

**REGULAR MEETING  
AUGUST 23, 2018**

The Ashland Board of Commissioners met in Regular Session in the Commissioners' Chambers, City Building, Ashland, Kentucky, on Thursday, August 23, 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; Greg Ray, Fire Chief; Ryan Eastwood, City Engineer and Capital Projects; Tony 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; Chris Pullem, Director of Community and Economic Development; Kevin P. Sinnette, Assistant Corporation Counsel; Michelle Grubb, Ashland Bus System; Lorraine Woolery, Section 8 Voucher/Grant Coordinator; Osei Amo-Mensah, Planner; 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 August 23, 2018. Motion was made by Gute, seconded by Clark, 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 Clark, seconded by Steen, to dispense with reading and approve the minutes of the Regular Meetings held on July 26 and August 9, 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**

**Ashland Fire Department Pinning of Battalion Chief Chad E. Stevens and Deputy Fire Chief Stephen Alley** – Mayor Gilmore administered the oath to Battalion Chief Stevens and Deputy Chief Alley.

**City Manager's Report**

City Manager Graese reported on the following:

City Manager Graese thanked the Board for their support in the hiring of a Deputy Fire Chief.

City Manager Graese thanked Community & Economic Development (CED) Director Chris Pullem, who was acting City Manager, and City staff for their work during the recent major waterline breaks on U.S. 23. City Manager Graese also thanked outside agencies, Salvation Army, American Red Cross, Southern Baptist Disaster Relief Organization, Build Ashland, etc., who helped during the breaks.

“How Can We Help” on the City’s website is a way for citizens to reach out to the City with concerns. There have been 257 incidents or issues reported at this time. Commissioner Clark advised she had some trouble finding it and noted it is listed under the “Resident’s Tab”.

**REGULAR MEETING AUGUST 23, 2018**  
**HEARINGS AND REPORTS CONTINUED**

Minutes of the Park Board, Planning Commission, Board of Zoning Adjustment and Code Enforcement Board have been published on the City's website.

Public Information Officer Joanna King has resigned her position effective August 31 for personal reasons. City Manager Graese publicly thanked Ms. King for her accomplishments while with the City.

**Mayor and City Commissioners' Comments (continued)**

Commissioner Perkins publicly thanked CED Director Chris Pullem for his leadership and Assistant Finance Director Michelle Veach for her help during the water breaks. He thanked all City staff involved.

Mayor Gilmore also thanked CED Director Chris Pullem and City Engineer Ryan Eastwood for the way the situation was handled.

**Kentucky League of Cities Presentation on City of Ashland Mission, Vision, Values by Tad Long**

Tad Long presented the following proposed Vision, Mission and Values compiled by the elected officials and City staff:

OUR VISION

**Ashland is: high standards, pride, integrity and opportunity; the place you want to be.**

OUR MISSION

Our mission is to provide citizens a safe, progressive environment and deliver efficient, effective and responsive services while creating the opportunity for all to achieve an enhanced quality of life.

OUR VALUES

As elected leaders and employees of the City of Ashland, our actions are guided by these values as we endeavor to fulfill our mission.

We strive to do the right thing and to do our best on behalf of our citizens through **Teamwork**.

We believe in providing **Consistent**, quality customer service in a timely and efficient manner.

We believe in **Respect** for one another and all our citizens, our resources and our community.

We seek to be open and **Transparent** in all actions to uphold the mission of Ashland.

We are committed to high standards of leadership and service built upon **Honesty, Integrity, Equality and Fairness** to all citizens.

We believe in the responsible **Stewardship** of tax dollars by allocating our resources efficiently and effectively for the best quality of life possible for the citizens of Ashland.

We strive to provide customer service to all of our citizens in a **Caring and Compassionate** manner.

**REGULAR MEETING AUGUST 23, 2018**  
**HEARINGS AND REPORTS CONTINUED**

**DISCUSSION**

Commissioner Clark thanked Mr. Long for his work and guidance on this project. Commissioner Gute also expressed his appreciation to Mr. Long. Mayor Gilmore recommended the Vision Statement be in bold print and asked that City Manager Graese place a copy of the above in every City office.

