LOAN APPLICATION FOR THE REFINANCING OF THE CITY OF ASHLAND'S EXISTING LOAN #F03-01 AND APPOINTING STEPHEN E. GILMORE, MAYOR, AS THE OFFICIAL PROJECT REPRESENTATIVE OF A GOVERNMENTAL AGENCIES PROGRAM (FUND C PROGRAM) REFUNDING PROJECT.

WHEREAS, the City of Ashland has heretofore entered into an Assistance Agreement dated as of December 1, 2004 (the "Prior Assistance Agreement") with the Kentucky Infrastructure Authority (the "Authority") in order to receive financial assistance under the Authority's Federally Assisted Drinking Water Revolving Fund Program (the "Fund F Program") in connection with a drinking water completed project; and

WHEREAS, under the terms of amendments to KRS 224A, the Authority is authorized to render financial assistance to eligible project applicants by way of the Governmental Agencies Program (the "Fund C Program") to finance and refinance eligible projects; and

WHEREAS, the City of Ashland desires to refinance and refund the Prior Assistance Agreement and refinance the projects initially funded thereby through a loan from the Authority's Fund C Program; and,

WHEREAS, the improvements proposed for refinancing by City of Ashland are considered eligible for such loan assistance.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Stephen E. Gilmore, Mayor, and Successors-in-Title are hereby authorized to execute and submit an application through the Authority with such assurances and required supporting data as is necessary to obtain loan assistance from the Governmental Agencies Program (the "Fund C Program") for the proposed refinancing of the Prior Assistance Agreement, and are hereby authorized as the City of Ashland's Official Project Representative to carry out necessary negotiations for and administer the loan assistance the applicant may obtain from the Fund C Program.

SECTION 2. This resolution shall be in full force and effect from and after its adoption, as required by law.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: September 14, 2017

REGULAR MEETING SEPTEMBER 14, 2017
RESOLUTION NO. 35, 2017 CONTINUED

MOTION

Motion was made by Gute, seconded by Clark, to adopt Resolution No. 35, 2017. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

ADJOURNMENT

Mayor Gilmore declared the meeting adjourned at 12:39 PM.

STEPHEN E. GILMORE
MAYOR

ATTEST:

SUSAN W. MADDIX
CITY CLERK

