

**REGULAR MEETING
JANUARY 28, 2016**

The Ashland Board of Commissioners met in Regular Session in the Commissioners' Chambers, City Building, Ashland, Kentucky, on Thursday, January 28, 2016, at the hour of 12:00 PM. Those present were Commissioners: Larry Brown, Amanda Clark, Kevin Gunderson, Marty Gute and Mayor Chuck Charles, who presided. Also present were: Benjamin R. Bitter, City Manager; John F. Vincent, Corporation Counsel; Susan W. Maddix, City Clerk; Todd Kelley, Acting Chief of Police; Scott Penick, Fire Chief; Greg Ray, Deputy Fire Chief; Sean Murray, Human Resources/Parks and Recreation Director; Kandi Hale, Assistant City Clerk/ABC/Insurance Benefits Coordinator; Marion Russell, Director of Public Works; Mike Miller, Director of Planning and Community Development; Chris Pullem, Economic Development Director; Ryan Eastwood, Director of Engineering and Utilities; Tony Grubb, Finance Director; Michelle Veach, Assistant Finance Director; Mike Adkins, Risk Manager; Major Mark McDowell, Ashland Police Department; and Reporters.

The invocation was given by Commissioner Clark.

The Pledge of Allegiance was conducted.

AGENDA

City Manager Bitter presented the amended agenda of January 28, 2016. Motion was made by Brown, seconded by Gute, to receive & file the agenda. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. 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 January 14, 2016. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay - none. Motion passed.

HEARINGS AND REPORTS

Mayor and City Commissioners' Comments

Commissioner Brown welcomed everyone in attendance. He thanked the Ashland Police Department, Ashland Fire Department and the Street Maintenance Division for their work during the snow.

Commissioner Gute welcomed everyone and also thanked City Water Distribution crews for their work on water line breaks. He thanked Ashland Alliance President Tim Gibbs for his continuing work in Washington, DC regarding the steel industry and AK Steel locally. A community prayer breakfast is scheduled for Tuesday, February 9 at 8:00 AM at the Community Kitchen.

Commissioner Gunderson thanked everyone for coming to the meeting and expressed his appreciation to City staff for their excellent work regarding snow removal. Commissioner Gunderson noted the number of jobs lost due to the closing of CSX in Huntington, West Virginia and the impact the loss of jobs has on Ashland.

Commissioner Clark reported that City staff will be trained on February 2 in preparation for the launch of the City's new website on February 2. She also reported that the Transportation Task Force has been planning the implementation of parking plans for downtown.

REGULAR MEETING JANUARY 28, 2016
HEARINGS AND REPORTS CONTINUED

Mayor Charles congratulated the Street Maintenance Division on their tremendous job in keeping the streets clear during the snow storm. He also reported on the Water Treatment Plant upgrades which have allowed the City to continue to produce water even while incurring some breaks.

City Manager's Report

City Manager Bitter reported the City logged over 2700 miles throughout the snow storm keeping the streets clear. He commended staff on a great job. City Manager Bitter also reported he received an invitation to serve on the Executive Leadership Team for the 2016 Ashland HeartChase event co-chaired by Kevin Halter, Our Lady of Bellefonte Hospital, and Kristie Whitlatch, King's Daughters' Medical Center.

OLD BUSINESS
SECOND READING & FINAL ADOPTION

ORDINANCE NO. 8, 2016

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING ORDINANCE NO. 105, SERIES OF 2006, RELATED TO THE PROTECTION OF THE PUBLIC HEALTH AND WELFARE BY REGULATING SMOKING IN PUBLIC PLACES AND PLACES OF EMPLOYMENT WITHIN THE CITY.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Section 2 and Section 8 of Ordinance No. 105, series of 2006, being an ordinance entitled, "AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, RELATED TO THE PROTECTION OF THE PUBLIC HEALTH AND WELFARE BY REGULATING SMOKING IN PUBLIC PLACES AND PLACES OF EMPLOYMENT WITHIN THE CITY," which is commonly known and referred to as the "Smoking Ordinance" be and said sections are hereby amended as follows, such amendments shown by underscoring all newly inserted language and by a single broken line through all deleted language:

SECTION 2. DEFINITIONS.

