

**REGULAR MEETING
NOVEMBER 15, 2018**

The Ashland Board of Commissioners met in Regular Session in the Commissioners' Chambers, City Building, Ashland, Kentucky, on Thursday, November 15, 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; James H. Moore, III, 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 Utility Operations; Sean Murray, Human Resources/Parks & Recreation Director; Chris Pullem, Director of Community and Economic Development; Katherine Utsinger, Economic Development Specialist; Lorraine Woolery, Section 8 Voucher Grant Coordinator, and D.J. Rymer, Community and Economic Development; Michelle Grubb, Finance Department; and Reporters.

The invocation was given by Commissioner Gute.

The Pledge of Allegiance was conducted.

AGENDA

City Manager Graese presented the agenda of November 15, 2018. Motion was made by Gute, seconded by Steen, 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 Perkins, seconded by Steen, to dispense with reading and approve the minutes of the Regular Meetings held on October 11 and October 25, 2018 and the Recessed Meeting held on November 1, 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 Gute welcomed everyone. Commissioner Gute attended the opening night ceremony for the Winter Wonderland of Lights on Monday and thanked the Street Division and the Department of Parks and Recreation for their work on the event. He announced the Christmas Parade will be held on Tuesday, November 20 @ 7:00 PM. Commissioner Gute wished everyone a Happy Thanksgiving.

Commissioner Perkins announced the Festival of Trees and Trains begins at the Paramount Arts Center on Friday, November 16. Commissioner Perkins invited everyone to "Meet the Cats" tonight at Paul G. Blazer High School at 6:00 PM. Commissioner Perkins thanked all of the volunteers and the Ashland Alliance for their work and dedication on Winter Wonderland of Lights.

Commissioner Clark reminded everyone the last day to vote on the Levitt Amp Grant at levitt.com is Tuesday, November 20, 2018. The grant is for a series of concerts to be held at the Ashland Riverfront.

**NOVEMBER 15, 2018 REGULAR MEETING
PUBLIC PARTICIPATION**

Bernard O’Nan, 2720 Forest Avenue, appeared before the Commission to commend the Ashland Fire Department. Mr. O’Nan is the manager of the Social Security office and the Fire Department conducted a walk-through of the building to make sure everything was in working order. Mr. O’Nan specifically thanked Chief Ray, Deputy Chief Alley, Fire Marshal Brad Maggard and Battalion Chief Mitch Christian. Mr. O’Nan announced the Ashland Rotary Club will have a float in the Christmas Parade.

The following persons appeared before the Commission in support of a Responsible Bidder Ordinance:

- Joseph Gannon, 4614 Daphne Court, Ashland
- Jerry Yates, President, Carpenters Local Union 1650
- Scott Taylor, 7942 Cannonsburg Road, Owner of Tri-America Contractors
- Mike Zeurkle, 1326 W. 13th Street, Nitro, WV - Safety Director for Tri-America Contractors

OLD BUSINESS
SECOND READING & FINAL ADOPTION

ORDINANCE NO. 152, 2018

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND APPROVING CHANGE ORDER NO. 1 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND WORLDWIDE INDUSTRIES CORP. FOR A CONTRACT ADOPTED BY ORDINANCE NO. 90, SERIES OF 2018, REGARDING THE REPAIR AND PAINTING OF THE CATLETTSBURG WATER TANK DECREASING THE CONTRACT IN THE AMOUNT OF \$19,580.00 FOR THE DEPARTMENT OF PUBLIC SERVICES AND UTILITY OPERATIONS, DIVISION OF WATER DISTRIBUTION.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Change Order No. 1 in the contract authorized by Ordinance No. 90, 2018 between the City of Ashland, Kentucky and Worldwide Industries Corp. for the Catlettsburg Water Tank Project is hereby approved as follows:

Change Order No. 1

Original Contract Price	\$364,834.00
Previous Change Orders	0.00
Contract Price prior to this Change Order	364,834.00
Net Decrease of this Change Order	(19,580.00)
Contract Price with all approved Change Orders	\$345,254.00

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

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

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

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

/s/STEPHEN E. GILMORE
MAYOR

**NOVEMBER 15, 2018 REGULAR MEETING
ORDINANCE NO. 152, 2018 CONTINUED**

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: November 1, 2018
READOPTED BY THE BOARD OF COMMISSIONERS: November 15, 2018
PUBLISHED:

MOTION

Motion was made by Clark, seconded by Steen, to adopt Ordinance No. 152, 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. 153, 2018

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND APPROVING CHANGE ORDER NO. 1 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND MORRIS CONTRACTING DECREASING THE CONTRACT AMOUNT BY \$67,184.76 FOR A CONTRACT REGARDING THE INSTALLATION OF UP TO 100 BLOW-OFFS/FLUSHING HYDRANTS FOR THE DEPARTMENT OF ENGINEERING AND UTILITIES, DIVISION OF WATER DISTRIBUTION.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Change Order No. 1 in the contract authorized by Ordinance No. 26, 2017 between the City of Ashland, Kentucky and Morris Contracting for the installation of up to 100 blow-offs/flushing hydrants pursuant to the requirements contained in 807 KAR 5:066 is hereby approved as follows:

Change Order No. 1

Original Contract Price	\$139,620.00
Previous Change Orders	0.00
Contract Price prior to this Change Order	139,620.00
Net Increase/ <u>Decrease</u> of this Change Order	<u>(67,184.76)</u>
Contract Price with all approved Change Orders	\$72,435.24

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

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

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

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

/s/STEPHEN E. GILMORE
MAYOR

**NOVEMBER 15, 2018 REGULAR MEETING
ORDINANCE NO. 153, 2018 CONTINUED**

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: November 1, 2018
READOPTED BY THE BOARD OF COMMISSIONERS: November 15, 2018
PUBLISHED:

MOTION

Motion was made by Gute, seconded by Steen, to adopt Ordinance No. 153, 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. 154, 2018

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ADOPTING THE HOUSING CHOICE VOUCHER (HCV) PROGRAM UTILITY ALLOWANCE SCHEDULE FOR THE CITY OF ASHLAND, COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT, DIVISION OF ASSISTED HOUSING (SECTION 8).

WHEREAS, the Public Housing Authority established a utility allowance schedule used to determine family share of rent and housing assistance subsidy, and WHEREAS, the City of Ashland is required to revise said utility allowance schedule if there has been a change of ten percent (10%) or more in any utility rate; NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. The Ashland Board of City Commissioners hereby adopts the Housing Choice Voucher (HCV) Program Utility Allowance Schedule effective January 1, 2019 for the City of Ashland, Community and Economic Development Department, Division of Assisted Housing (Section 8). A copy of said Utility Allowance Schedule is attached hereto and made a part hereof by reference.

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: November 1, 2018
READOPTED BY THE BOARD OF COMMISSIONERS: November 15, 2018
PUBLISHED:

**NOVEMBER 15, 2018 REGULAR MEETING
ORDINANCE NO. 154, 2018 CONTINUED**

MOTION

Motion was made by Gute, seconded by Clark, to adopt Ordinance No. 154, 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. 155, 2018

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING ORDINANCE NO. 34, SERIES OF 2015, COMMONLY KNOWN AND REFERRED TO AS THE "FIREWORKS ORDINANCE" TO INCLUDE REGULATIONS REGARDING THE DISCHARGE OF CONSUMER FIREWORKS AND THE DISPLAY OF OTHER FIREWORKS WITHIN THE CITY.

* * * * *

WHEREAS, it is the desire of the Board of City Commissioners to establish regulations for use of consumer fireworks and display of other fireworks within the City in the interest, welfare and public safety of its citizens, to establish a permitting process and to set fines for the violation of such regulations;

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

SECTION 1. That Ordinance No. 34, Series of 2015, being an ordinance entitled, "AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, REGULATING AND CONTROLLING THE STORAGE AND THE SALES OF CONSUMER FIREWORKS WITHIN THE CITY OF ASHLAND, KENTUCKY, ADOPTING BY REFERENCE KENTUCKY REVISED STATUTES 227.700 THROUGH AND INCLUDING KRS 227.990; SPECIFYING WHERE FIREWORKS MAY BE STORED OR SOLD AND SETTING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE AND REPEALING ORDINANCE NO. 95, SERIES OF 1986," which is commonly known and referred to as the "Fireworks Ordinance" be and said ordinance is hereby amended as follows, such amendments shown by underscoring all newly inserted language and by a single broken line through all deleted language:

SECTION 1. That the City of Ashland, Kentucky, hereby adopts and makes a part of this ordinance by reference Kentucky Revised Statutes 227.700 through and including ~~KRS 227.990~~ KRS 227.992 including the definitions contained therein unless the context requires otherwise. All of the provisions of KRS 227.700 to KRS 227.992 apply to the sale, storage, display, possession of fireworks within the City, and any portion of this Ordinance determined to be in conflict therewith, shall have no force or effect, and the provisions of this Ordinance are intended to enhance the regulatory scheme set out in the reference sections of the Kentucky Revised Statutes.

