

**REGULAR MEETING
JUNE 14, 2018**

The Ashland Board of Commissioners met in Regular Session in the Commissioners' Chambers, City Building, Ashland, Kentucky, on Thursday, June 14, 2018, at the hour of 12:00 PM. Those present were Commissioners: Amanda Clark, Marty Gute, Matt Perkins, Pat Steen and Mayor Stephen E. Gilmore, who presided. Also present were: Michael S. Graese, City Manager; Richard W. Martin, Interim Corporation Counsel; Susan W. Maddix, City Clerk; Todd Kelley, Chief of Police; Jesse Ison and Mitch Christian, Ashland Fire Department; Ryan Eastwood, City Engineer and Capital Projects; Chris Pullem, Community and Economic Development Director; Tony D. Grubb, Finance Director; Michelle Veach, Assistant Finance Director; Jack Hunter, Acting Director of Public Services and Utilities Operations; Sean Murray, Human Resources/Parks & Recreation Director; Mike Adkins, Risk Manager; Michelle Grubb, Finance Department; Lorraine Woolery, Community and Economic Development; Joanna King, Public Information Officer; and Reporters.

The invocation was given by Commissioner Gute.

The Pledge of Allegiance was conducted.

AGENDA

City Manager Graese presented the agenda of June 14, 2018. 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 Steen, to dispense with reading and approve the minutes of the Regular Meeting held on May 10, 2018 and the Recessed Meeting held on May 21, 2018. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

HEARINGS AND REPORTS

Mayor and City Commissioners' Comments

Commissioner Clark commended Ashland in Motion and the City of Ashland for the fantastic First Friday event held on June 1 and thanked everyone involved. She announced the 4th Annual Firkin Fest will be held on Saturday, June 16, 2018. VIP check-in begins at 11:30 AM and General Admission check-in begins at 1:00 PM.

Commissioner Gute reported on two projects at the Ashland Riverfront. The first project is the River Trail. City crews are currently marking the trail and a community build will be scheduled in the near future. Also, the new recycling center located under the bridges is almost complete. Commissioner Gute reminded the public that the City is currently accepting questionnaires, electronically and by mail, regarding recycling. Elks Sports Day is Saturday, June 16, 2018 and the honoree is Mark Maynard. Commissioner Gute received a request from Paul Castle asking the City to amend the residential parking ordinance as it relates to downtown. Commissioner Gute forwarded the request to Chief Kelley for review by the Transportation Task Force.

Commissioner Perkins thanked Jack Hunter and his staff for the great work on the streets fixing potholes, etc.

Mayor Gilmore thanked Ashland in Motion Director Whitney Lowe for her work regarding First Friday. He also thanked Build Ashland for their work on the City's Repair Affair and for their volunteer work throughout the City. Mayor Gilmore announced that the Ohio River Sweep 2018 will be held this Saturday, June 16, 2018.

REGULAR MEETING JUNE 14, 2018
HEARINGS AND REPORTS CONTINUED

City Manager's Report

City Manager Graese thanked City staff involved in the installation of the new television screens installed in the Commissioners' Chambers.

Mr. Graese introduced Risk Manager Mike Adkins who reported on the City's 2018 Insurance Renewals. Mr. Adkins reported on the renewal of Property & Casualty, Workers' Compensation, Property & Liability, and the cost of Broker/Agent services – all of which have been reduced from 2017.

City Manager Graese also reported on the following:

“How Can We Help” button has been operational since early February. A total of 124 reports have been recorded with 57% of those regarding potholes and/or streets, 12% Code Enforcement and 9% water.

Community and Economic Development recently held a public meeting in the east end of Ashland regarding a Community Development Block Grant. Mr. Graese announced that Chief Kelley will be scheduling a community meeting in the same area regarding concerns of residents, crime prevention, safety, etc. The specific date will be announced to the public.

Recycling drop-off area is nearly complete. Tentative opening is scheduled for Thursday, June 21, 2018. Operating hours will be Thursdays and Fridays from 3:00 – 7:00 PM and on Saturdays from 8:00 AM to 8:00 PM.