(A) "Business" means a sole proprietorship, partnership, joint venture, corporation, or other business entity, either for-profit or not-for-profit, including retail establishments where goods or services are sold; professional corporations and other entities where legal, medical, dental, engineering, architectural, or other professional services are delivered; and private clubs.

(B) "Employee" means a person who is employed by an employer in consideration for direct or indirect monetary wages or profit, and a person who volunteers his or her services for a non-profit entity.

(C) "Employer" means a person, business, partnership, association, corporation, including a municipal corporation, trust, or non-profit entity that employs the services of one or more individual persons.

(D) "Enclosed Area" means all space between a floor and ceiling that is enclosed on all sides by solid walls or windows (exclusive of doorways), which extend from the floor to the ceiling.

(E) "Health Care Facility" means an office or institution providing care or treatment of diseases, whether physical, mental, or emotional or other medical, physiological or psychological conditions, including but not limited to, hospitals, rehabilitation hospitals or other clinics, including weight control clinics, nursing homes, homes for the aging or chronically ill, laboratories, and offices of surgeons, chiropractors, physical therapists, physicians, dentists, and all specialists within these professions. This definition shall include all waiting rooms, hallways, private rooms, semiprivate rooms, and wards within health care facilities.

REGULAR MEETING JANUARY 28, 2016
ORDINANCE NO. 8, 2016 CONTINUED

(F) “Place of Employment” means an area under the control of a public or private employer that employees normally frequent during the course of employment, including, but not limited to, work areas, employee lounges, restrooms, conference rooms, meeting rooms, classrooms, employee cafeterias and hallways. A private residence is not a “place of employment” unless it is used as a childcare, adult day care, or health care facility.

(G) “Private Club” means an organization, whether incorporated or not, which is the owner, lessee, or occupant of a building or portion thereof used exclusively for club purposes at all times, which is operated solely for a recreational, fraternal, social, patriotic, political, benevolent, or athletic purpose, but not for pecuniary gain, and which only sells alcoholic beverages incidental to its operation. The affairs and management of the organization are conducted by a board of directors, executive committee, or similar body chosen by the members at an annual meeting. The organization has established bylaws and/or a constitution to govern its activities. The organization has been granted an exemption from the payment of federal income tax as a club under 26 U.S.C. Section 501.

(H) “Public Place” means an enclosed area to which the public is invited or in which the public is permitted, including, but not limited to, banks, bars, educational facilities, health care facilities, hotel and motel lobbies, laundromats, polling places, public transportation facilities, reception areas, restaurants, retail food production and marketing establishments, retail service establishments, retail stores, shopping malls, sports arenas, theaters, service lines and waiting rooms. A private club is a “public place” when being used for a function to which the general public is invited. A private residence is not a “public place” unless it is used as a childcare, adult day care, or health care facility.

(I) “Restaurant” means an eating establishment, including, but not limited to, coffee shops, cafeterias, sandwich stands, and private and public school cafeterias, which gives or offers for sale food to the public, guests, or employees, as well as kitchens and catering facilities in which food is prepared on the premises for serving elsewhere. The term “restaurant” shall include a bar area within the restaurant or an outdoor service area, enclosed or not.

(J) “Retail Tobacco Store” means a retail store where the sale of tobacco products and accessories is ~~a~~ the primary portion of its business and in which the sale of other products is merely incidental. ~~This would include newsstands, but~~ does not include grocery stores, restaurants or drugstores.

(K) “Retail Vapor Store” means a retail store where the sale of electronic vapor products and accessories is the primary portion of its business and in which the sale of other products is merely incidental. This does not include grocery stores, restaurants or drugstores.

~~(L)~~ (L) “Service Line” means an indoor or outdoor line in which one (1) or more persons are waiting for or receiving service of any kind or purchasing items, whether or not the service involves the exchange of money.

~~(M)~~ (M) “Shopping Mall” means an enclosed public walkway or hall area that serves to connect retail or professional establishments.