**MOTION**

Motion was made by Gute, seconded by Clark, to adopt the Mission, Vision and Values as presented. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

**PUBLIC PARTICIPATION**

Ervina Howard-Kiser, Advantage Plus Realty, appeared before the Commission regarding a request for a sign in front of her business. She advised the Board that she has been unable to assemble the requested information and would be attending the next meeting. The Board thanked Ms. Howard-Kiser for letting them know. Ms. Howard-Kiser also suggested the Board make the Mission, Vision, Values available to Ashland businesses.

**OLD BUSINESS**

**SECOND READING & FINAL ADOPTION**

**ORDINANCE NO. 128, 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 LOTS 1, 2 AND 3 OF BLOCK 1 AT 4900 WINCHESTER AVENUE (U.S. 23) FROM (R-5) MULTI/SINGLE FAMILY RESIDENTIAL/MEDIUM DENSITY TO (B-2) GENERAL BUSINESS.

\* \* \* \* \*

WHEREAS, Allen R. Thomas and Hog Heaven, LLC has requested the rezoning of Lots 1, 2 and 3 of Block 1 at 4900 Winchester Avenue (U.S. 23) from R-5 Multi/Single Family Residential/Medium Density to B-2 General Business, and

WHEREAS, the Ashland Planning Commission held a duly advertised and conducted public hearing on said application July 17, 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 Lots 1, 2 and 3 of Block 1 at 4900 Winchester Avenue is hereby changed from R-5 Multi/Single Family Residential/Medium Density to B-2 General Business.

**REGULAR MEETING AUGUST 23, 2018**  
**ORDINANCE NO. 128, 2018 CONTINUED**

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: August 9, 2018  
READOPTED BY THE BOARD OF COMMISSIONERS: August 23, 2018  
PUBLISHED:

**MOTION**

Motion was made by Gute, seconded by Steen, to adopt Ordinance No. 128, 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. 129, 2018**

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO SUBMIT THE FY 2018 GRANT APPLICATION TO THE FEDERAL TRANSIT ADMINISTRATION ON BEHALF OF THE ASHLAND BUS SYSTEM FOR OPERATING COSTS, PREVENTATIVE MAINTENANCE, PARA TRANSIT SERVICE, AND MAINTENANCE PAYROLL AND CAPITAL EXPENDITURES; AND FURTHER AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY FOR THE IMPLEMENTATION OF THIS GRANT.

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BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Stephen E. Gilmore, Mayor of the City of Ashland, be and he is hereby authorized and directed to submit the FY 2018 grant application to the Federal Transit Administration on behalf of the Ashland Bus System for operating costs, preventative maintenance, paratransit service, maintenance payroll and capital expenditures. Said grant application is to be filed electronically pursuant to the guidelines of the Federal Transit Administration.

SECTION 2. That Stephen E. Gilmore, Mayor of the City of Ashland, be and he is hereby authorized and directed to execute any and all other documents necessary for the implementation of these grants.

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

**REGULAR MEETING AUGUST 23, 2018  
ORDINANCE NO. 129, 2018 CONTINUED**

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: August 9, 2018  
READOPTED BY THE BOARD OF COMMISSIONERS: August 23, 2018  
PUBLISHED:

**MOTION**

Motion was made by Clark, seconded by Perkins, to adopt Ordinance No. 129, 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. 130, 2018**

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND APPROVING CHANGE ORDER NO. 1 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND SHIELD ROOFING AND CONSTRUCTION LLC FOR A CONTRACT ADOPTED BY ORDINANCE NO. 99, SERIES OF 2018, REGARDING THE REMOVAL AND REPLACEMENT OF THE ROOF ON THE CITY OF ASHLAND CENTRAL GARAGE BUILDINGS INCREASING THE CONTRACT AMOUNT BY \$2,870.00 FOR THE DEPARTMENT OF GENERAL GOVERNMENT.