Work on the River Trail is continuing. A community build is tentatively scheduled for June 23 for volunteers.

Congratulations to the United States Army on their 243rd birthday.

PUBLIC PARTICIPATION

Carol Allen, Director of the Highlands Museum and Discovery Center, appeared before the Commission to report on upcoming events. She thanked the City for their continued support. Accomplishments within the last six (6) years include the purchase of the building and a major renovation of the 4th floor which provides seating for over 500 people. The Garden Tour includes seven (7) homes on July 8; 3rd Annual First Responders Camp is July 17 – 21; Kids Fest is July 21; and 3 rentals have been booked for July. The museum has been working with architects on 13 exhibits for the 2nd floor which will be another major renovation. Mayor Gilmore and Commissioner Perkins both thanked Ms. Allen and her staff for the work they have done on the museum.

Whitney Lowe, Ashland in Motion at 1509 Winchester Avenue, appeared before the Commission to remind the community of the 4th Annual Firkin Fest on June 16, 2018. She thanked the Commission and City staff for their work to get everything reading for the event and stated events would not be possible without the support from the City.

Rick Loperfido, FIVCO Area Development District, appeared before the Commission to announce the Ohio River Sweep 2018 will be held this Saturday, June 16, 2018. Volunteers should gather at 8:00 AM at the Ashland Riverfront and trash bags and gloves will be provided.

Bob Stacey appeared before the Commission to thank the City Commission, the Park Board and Sean Murray for the new tennis and pickle ball courts located in the Central Park.

REGULAR MEETING JUNE 14, 2018
ORDINANCE NO. 87, 2018

OLD BUSINESS
SECOND READING & FINAL ADOPTION

ORDINANCE NO. 87, 2018

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 MORTON SALT, INC. FOR THE PURCHASE OF APPROXIMATELY ONE THOUSAND FIVE HUNDRED (1,500) TONS OF TREATED ROCK SALT AT \$84.00 PER TON (DELIVERED) FOR THE DEPARTMENT OF PUBLIC SERVICES AND UTILITIES OPERATIONS, DIVISION OF STREETS.

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 and directed to execute a contract between the City of Ashland, Kentucky, and Morton Salt, Inc. for the purchase of approximately One Thousand Five Hundred (1,500) tons of treated rock salt for ice and snow control in an amount not to exceed \$84.00 per ton (delivered) as set forth in the contract for the Department of Public Services and Utilities Operations, Division of Streets. 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/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: May 24, 2018
READOPTED BY THE BOARD OF COMMISSIONERS: June 14, 2018
PUBLISHED:

MOTION

Motion was made by Clark, seconded by Steen, to adopt Ordinance No. 87, 2018, 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 JUNE 14, 2018
ORDINANCE NO. 88, 2018

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 88, 2018

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING THE ZONING MAP OF THE OFFICIAL ZONING ORDINANCE OF THE CITY OF ASHLAND NO. 101, SERIES OF 1986, AS PREVIOUSLY AMENDED, BY CHANGING THE ZONING CLASSIFICATION OF 542 BLACKBURN AVENUE FROM (R-5) MULTI/SINGLE FAMILY RESIDENTIAL/MEDIUM DENSITY TO (B-1) NEIGHBORHOOD BUSINESS.

WHEREAS, Jeffrey S. Robinson has requested the rezoning of 542 Blackburn Avenue from R-5 Multi/Single Family Residential/Medium Density to B-1 Neighborhood Business, and

WHEREAS, the Ashland Planning Commission held a duly advertised and conducted public hearing on said application May 15, 2018, and on the basis of evidence presented thereat made certain factual determinations and concluded therefrom that the proposed change is in conformance with the adopted Comprehensive Plan; and made a recommendation to the Ashland City Commission that said application be approved as requested;

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

SECTION 1. On the basis of the aforementioned factual determinations and recommendation by the Ashland Planning Commission with further review of such facts of the Ashland Board of City Commissioners, and pursuant to KRS Chapter 100, that the official Zoning Ordinance of the City of Ashland, No. 101, series of 1986 and the official Zoning Map which is a part thereof, be hereby amended as follows:

The zoning classification of 542 Blackburn Avenue is hereby changed from R-5 Multi/Single Family Residential/Medium Density to B-1 Neighborhood Business.