~~(N)~~ (N) “Smoking” means inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe or other lighted tobacco product, including but without limitation any electronic or vapor device which emits smoke or vapor in any manner or in any form.

~~(O)~~ (O) “Sports Arena” means ballparks, sports pavilions, stadiums, gymnasiums, health spas, boxing arenas, swimming pools, roller and ice rinks, bowling alleys, and other similar places where members of the general public assemble to engage in physical exercise, participate in athletic competition or witness sports or other events.

SECTION 8. WHERE SMOKING IS NOT REGULATED.

Notwithstanding any other provision of this Ordinance to the contrary, the following areas shall be exempt from the provisions of Sections 4 and 5:

(A) Private residences except when used as a licensed childcare, adult day care or health care facility.

REGULAR MEETING JANUARY 28, 2016
ORDINANCE NO. 8, 2016 CONTINUED

(B) Hotel and motel rooms that are rented to guests and are designated as smoking rooms. This does not include those public areas of the hotel and motel including, lobbies, restaurants and meeting rooms.

(C) Retail tobacco stores, provided that smoke from these premises does not infiltrate into areas where smoking is prohibited under the provisions of this Ordinance.

(D) Private Clubs, provided that those areas of such clubs used as restaurants or other for functions open to the public are not exempted and the prohibitions set out in Sections 4 and 5 shall apply.

(E) Outdoor areas of places of employment except those covered by the provisions of Sections 6 and 7 of this Ordinance.

(F) Private functions at otherwise regulated locations, provided that smoke from these premises does not infiltrate into areas where smoking is prohibited under the provisions of this Ordinance.

(G) Solely as to electronic or vapor devices which emits smoke or vapor in any manner or form, retail vapor stores, provided that vapor or smoke from these premises does not infiltrate into areas where smoking is prohibited under the provisions of this ordinance.

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.

/s/CHUCK D. CHARLES
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: January 14, 2016

READOPTED BY THE BOARD OF COMMISSIONERS: January 28, 2016

PUBLISHED:

MOTION

Motion was made by Brown, seconded by Clark, to adopt Ordinance No. 8, 2016, at this its second reading.

DISCUSSION

Appearing before the Commission in support of this ordinance and urging its adoption were Amy M. Jeffers, MA, CPS with Pathways Regional Prevention Center and Dr. Michael Ehrie who specializes in Pulmonology.

Appearing before the Commission to oppose the adoption of this ordinance were Jerry Goodwin, 2636 Newman Street, and Carl Wellman representing the Kentucky Smoke Free Association Consumer Advocacy Group.

VOTE

Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

REGULAR MEETING JANUARY 28, 2016
ORDINANCE NO. 9, 2016

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 9, 2016

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY AMENDING ORDINANCE NO. 110, SERIES OF 2006, PREVIOUSLY AMENDED BY ORDINANCE NO. 114, SERIES OF 2008, WHICH ADOPTED A NON-SMOKING ZONE WITHIN A TWENTY (20') FOOT PERIMETER OF ALL KING'S DAUGHTERS MEDICAL CENTER BUILDINGS LOCATED WITHIN THE CITY TO INCLUDE CERTAIN IDENTIFIED CITY RIGHTS-OF-WAY.

* * * * *

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHLAND, KENTUCKY THAT:

SECTION 1. That Ordinance No. 110, series of 2006, previously amended by Ordinance No. 114, Series of 2008, being an ordinance entitled, "AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY ADOPTING A NON-SMOKING ZONE WITHIN A TWENTY (20') FOOT PERIMETER OF ALL KING'S DAUGHTERS MEDICAL CENTER BUILDINGS LOCATED WITHIN THE CITY, AND ESTABLISHING A PENALTY FOR THE VIOLATION OF THE ORDINANCE", be and said is hereby amended to read as follows, such amendment shown by a single broken line through all deleted language and by underscoring all newly inserted language:

SECTION NO. 1. PROHIBITION. It shall be prohibited for anyone to smoke within any city right-of-way surrounding any KDMC facility located within the City of Ashland except in designated smoking areas. Said right-of-way is noted on the map attached hereto and made a part hereof by reference and shall also include the rights-of-way of Hilton Avenue from 23rd to 24th Streets and 24th Street from Hilton Avenue to Lexington Avenue. Smoking areas shall be designated by the City Manager of the City of Ashland and signs shall be posted designating said smoking areas.