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BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Change Order No. 1 in the contract authorized by Ordinance No. 99, 2018 between the City of Ashland, Kentucky and Shield Roofing and Construction LLC for the removal and replacement of the roof on the City of Ashland Central Garage buildings is hereby approved as follows:

**Change Order No. 1**

Original Contract Price	\$43,608.84
Previous Change Orders	0.00
Contract Price prior to this Change Order	43,608.84
Net <b>Increase</b> of this Change Order	2,870.00
Contract Price with all approved Change Orders	\$46,478.84

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.

**REGULAR MEETING AUGUST 23, 2018  
ORDINANCE NO. 130, 2018 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/STEPHEN E. GILMORE  
MAYOR

ATTEST:

/s/SUSAN W. MADDIX  
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: August 9, 2018  
READOPTED BY THE BOARD OF COMMISSIONERS: August 23, 2018  
PUBLISHED:

**MOTION**

Motion was made by Gute, seconded by Clark, to adopt Ordinance No. 130, 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. 131, 2018**

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO SUBMIT THE ANNUAL SECTION 8 MANAGEMENT ASSESSMENT PROGRAM (SEMAP) CERTIFICATION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

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BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That the Board of Commissioners of the City of Ashland, Kentucky hereby accepts the Annual Section 8 Management Assessment Program (SEMAP) Certification and authorizes and directs Stephen E. Gilmore, Mayor, to submit said application to the U.S. Department of Housing and Urban Development. Said certification 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. SEVERABILITY CLAUSE. It shall be considered that it is the intent of the City of Ashland, in enacting this ordinance, that if any part of it be held unconstitutional the remaining parts shall remain in force, unless the ordinance provides otherwise, or unless the remaining parts are so essentially and inseparably connected with and dependent upon the unconstitutional part that it is apparent that the City would not have enacted the remaining parts without the unconstitutional part, or unless the remaining parts, standing alone, are incomplete and incapable of being executed in accordance with the intent of the City of Ashland.

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

**REGULAR MEETING AUGUST 23, 2018  
ORDINANCE NO. 131, 2018 CONTINUED**

ATTEST:

/s/SUSAN W. MADDIX  
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: August 9, 2018  
READOPTED BY THE BOARD OF COMMISSIONERS: August 23, 2018  
PUBLISHED:

**MOTION**

Motion was made by Clark, seconded by Gute, to adopt Ordinance No. 131, 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 & FINAL ADOPTION**

**ORDINANCE NO. 132, 2018**

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, CREATING THE POSITION OF RECEPTIONIST IN THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, ADOPTING THE JOB DESCRIPTION FOR THE POSITION AND AMENDING THE AUTHORIZED POSITIONS LISTING OF THE “POLICIES AND PROCEDURES, COMPENSATION PLAN AND CLASSIFICATION PLAN” AS ADOPTED BY ORDINANCE NO. 51, SERIES OF 2017, AS PREVIOUSLY AMENDED.

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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. The position of Receptionist in the Department of Community and Economic Development is hereby created. The job description for the position of Receptionist in the Department of Community and Economic Development is adopted and the amended Authorized Positions Listing are hereby adopted. A copy of said Job Description and Authorized Positions Listing 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.

/s/STEPHEN E. GILMORE  
MAYOR

ATTEST:

/s/SUSAN W. MADDIX  
CITY CLERK

**REGULAR MEETING AUGUST 23, 2018**  
**ORDINANCE NO. 132, 2018 CONTINUED**

ADOPTED BY THE BOARD OF COMMISSIONERS: August 9, 2018  
 READOPTED BY THE BOARD OF COMMISSIONERS: August 23, 2018  
 PUBLISHED:

**MOTION**

Motion was made by Gute, seconded by Perkins, to adopt Ordinance No. 132, 2018, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

**CONSENT AGENDA**

**RESOLUTION NO. 19, 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 **AUGUST 23, 2018**.

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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, **August 23, 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: August 23, 2018

**MOTION**

Motion was made by Gute, seconded by Steen, to adopt Resolution No. 19, 2018. Upon roll call, voting aye were Commissioners Gute, Steen and Mayor Gilmore. Nay – none. Abstain – Commissioner Perkins. Motion passed.