SECTION 2. The invalidity of any provision of this Ordinance shall not affect the validity of any other provision.

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: May 24, 2018
READOPTED BY THE BOARD OF COMMISSIONERS: June 14, 2018
PUBLISHED:

**REGULAR MEETING JUNE 14, 2018
ORDINANCE NO. 88, 2018 CONTINUED**

MOTION

Motion was made by Gute, seconded by Clark, to adopt Ordinance No. 88, 2018, 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, 2018

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, FIXING THE REGULATORY LICENSE FEE AT 4% OF THE GROSS RECEIPTS FROM THE SALE OF ALCOHOLIC BEVERAGES WITHIN SAID CITY DURING THE FISCAL YEAR JULY 1, 2018 THROUGH JUNE 30, 2019, AS AUTHORIZED AND IMPOSED BY SECTION 25 OF ORDINANCE NO. 59, SERIES OF 2018, KNOWN AND CITED AS THE ALCOHOLIC BEVERAGE CONTROL ORDINANCE FOR THE CITY OF ASHLAND, SUCH PROCEEDS TO BE USED TO REIMBURSE THE CITY FOR EXPENSES RELATED TO THE SALE OF ALCOHOLIC BEVERAGES THEREIN.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That there is hereby fixed and levied during the fiscal year beginning July 1, 2018 and extending through June 30, 2019, the regulatory license fee at four percent (4%) of the gross receipts from the sale of alcoholic beverages to fully reimburse the City of Ashland for the costs of any additional policing, regulatory or administrative expenses related to the sale of alcoholic beverages, to be paid as provided in Ordinance No. 59, series of 2018, being an ordinance fixing the regulations for control, licensing, operation, administration and enforcement of the sale of alcoholic beverages in the limited sale precincts within the City of Ashland.

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/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: May 24, 2018
READOPTED BY THE BOARD OF COMMISSIONERS: June 14, 2018
PUBLISHED:

MOTION

Motion was made by Clark, seconded by Steen, to adopt Ordinance No. 89, 2018, 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 JUNE 14, 2018
ORDINANCE NO. 90, 2018**

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 90, 2018

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 WORLDWIDE INDUSTRIES CORP. FOR THE REPAIR AND PAINTING OF THE CATLETTSBURG WATER STORAGE TANK IN THE AMOUNT OF \$364,834.00 FOR THE DIVISION OF WATER DISTRIBUTION.

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 and directed to execute a contract between the City of Ashland, Kentucky, and Worldwide Industries Corp. for the repair and painting of the Catlettsburg Water Tank in an amount not to exceed \$364,834.00 for the Division of Water Distribution. 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/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: May 24, 2018
READOPTED BY THE BOARD OF COMMISSIONERS: June 14, 2018
PUBLISHED:

MOTION

Motion was made by Gute, seconded by Perkins, to adopt Ordinance No. 90, 2018, 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 JUNE 14, 2018
ORDINANCE NO. 91, 2018

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 91, 2018

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND APPROVING CHANGE ORDER NO. 3 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND TRIBUTE CONTRACTING & CONSTRUCTION, LLC FOR THE CONTRACT REGARDING THE 29TH STREET STORM WATER SEPARATION PROJECT GRANTING A 90-DAY EXTENSION FROM APRIL 14 TO JULY 13, 2018 FOR COMPLETION OF THE PROJECT FOR THE DEPARTMENT OF ENGINEERING AND UTILITIES.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Change Order No. 3 in the contract authorized by Ordinance No. 25, 2017 between the City of Ashland, Kentucky and Tribute Contracting & Construction, LLC for the 29th Street Storm Water Separation Project is hereby approved as follows:

Change Order No. 3

Extension of time from April 14 to July 13, 2018 for completion

A true copy of Change Order No. 3 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: May 24, 2018
READOPTED BY THE BOARD OF COMMISSIONERS: June 14, 2018
PUBLISHED:

MOTION

Motion was made by Gute, seconded by Clark, to adopt Ordinance No. 91, 2018, 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 JUNE 14, 2018
ORDINANCE NO. 92, 2018

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 92, 2018

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING PART V. COMPENSATION PLAN, SECTION K. OF THE "POLICIES AND PROCEDURES, COMPENSATION PLAN AND CLASSIFICATION PLAN" AS ADOPTED BY ORDINANCE NO. 51, SERIES OF 2017, AS PREVIOUSLY AMENDED.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Ordinance No. 51, series of 2017, as previously amended, 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. PART V. COMPENSATION PLAN, K. Longevity is hereby amended. A copy of said amended policy 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 re-adoption 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.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: May 24, 2018
READOPTED BY THE BOARD OF COMMISSIONERS: June 14, 2018
PUBLISHED:

MOTION

Motion was made by Gute, seconded by Perkins, to adopt Ordinance No. 92, 2018, 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 JUNE 14, 2018
ORDINANCE NO. 93, 2018

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 93, 2018

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO SUBMIT THE PROGRAM YEAR 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

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 March 19 and on March 26, 2018 and a duly advertised and conducted Public Hearing on this proposal was held on April 11, 2018; and

WHEREAS, said 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:

REGULAR MEETING JUNE 14, 2018
ORDINANCE NO. 93, 2018 CONTINUED

SECTION 1. That the 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 Program Year 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 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:	May 24, 2018
READOPTED BY THE BOARD OF COMMISSIONERS:	June 14, 2018
PUBLISHED:	

MOTION

Motion was made by Clark, seconded by Steen, to adopt Ordinance No. 93, 2018, 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

ORDINANCE NO. _____, 2018

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ADOPTING REGULATIONS FOR THE BUSINESSES/ENTITIES PROVIDING FOOD SERVICES WITHIN THE CITY OF ASHLAND, KENTUCKY, REQUIRING HEPATITIS “A” INOCULATIONS FOR WORKERS ENGAGED IN THE HANDLING OF FOOD TO BE CONSUMED BY THE PUBLIC.

ORDINANCE DIED FOR LACK OF A MOTION

REGULAR MEETING JUNE 14, 2018
CONSENT AGENDA

RESOLUTION NO. 11, 2018

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 **JUNE 14, 2018**.

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, **June 14, 2018**, 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 W. MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: June 14, 2018

MOTION TO ADOPT

Motion was made by Clark, seconded by Perkins, to adopt Resolution No. 11, 2018.

DISCUSSION

Commissioner Perkins asked about Item (10) Approval to award the bid in the amount of \$27,321.00 for all labor, materials, supervision, and safety for the installation of Little Tikes Play Builder playground equipment at Central Park to Great Southern Recreation. Parks & Recreation Director Murray reviewed with the Commission the process of bidding for an Americans with Disabilities Act (ADA) accessible playground. There are two phases of the equipment and pictures were shown of both sets of the playground equipment to be installed.

Commissioner Perkins also asked about the splash pad in the Library Commons area of Central Park. Mr. Murray advised it should be operational within the next 3 to 4 days.

VOTE

Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Commissioner Clark recused herself from Item (17). Motion passed.