SECTION NO. 2. "Smoke" or "Smoking" is defined as inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe or other lighted tobacco product, including but without limitation any electronic or vapor device which emits smoke or vapor in any manner or in any form.

SECTION NO. 3 2. ENFORCEMENT. Enforcement of this Ordinance shall be by any City Code Officer or any individual duly sworn to enforce the Ordinance and authorized by the City of Ashland to issue citations hereunder which may include, without limitation, KDMC Security supervisors. Warnings may be issued by any City Code Officer or KDMC security staff.

KDMC security officials shall inform persons seen violating this Ordinance of the requirements of this Ordinance. In the event a security official of KDMC observes a person or persons violating this Ordinance, he or she shall immediately direct the person or persons in violation to extinguish the item being smoked.

In the event the person(s) violating this Ordinance complies with this directive, no violation shall exist.

In the event the person(s) violating this Ordinance fails or refuses to comply with this directive the violator may then be cited for such violation.

REGULAR MEETING JANUARY 28, 2016
ORDINANCE NO. 9, 2016 CONTINUED

SECTION NO. 4 ~~3~~. VIOLATION/PENALTIES. Any person who violates the provisions of this Ordinance shall be subject to the following penalties: 1) \$50.00 for the first offense; 2) \$100.00 for every subsequent offense during a twelve month year.

SECTION NO. 5 ~~4~~. The Ordinance shall be in full force and effect on the 1st day of September, 2006.

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.

/s/CHUCK D. CHARLES
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: January 14, 2016
READOPTED BY THE BOARD OF COMMISSIONERS: January 28, 2016
PUBLISHED:

MOTION

Motion was made by Gute, seconded by Clark, to adopt Ordinance No. 9, 2016, at this its second reading. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 10, 2016

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING CHUCK D. CHARLES, MAYOR, TO EXECUTE A CONTRACT BETWEEN THE CITY OF ASHLAND AND RIVER CITIES DISPOSAL, LLC FOR A SUITABLE LANDFILL LOCATION FOR THE RECEIPT AND DISPOSAL OF COMPACTED GARBAGE AND REFUSE, RUBBLE AND RUBBISH, COLLECTED BY THE CITY OF ASHLAND FOR A PERIOD OF ONE (1) YEAR IN AN AMOUNT NOT TO EXCEED \$16.74 PER TON FOR THE DEPARTMENT OF PUBLIC WORKS, DIVISION OF SANITATION.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Chuck D. Charles, Mayor of the City of Ashland, Kentucky be and is hereby authorized to execute a contract between the City of Ashland, Kentucky, and River Cities Disposal, LLC for the receipt and disposal of compacted garbage and refuse, rubble and rubbish, collected by the City of Ashland for a period of one (1) year in an amount not to exceed \$16.74 per ton for the Department of Public Works, Division of Sanitation. A 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.

REGULAR MEETING JANUARY 28, 2016
ORDINANCE NO. 10, 2016 CONTINUED

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/CHUCK D. CHARLES
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: January 14, 2016
READOPTED BY THE BOARD OF COMMISSIONERS: January 28, 2016
PUBLISHED:

MOTION

Motion was made by Gunderson, seconded by Brown, to adopt Ordinance No. 10, 2016, at this its second reading. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 11, 2016

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING CHUCK D. CHARLES, MAYOR, TO EXECUTE A PUBLIC TRANSPORTATION GRANT AGREEMENT BETWEEN THE CITY OF ASHLAND AND THE KENTUCKY TRANSPORTATION CABINET FOR A FISCAL YEAR 2016 CAPITAL AND OPERATING GRANT FOR THE ASHLAND BUS SYSTEM.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Chuck D. Charles, Mayor of the City of Ashland, Kentucky, be and is hereby authorized to execute a Public Transportation Grant Agreement between the City of Ashland, Kentucky, Ashland Bus System, and the Kentucky Transportation Cabinet for the FY 2016 capital and operating grant. A copy of said agreement 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/CHUCK D. CHARLES
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