**CONSENT AGENDA ITEMS**

1. City Manager recommends approval for payment of Invoice #87X00027 dated July 31, 2018 in the amount of \$21,886.67 to Elkins Waste Services, Inc. for the removal and disposition of sludge from July 2 to July 31, 2018 at the Wastewater Treatment Plant.
2. City Manager recommends approval for payment of Invoice #18-2946 dated August 17, 2018 in the amount of \$26,978.84 to Shield Roofing & Construction for the work completed on the roof replacement project at the City Garage.

**REGULAR MEETING AUGUST 23, 2018**  
**CONSENT AGENDA CONTINUED**

3. City Manager recommends authorizing the Mayor to sign a Notification of an Application for Funding to Kentucky Housing Corporation for housing tax credits for a rehabilitation project within the city limits of Ashland.
4. City Manager recommends the probationary appointment of Kimberly M. Quillen to the position of Billing Clerk, Grade 108, Finance Department, contingent upon satisfactory completion of the physical examination.
5. City Manager recommends the probationary appointment of Travis W. Elliott and Jeffery D. Miller to the position of Solid Waste Worker I, Grade 102, Public Services & Utility Operations Department, Fleet Maintenance/Solid Waste Division, contingent upon satisfactory completion of physical examinations.
6. City Manager recommends the rescission of the appointment of Joseph W. Justice to the position of Wastewater Treatment Plant Operator I, Public Services & Utility Operations Department, Wastewater Treatment Plant Division, that was approved by the Commission on July 26, 2018.
7. Other Consent Items.

**NEW BUSINESS**  
**FIRST READING AND ADOPTION ONLY**

**ORDINANCE NO. \_\_\_\_\_, 2018**

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ADOPTING AND ENACTING SUPPLEMENTS S-68, S-69 AND S-70 TO THE CODE OF ORDINANCES OF 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, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF ASHLAND AND JR REALTY, INC. (DON HALL GM SUPERCENTER) REGARDING AN ENCROACHMENT FOR THE PLACEMENT OF TEN (10) STREAMER POLES ON EACH SIDE OF 18<sup>TH</sup> STREET BETWEEN GREENUP AVENUE AND FRONT STREET ON THE CITY'S RIGHT-OF-WAY.

**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, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

**REGULAR MEETING AUGUST 23, 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 ACCEPT THE PROPOSAL AND EXECUTE A CONTRACT BETWEEN THE CITY OF ASHLAND, KENTUCKY, AND NETWORK INNOVATION SOLUTIONS (NIS) TO UPGRADE THE TELEPHONE SYSTEM IN THE AMOUNT OF \$249,936.76.

**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.

**APPOINTMENT**

Motion was made by Clark, seconded by Gute, approving the Mayor's appointment of Philip Richardson to the Code Enforcement Board for a three-year term that began March 1, 2018 and expires March 1, 2021. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

**DISCUSSION ITEM**

**Discussion on videotaping the Park Board, the Board of Zoning Adjustment (BZA), Code Enforcement Board and Planning Commission meetings.**

City Manager Graese reviewed his investigation into videotaping meetings of the Park Board, the Board of Zoning Adjustment (BZA), Code Enforcement Board and Ashland Planning Commission, including no legal requirements, potential to invasion of privacy and volunteer board members views. He stated the cost would be approximately \$3,400 in personnel and \$1,200 in hardware. He offered a letter of opposition from E. B. Gevedon who serves on the Park Board. He also noted that the Code Enforcement Board adopted a motion in opposition.

Jim Powers, Chairman of the Planning Commission, appeared before the Board in support of the videotaping of the meetings. Bernard O'Nan, member of the Planning Commission, appeared also in support of the videotaping. Mr. O'Nan expressed concern with an e-mail he received that estimated costs being substantially higher than the amount recited by the City Manager.