REGULAR MEETING JUNE 14, 2018
CONSENT AGENDA CONTINUED

CONSENT AGENDA ITEMS

1. City Manager recommends the payment of Invoice #199325 to American Bus and Accessories, 123 City Centre Drive, Cincinnati, OH 45216 in the amount of \$37,809 for the purchase of a Mini-Van with Base Bid Options 1 & 2 from the bid from the Commonwealth of Kentucky Department of Transportation Public Transit Association which was approved on the January 11, 2018 Commission Meeting.
2. City Manager recommends payment to developer (WB Hospitality, LLC) from TIFF Bond Proceeds in the amount of \$431.13 to reimburse for the March Columbia Gas bill.
3. City Manager recommends payment to developer (WB Hospitality, LLC) from TIFF Bond Proceeds in the amount of \$966.15 to reimburse for the January Columbia Gas bill.
4. City Manager recommends payment to developer (WB Hospitality, LLC) from TIFF Bond Proceeds in the amount of \$462.64 to reimburse for the February Columbia Gas bill.
5. City Manager recommends payment to developer (WB Hospitality, LLC) from TIFF Bond Proceeds in the amount of \$4,629.34 to reimburse for the February American Electric Power bill.
6. City Manager recommends payment to developer (WB Hospitality, LLC) from TIFF Bond Proceeds in the amount of \$4,581.47 to reimburse for the December American Electric Power bill.
7. City Manager recommends payment of Pay Request #2 to Morris Contracting in the amount of \$32,151.67 for the Debord Terrace Concrete & Handrail Project.
8. City Manager recommends payment of Invoice No. 263169-2 in the amount of \$24,106.50 to Mountain Enterprises, Inc. for contract work at the Central Park Tennis Court.
9. City Manager recommends approval for payment of Pay Request #4 in the amount of \$4,908.00 to Straight Edge Construction for the work completed on the Safe Routes to Schools Program.
10. City Manager recommends approval to award the bid in the amount of \$27,321.00 for all labor, materials, supervision, and safety for the installation of Little Tikes Play Builder playground equipment at Central Park to Great Southern Recreation.
11. City Manager recommends awarding the bid for the removal and replacement of the roofs at the City of Ashland Central Garage Buildings to Shield Roofing and Construction, LLC, 206 4th Street, East, South Point, OH 45680 in the amount of \$43,608.84.
12. City Manager recommends the appointment of Kelly A. Workman to the position of Traffic Technician I, Grade 107, Public Services & Utility Operations Department, Streets Division, effective Monday, June 18, 2018.
13. City Manager recommends the probationary appointment of Harry M. McNurlin, IV, Alex S. (Shane) Waddle, and Bradford K. Windhorst to the position of Maintenance Worker I, Grade 102, Public Services & Utility Operations Department, Streets Division, contingent upon satisfactory completion of a physical examination.

REGULAR MEETING JUNE 14, 2018
CONSENT AGENDA CONTINUED

14. City Manager recommends the appointment of William A. Guffey, Matthew J. Rowen, and Jonathan M. Waddell to the position of Water Distribution Crew Leader, Grade 110, Public Services & Utility Operations Department, Water Distribution/Meter Services Division, effective Monday, June 18, 2018.
15. City Manager recommends the appointment of David J. (D.J.) Rymer to the position of Public Service Officer, Grade 103, Police Department, effective June 18, 2018.
16. City Manager presents for approval authorizing payment to Ashland Tennis Center in the amount of \$7,500 for a Safety Sponsorship.
17. City Manager recommends authorizing the extension of the current collective bargaining agreement between the City of Ashland and Fraternal Order of Police (FOP) on a month-to-month basis until a new agreement is reached.
18. Other Consent Items.

NEW BUSINESS
FIRST READING AND ADOPTION ONLY

ORDINANCE NO. _____, 2018

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, FIXING THE TAX LEVY FOR THE YEAR 2018, PAYABLE IN THE YEAR 2019, ON THE BANK DEPOSITS FRANCHISE TAX FOR REVENUE PURPOSES BY THE CITY OF ASHLAND.

MOTION

Motion was made by Clark, seconded by Gute, to adopt Ordinance No. _____, 2018, 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. _____, 2018

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ADOPTING REGULATIONS FOR THE BUSINESSES/ENTITIES PROVIDING FOOD SERVICES WITHIN THE CITY OF ASHLAND, KENTUCKY; REQUIRING HEPATITIS “A” INOCULATIONS FOR WORKERS ENGAGED IN THE HANDLING OF FOOD TO BE CONSUMED BY THE PUBLIC.