REGULAR MEETING JANUARY 28, 2016
ORDINANCE NO. 11, 2016 CONTINUED

ADOPTED BY THE BOARD OF COMMISSIONERS: January 14, 2016
READOPTED BY THE BOARD OF COMMISSIONERS: January 28, 2016
PUBLISHED:

MOTION

Motion was made by Gute, seconded by Clark, to adopt Ordinance No. 11, 2016, at this its second reading. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 12, 2016

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING CHUCK D. CHARLES, MAYOR, TO EXECUTE A CONTRACT BETWEEN THE CITY OF ASHLAND AND MIKE ENYART & SONS, INC. FOR ALL LABOR & MATERIALS FOR THE MISCELLANEOUS CONCRETE AND ASPHALT REPAIR WORK FOR UP TO ONE YEAR FOR THE DEPARTMENT OF ENGINEERING AND UTILITIES.

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Chuck D. Charles, Mayor of the City of Ashland, Kentucky be and is hereby authorized to execute a contract between the City of Ashland, Kentucky, and Mike Enyart & Sons, Inc. for all labor and materials for the miscellaneous concrete and asphalt repair work for up to one (1) year in an amount not to exceed those specified in their bid for the Department of Engineering and Utilities. A 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/CHUCK D. CHARLES
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: January 14, 2016
READOPTED BY THE BOARD OF COMMISSIONERS: January 28, 2016
PUBLISHED:

MOTION

Motion was made by Brown, seconded by Gute, to adopt Ordinance No. 12, 2016, at this its second reading. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

REGULAR MEETING JANUARY 28, 2016
CONSENT AGENDA

RESOLUTION NO. 2, 2016

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 FOR THE REGULAR MEETING OF THE BOARD OF CITY COMMISSIONERS OF **JANUARY 28, 2016**.

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" for the regular meeting, **January 28, 2016**, 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/CHUCK D. CHARLES
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: January 28, 2016

MOTION

Motion was made by Gute, seconded by Brown, to adopt Resolution No. 2, 2016. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

CONSENT AGENDA ITEMS

1. City Manager recommends approval to award the bid for the Boyd County Middle School Waterline Extension Project to Morris Contracting for their bid of \$133,376.00.
2. City Manager recommends approval of the request by the March of Dimes to conduct the March for Babies Fundraiser on April 23, 2016, 8:00 a.m. to 11:00 a.m. beginning at Central Park Bandstand/Pavilion area.
3. City Manager recommends approval of the request by the Eastern Kentucky Military Historical Society to conduct a Downtown Walking Tour on May 20 & 21, 2016, 9:00 a.m. to 2:00 p.m. along Winchester Avenue, from 13th to 18th Streets.
4. Other Consent Items.

REGULAR MEETING JANUARY 28, 2016
ORDINANCE NO. _____, 2016

NEW BUSINESS
FIRST READING AND ADOPTION ONLY

ORDINANCE NO. _____, 2016

AN ORDINANCE OF THE CITY OF ASHLAND,
KENTUCKY, REGARDING CONDUCT OF CITY
EMPLOYEES.

MOTION

Motion was made by Clark, seconded by Brown, to adopt Ordinance No. _____, 2016, at this its first reading. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

FIRST READING AND ADOPTION ONLY

ORDINANCE NO. _____, 2016

AN ORDINANCE OF THE CITY OF ASHLAND,
KENTUCKY, AUTHORIZING AND DIRECTING
CHUCK D. CHARLES, MAYOR, TO EXECUTE A
CONTRACT BETWEEN THE CITY OF ASHLAND,
KENTUCKY AND MORRIS CONTRACTING FOR THE
BOYD COUNTY MIDDLE SCHOOL WATERLINE
EXTENSION PROJECT FOR THE CITY OF ASHLAND,
DEPARTMENT OF ENGINEERING AND UTILITIES.