In response, City Manager Graese noted that the idea of videotaping has evolved. The first thought was that meetings would be live broadcast which would involve greater cost. Final cost analysis reflects videotaping the meetings and placing the video on the City's website.

Mayor Gilmore advised cost was not a concern to him. His concern was whether it was the right thing to do. The City is currently compliant with the statutes. Matters discussed at some of the meetings are extremely personal in nature. Mayor Gilmore also expressed concern that someone's comments might be taken out of context.

Commissioner Gute stated that videotaping the meetings of the 4 boards was unnecessary and a hinderance. Commissioner Gute agreed with the comments made by Park Board Chairman E.B. Gevedon. The boards are made up of volunteers, and the boards are advisory in part with the final decision or review made by the Board of Commissioners

**REGULAR MEETING AUGUST 23, 2018**  
**DISCUSSION ITEM CONTINUED**

Commissioner Clark stated that the Board had just adopted its Mission Statement stating that “We are committed to high standards of leadership and service built upon Honesty, Integrity, Equality and Fairness to all citizens.” Commissioner Clark stated that she did not believe videotaping these meetings was fair or equal to all citizens by putting their individual problems on display, especially with the Code Enforcement Board. The City is transparent in publishing the agenda and minutes. Commissioner Clark suggested that the Mayor might appoint a Commissioner to attend each of these board meetings and report to the Board.

Commissioner Perkins advised that citizens have approached him stating they do not know what these boards do and what their government does. He stated that videotaping is an added benefit to the citizens. Commissioner Perkins quoted the value just adopted “We seek to be open and transparent in all actions to uphold the mission of Ashland.” Commissioner Perkins stated this includes accessibility to these meetings. He believes such action would alleviate complaints that citizens cannot watch the Commission in action.

Commissioner Steen stated a lot of citizens would like to see the meetings videotaped. People have to work and cannot come to the meetings.

**MOTION**

Motion was made by Perkins, seconded by Steen, that an ordinance be drafted to state that the meetings of the Ashland Board of City Commissioners, the Board of Zoning Adjustment, the Ashland Planning Commission and the Code Enforcement Board be videoed effective January 1, 2019. Upon roll call, voting aye were Commissioners Perkins and Steen. Nay – Commissioners Clark, Gute and Mayor Gilmore. Motion failed.

**EMERGENCY CLAUSE**  
**FIRST AND SECOND READING AND FINAL ADOPTION**

**ORDINANCE NO. 133, 2018**

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND APPROVING CHANGE ORDER NO. 4 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND TRIBUTE CONTRACTING & CONSTRUCTION, LLC FOR THE CONTRACT REGARDING THE 29<sup>TH</sup> STREET STORM WATER SEPARATION PROJECT GRANTING AN EXTENSION TO SEPTEMBER 6, 2018 FOR COMPLETION OF THE PROJECT INCLUDING ELEVEN DAYS OF LIQUIDATED DAMAGES FOR THE DEPARTMENT OF ENGINEERING AND UTILITIES, AND DECLARING AN EMERGENCY TO EXIST TO ALLOW TWO READINGS OF THIS ORDINANCE ON THE SAME DAY.

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WHEREAS, Change Order No. 3, adopted by Ordinance No. 91, Series of 2018, extending the completion date of the Belmont/29<sup>th</sup> Street project contract from April 14 to July 13, 2018, and

WHEREAS, paving was not completed by Tribute Contracting & Construction, LLC until July 24, 2018 allowing for eleven (11) days of liquidated damages to be claimed by the City of Ashland, and

WHEREAS, a punch list of items was compiled by the City of Ashland upon inspection of the project;

**REGULAR MEETING AUGUST 23, 2018  
ORDINANCE NO. 133, 2018 CONTINUED**

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

SECTION 1. That Change Order No. 4 in the contract authorized by Ordinance No. 25, 2017 between the City of Ashland, Kentucky and Tribute Contracting & Construction, LLC for the 29<sup>th</sup> Street Storm Water Separation Project is hereby approved as follows:

**Change Order No. 4**

Extension of time to September 6, 2018 for completion of the project

Eleven days (July 13 to July 24, 2018) liquidated damages @ \$500.00 per day = \$5,500.00

A true copy of Change Order No. 4 is attached hereto and made a part hereof by reference.