MOTION

Motion was made by Gute, seconded by Perkins, to adopt Ordinance No. _____, 2018, at this its first reading. Upon roll call, voting aye were Commissioners Gute, Perkins, Steen and Mayor Gilmore. Nay – Commissioner Clark. Motion passed.

REGULAR MEETING JUNE 14, 2018
ORDINANCE NO. _____, 2018

FIRST READING AND ADOPTION ONLY

ORDINANCE NO. _____, 2018

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE AN AGREEMENT WITH COMMUNITY ASSISTANCE REFERRAL SERVICE, INC. (CARES), THE SUB-RECIPIENT OF \$31,600.00 FROM THE 2018 PROGRAM YEAR COMMUNITY DEVELOPMENT BLOCK GRANT.

MOTION

Motion was made by Clark, seconded by Gute, to adopt Ordinance No. _____, 2018, at this its first reading. Upon roll call, voting aye were Commissioners Clark, Gute, Steen and Mayor Gilmore. Nay – none. Abstain – Commissioner Perkins. Motion passed.

FIRST READING AND ADOPTION ONLY

ORDINANCE NO. _____, 2018

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE AN AGREEMENT WITH THE BOYD COUNTY COUCIL ON AGING, INC., ASHLAND SENIOR CENTER, THE SUB-RECIPIENT OF \$14,000.00 FROM THE 2018 PROGRAM YEAR COMMUNITY DEVELOPMENT BLOCK GRANT.

MOTION

Motion was made by Clark, seconded by Perkins, to adopt Ordinance No. _____, 2018, at this its first reading. Upon roll call, voting aye were Commissioners Clark, Gute, Steen and Mayor Gilmore. Nay – none. Abstain – Commissioner Perkins. Motion passed.

FIRST READING AND ADOPTION ONLY

ORDINANCE NO. _____, 2018

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE AN AGREEMENT WITH HILLCREST BRUCE MISSION, THE SUB-RECIPIENT OF \$18,000.00 FROM THE 2018 PROGRAM YEAR COMMUNITY DEVELOPMENT BLOCK GRANT.

MOTION

Motion was made by Gute, seconded by Clark, to adopt Ordinance No. _____, 2018, at this its first reading. Upon roll call, voting aye were Commissioners Clark, Gute, Steen and Mayor Gilmore. Nay – none. Abstain – Commissioner Perkins. Motion passed.

REGULAR MEETING JUNE 14, 2018
ORDINANCE NO. _____, 2018

FIRST READING AND ADOPTION ONLY

ORDINANCE NO. _____, 2018

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE AN AGREEMENT WITH THE ASHLAND CHILD DEVELOPMENT CENTER, INC., THE SUB-RECIPIENT OF \$7,000.00 FROM THE 2018 PROGRAM YEAR COMMUNITY DEVELOPMENT BLOCK GRANT.

MOTION

Motion was made by Gute, seconded by Steen, to adopt Ordinance No. _____, 2018, at this its first reading. Upon roll call, voting aye were Commissioners Clark, Gute, Steen and Mayor Gilmore. Nay – none. Abstain – Commissioner Perkins. Motion passed.

FIRST READING AND ADOPTION ONLY

ORDINANCE NO. _____, 2018

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE AN AGREEMENT WITH SHELTER OF HOPE, INC., THE SUB-RECIPIENT OF \$5,000.00 FROM THE 2018 PROGRAM YEAR COMMUNITY DEVELOPMENT BLOCK GRANT.

MOTION

Motion was made by Clark, seconded by Gute, to adopt Ordinance No. _____, 2018, at this its first reading. Upon roll call, voting aye were Commissioners Clark, Gute, Steen and Mayor Gilmore. Nay – none. Abstain – Commissioner Perkins. Motion passed.

FIRST READING AND ADOPTION ONLY

ORDINANCE NO. _____, 2018

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE AN AGREEMENT WITH ASHLAND COMMUNITY KITCHEN, INC., THE SUB-RECIPIENT OF \$5,000.00 FROM THE 2018 PROGRAM YEAR COMMUNITY DEVELOPMENT BLOCK GRANT.