MOTION

Motion was made by Brown, seconded by Gute, to adopt Ordinance No. _____, 2016, at this its first reading. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

FIRST READING AND ADOPTION ONLY

ORDINANCE NO. _____, 2016

AN ORDINANCE OF THE CITY OF ASHLAND,
KENTUCKY, AUTHORIZING AND DIRECTING
CHUCK D. CHARLES, MAYOR, TO EXECUTE AN
AGREEMENT WITH THE BOYD COUNTY BOARD OF
EDUCATION FOR THE INSTALLATION OF A
WATER LINE EXTENSION OUTSIDE THE CITY
LIMITS FOR THE BOYD COUNTY MIDDLE SCHOOL.

MOTION

Motion was made by Gute, seconded by Brown, to adopt Ordinance No. _____, 2016, at this its first reading. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

REGULAR MEETING JANUARY 28, 2016
ORDINANCE NO. _____, 2016

FIRST READING AND ADOPTION ONLY

ORDINANCE NO. _____, 2016

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING CHUCK D. CHARLES, MAYOR, TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF ASHLAND, KENTUCKY AND HOWERTON ENGINEERING AND SURVEYING, PLLC RETAINING HOWERTON TO PROVIDE ENGINEERING SERVICES REGARDING THE LOUISA STREET WATERLINE PROJECT.

MOTION

Motion was made by Gunderson, seconded by Clark, to adopt Ordinance No. _____, 2016, at this its first reading. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

READING AND ADOPTION

RESOLUTION NO. 3, 2016

A RESOLUTION OF THE CITY OF ASHLAND, KENTUCKY, EXPRESSING SUPPORT FOR AN HISTORICAL MARKER TO BE PLACED AT THE LOCATION OF THE FORMER BLUEGRASS RESTAURANT.

WHEREAS, it is the desire of the Ashland City Commission that an historical marker be placed on U.S. 23 in Ashland at the former location of the Bluegrass Restaurant, and

WHEREAS, the City of Ashland believes the Bluegrass Restaurant has local significant historical value, and

WHEREAS, the Bluegrass is considered a local institution where hundreds of teenagers gathered to cruise the “grass.” Countless families visited the Bluegrass to enjoy their twin-burger, homemade onion rings, and many other local favorites. Even today, those visiting for high school reunions return to the property, and

WHEREAS, the Bluegrass was founded in 1946 by Arch Riggall and purchased in 1971 by Rannie Cooper who had worked there as a young car hop, and remained the operator with his family until the day it closed;

NOW, THEREFORE, BE IT RESOLVED BY THE ASHLAND CITY COMMISSION:

SECTION 1. That the Board of City Commissioners of the City of Ashland, Kentucky, respectfully urges the Commonwealth of Kentucky Historical Society to erect an historical marker at the location of the former Bluegrass Restaurant.

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

/s/CHUCK D. CHARLES
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

REGULAR MEETING JANUARY 28, 2016
RESOLUTION NO. 3, 2016 CONTINUED

ADOPTED BY THE BOARD OF COMMISSIONERS: January 28, 2016

MOTION

Motion was made by Gunderson, seconded by Clark, to adopt Resolution No. 3, 2016. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

APPOINTMENTS

Motion was made by Gunderson, seconded by Clark, approving the Mayor's appointments as follows:

Ashland Tree Board:

Dr. E.B. Gevedon, III – 10/18/2015 – 10/18/2018

Ashland Park Board:

Judy Ford - 10/18/2015 – 10/18/2019

Joe Frazier - 10/18/2015 – 10/18/2019

Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

EXECUTIVE SESSION

Motion was made by Gunderson, seconded by Clark, to go into Executive Session at 12:32 PM to discuss an individual personnel matter. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

RECONVENED

The meeting reconvened at 2:52 PM and Mayor Charles announced the only item discussed was an individual personnel matter with no final action taken.

ADJOURNMENT

Mayor Charles declared the meeting adjourned at 2:52 PM.

CHUCK D. CHARLES
MAYOR

ATTEST:

SUSAN MADDIX
CITY CLERK