SECTION 2. Due to expiration of the contract and the need to complete punch list items and payment of invoices and the Board of Commissioners is not scheduled to hold another regular meeting until September 13, 2018, an emergency is hereby declared to exist and the rules requiring this ordinance to be read on two separate days are hereby suspended.

SECTION 3. 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 4. This ordinance shall be in full force and effect from and after its adoption and readoption as provided in Section 2 and shall later be published, 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: August 23, 2018  
READOPTED BY THE BOARD OF COMMISSIONERS: August 23, 2018  
PUBLISHED:

**MOTION**

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

**DISCUSSION**

Commissioner Perkins asked the amount of liquidated damages. City Manager Graese reported it was \$500 for 11 days for a total of \$5,500.00. Commissioner Perkins asked about the "dip" on Lexington Avenue and whether it will be repaired. City Engineer Ryan Eastwood advised the Board how it will be fixed.

Mayor Gilmore asked that it be noted in the minutes his concern that the manholes had to be dug out re-done. He is concerned that the area around the manholes will be the first to crack and/or break in bad weather. He believes it is not a good situation moving forward.

**REGULAR MEETING AUGUST 23, 2018**  
**ORDINANCE NO. 133, 2018 CONTINUED**

**VOTE**

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

**SUSPENSION OF RULES**

Motion was made by Clark, seconded by Perkins, to suspend the rules requiring this ordinance to be read on two separate days. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins and Steen and Mayor Gilmore. Nay – none. Motion passed.

**READOPTION**

Motion was made by Gute, seconded by Clark, to adopt Ordinance No. 133, 2018, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

**READING AND ADOPTION**

**RESOLUTION NO. 20, 2018**

A RESOLUTION OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING PAYMENT NO. 12 DATED JULY 27, 2018 IN THE AMOUNT OF \$198,701.09 TO TRIBUTE CONTRACTING & CONSULTING FOR WORK COMPLETED ON THE 29<sup>TH</sup> STREET STORM WATER SEPARATION PROJECT.

\*\*\*\*\*

BE IT RESOLVED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That the Board of City Commissioners of the City of Ashland, Kentucky hereby authorizes Payment No. 12 dated July 27, 2018 in the amount of \$198,701.09 to Tribute Contracting & Consulting for work completed on the 29<sup>th</sup> Street Storm Water Separation Project.

SECTION 2. Payment of the foregoing 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: August 23, 2018

**MOTION**

Motion was made by Gute, seconded by Clark, to adopt Resolution No. 20, 2018. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

**REGULAR MEETING AUGUST 23, 2018**  
**OTHER NEW BUSINESS**

**ASHLAND IN MOTION (AIM) LETTER OF SUPPORT FOR GRANT**

Motion was made by Gute, seconded by Perkins, authorizing a letter of support for Ashland in Motion (AIM) regarding a grant application for a series of concerts. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

**EXECUTIVE SESSION**

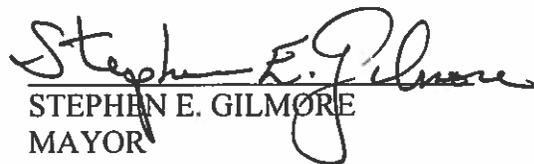
Motion was made by Clark, seconded by Gute, to go into Executive Session at 1:21 PM to discuss individual personnel. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

**RECONVENED**

The meeting reconvened at 3:41 PM and Mayor Gilmore announced the only item discussed was individual personnel with no final action taken.

**ADJOURNMENT**

Mayor Gilmore declared the meeting adjourned at 3:41 PM.

  
STEPHEN E. GILMORE  
MAYOR

ATTEST:

  
SUSAN W. MADDIX  
CITY CLERK