MOTION

Motion was made by Gute, seconded by Steen, to adopt Ordinance No. _____, 2018, at this its first reading. Upon roll call, voting aye were Commissioners Clark, Gute, Steen and Mayor Gilmore. Nay – none. Abstain – Commissioner Perkins. Motion passed.

REGULAR MEETING JUNE 14, 2018
ORDINANCE NO. _____, 2018

FIRST READING AND ADOPTION ONLY

ORDINANCE NO. _____, 2018

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ADOPTING THE REVISED JOB DESCRIPTION FOR THE POSITION OF CORPORATION COUNSEL AS A FULL-TIME POSITION AND THE REVISED JOB DESCRIPTION FOR THE POSITION OF ASSISTANT CORPORATION COUNSEL AS A PART-TIME POSITION IN THE DEPARTMENT OF GENERAL GOVERNMENT, DIVISION OF LEGAL; AND AMENDING THE AUTHORIZED POSITIONS OF THE "POLICIES AND PROCEDURES, COMPENSATION PLAN AND CLASSIFICATION PLAN" AS ADOPTED BY ORDINANCE NO. 51, SERIES OF 2017, AS PREVIOUSLY AMENDED.

MOTION

Motion was made by Clark, seconded by Perkins, to adopt Ordinance No. _____, 2018, 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. _____, 2018

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ACCEPTING THE PROPOSAL OF HOWERTON ENGINEERING & SURVEYING PLLC FOR PROFESSIONAL ENGINEERING AND DRAFTING SERVICES ASSOCIATED WITH THE SEWER LINING PROJECT FOR THE DEPARTMENT OF PUBLIC SERVICES AND UTILITY OPERATIONS, DIVISION OF WASTEWATER COLLECTION.

MOTION

Motion was made by Perkins, seconded by Clark, to adopt Ordinance No. _____, 2018, 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. _____, 2018

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 GREAT SOUTHERN RECREATION FOR ALL LABOR, MATERIALS, SAFETY AND SUPERVISION FOR THE INSTALLATION OF PLAYGROUND EQUIPMENT AT THE CITY OF ASHLAND CENTRAL PARK IN THE AMOUNT OF \$27,231.00 FOR THE DEPARTMENT OF ENGINEERING.

REGULAR MEETING JUNE 14, 2018
ORDINANCE NO. _____, 2018

MOTION

Motion was made by Clark, seconded by Perkins, to adopt Ordinance No. _____, 2018, 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. _____, 2018

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING STEPHEN E. GILMORE MAYOR, TO EXECUTE A CONTRACT BETWEEN THE CITY OF ASHLAND AND SHIELD ROOFING FOR THE REMOVAL AND REPLACEMENT OF THE ROOF ON THE CITY OF ASHLAND CENTRAL GARAGE BUILDINGS LOCATED AT 4140 WINCHESTER AVENUE IN THE AMOUNT OF \$43,608.84 FOR THE DEPARTMENT OF GENERAL GOVERNMENT.

MOTION

Motion was made by Gute, seconded by Perkins, to adopt Ordinance No. _____, 2018, 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. _____, 2018

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, 2018 TO JUNE 30, 2019.

MOTION

Motion was made by Clark, seconded by Gute, to adopt Ordinance No. _____, 2018, 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. _____, 2018

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, APPROVING AND ADOPTING THE 2018-2019 BUDGET AND APPROPRIATING REVENUES ON HAND AND TO BE RECEIVED DURING THE YEAR 2018-2019 FOR THE PAYMENT OF EXPENSES OF THE CITY OF ASHLAND FOR THE TWELVE-MONTH PERIOD BEGINNING JULY 1, 2018 AND ENDING JUNE 30, 2019 AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

REGULAR MEETING JUNE 14, 2018
ORDINANCE NO. _____, 2018 CONTINUED

MOTION

Motion was made by Gute, seconded by Clark, to adopt Ordinance No. _____, 2018, at this its first reading.

DISCUSSION

Commissioner Perkins noted there were items the Commission would have liked to see included in the budget; however, due to financial constraints were not able to be included. Commissioner Perkins stated it was important for the City and County to work together and would like to grant additional help to Boyd County for their animal control shelter. Mayor Gilmore advised the Commission that a review of the budget could be completed in January in order to see if the City could grant additional monies to Boyd County. Mayor Gilmore advised the public the City has already given Boyd County \$25,000.00 toward the construction of the new shelter.

Commissioner Perkins advised there are still items that could be cut from the budget to come up with additional monies for the shelter and suggested that Commissioners' car allowance be cut from the budget. Finance Director Grubb advised the Commission there is \$323,000.00 budgeted in contingency. Commissioner Clark suggested if monies are still available in January, another donation be made to Boyd County. Commissioner Perkins proposed amending the budget by moving the car allowance to the contingency fund. Corporation Counsel Martin advised the Commission that a special called meeting will be scheduled to set the tax rate and the amendment to the budget could be introduced at that meeting.

VOTE

Voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed. (**SEE BELOW NOTATION)

READING AND ADOPTION

RESOLUTION NO. 12, 2018

A RESOLUTION OF THE CITY OF ASHLAND, KENTUCKY,
 AUTHORIZING A THREE PERCENT (3%) INCREASE FOR
 ALL MEMBERS OF THE POLICEMEN'S AND FIREFIGHTERS
 PENSION FUND TO BE PAID FROM THE GENERAL FUND.

* * * * *

BE IT RESOLVED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That the Board of City Commissioners hereby approves a three percent (3%) increase for members of the Policemen's and Firefighters' Pension Fund effective July 1, 2018.

SECTION 2. Payment of the foregoing increase shall be made from the General Fund.

SECTION 3. 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 W. MADDIX
 CITY CLERK

REGULAR MEETING JUNE 14, 2018
RESOLUTION NO. 12, 2018 CONTINUED

ADOPTED BY THE BOARD OF COMMISSIONERS: June 14, 2018

MOTION TO ADOPT

Motion was made by Perkins, seconded by Steen, to adopt Resolution No. 12, 2018. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

READING AND ADOPTION

RESOLUTION NO. 13, 2018

A RESOLUTION OF THE CITY OF ASHLAND, KENTUCKY,
 AUTHORIZING A THREE PERCENT (3%) INCREASE FOR
 ALL MEMBERS OF THE UTILITY PENSION FUND TO BE
 PAID FROM THE UTILITY FUND.

* * * * *

BE IT RESOLVED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That the Board of City Commissioners hereby approves a three percent (3%) increase for members of the Utility Pension Fund effective July 1, 2018.

SECTION 2. Payment of the foregoing increase shall be made from the Utility Fund.

SECTION 3. 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 W. MADDIX
 CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: June 14, 2018

MOTION TO ADOPT

Motion was made by Clark, seconded by Gute, to adopt Resolution No. 13, 2018. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

EXECUTIVE SESSION

Motion was made by Clark, seconded by Perkins, to go into Executive Session at 1:11 PM to discuss an individual personnel matter. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

COMMISSIONER PERKINS

City Clerk originally recorded Commissioner Perkins' vote as "AYE" with regard to the first reading of the ordinance approving and adopting the FY 2018-2019 budget. **According to the video, Commissioner Perkins did not vote aye when the Mayor asked for the aye vote. Mayor Gilmore did not ask "opposed like sign" and Commissioner Perkins did not offer a "NO" either. Therefore, upon breaking for Executive Session Commissioner Perkins advised the Clerk to record his vote as a "NO" vote with regard to the first reading of the ordinance approving and adopting the FY 2018-2019 budget.

REGULAR MEETING JUNE 14, 2018
EXECUTIVE SESSION CONTINUED

RECONVENED

The meeting reconvened at 2:27 PM and Mayor Gilmore announced the only item discussed was an individual personnel matter with no final action taken.

ADJOURNMENT

Mayor Gilmore declared the meeting adjourned at 2:28 PM.


STEPHEN E. GILMORE
MAYOR

ATTEST:


SUSAN W. MADDIX
CITY CLERK