SECTION 2. Persons eighteen (18) years of age or older may discharge, use, ignite, fire or explode those consumer fireworks authorized by KRS 227.702 (2) and (3) provided that they not do so within 200 ft. of any building, vehicle or person. Fireworks, including consumer fireworks, may only be discharged or used between the hours of noon and 11:00 p.m. from June 30 through July 4, on December 31 and/or any day on which the Paul G. Blazer High School football team plays a game at Putnam Stadium. Such activity shall be unlawful at all other times, dates and places within the City except as otherwise provided herein.

**NOVEMBER 15, 2018 REGULAR MEETING
ORDINANCE NO. 155, 2018 CONTINUED**

Any person wishing to use, ignite, fire, or explode those fireworks in the City authorized by KRS Chapter 227 and this Ordinance on any other days shall obtain a permit from the City Fire Chief or his designee with the issuance of the permit conditioned on the applicant complying with all applicable state statutes and regulations and this Ordinance. The permit application shall be filed no later than fifteen days prior to the proposed use of the fireworks and shall be on a form provided by the City.

The permit, if granted, shall be valid for a four (4) hour period on the permitted date between the hours of noon and 11:00 p.m. Consumer fireworks, as defined in KRS 227.702 (2) and (3) may only be used by individuals eighteen (18) years of age or older and shall NOT be ignited within two hundred (200) feet of any structure, vehicle, or any other person. Fireworks, including consumers fireworks, shall not be ignited or discharged from a motor vehicle and shall not be ignited nor discharged on property of another without the consent of the owner or occupant nor on public property.

SECTION ~~2~~ 3. That the storage and the sale of fireworks must be conducted in accordance with and only in areas permitted for storage and/or retail sales under the City of Ashland Zoning Ordinance.

SECTION ~~3~~ 4. Consumer fireworks sold shall be limited to those as described by Kentucky Revised Statutes.

a. No person, firm, partnership, corporation or other business entity shall offer for sale, expose for sale, sell at retail, keep with the intent to sell, possess, use or explode any display fireworks, except as authorized in KRS 227.710.

b. The Fire Chief may grant permits for supervised public displays of fireworks with such public displays handled by a competent display operator. All public displays must comply with the provisions of KRS 227.710 and no permit shall be approved without documentation that the display has been approved by the State Fire Marshal. The permit shall be valid only for the specific authorized public display event, shall be valid only for the designated permittee and shall not be transferable.

SECTION ~~4~~ 5. The storage and the sale of consumer fireworks within the City of Ashland must be made within the confines of a ~~permanent temporary~~ structure and such storage and sale of consumer fireworks shall not be within or from any ~~temporary permanent~~ structure.

SECTION ~~5~~ 6. The storage and the retail sales of consumer fireworks shall comply with all Federal and State Rules and Regulations.

SECTION ~~6~~ 7. All persons involved in the storage and the sale of consumer fireworks must be eighteen (18) years of age or older.

SECTION ~~7~~ 8. Sales of fireworks shall not be made to any person who is not at least eighteen (18) years of age at the time of said sale.

SECTION ~~8~~ 9. There shall be fire extinguishers on the premises where fireworks are stored and/or sold pursuant to the National Fire Protection Association ("NFPA") 1 (NFPA 1:Fire Code) and 101 (NFPA 101:Life Safety Code).

SECTION ~~9~~ 10. There shall be a functioning telephone on the premises wherever consumer fireworks are stored or sold and said telephone shall be easily accessible at all times for the purpose of calling the Fire Department or summoning any other needed assistance.

SECTION ~~10~~ 11. There shall be no smoking permitted on the premises where consumer fireworks are stored or offered for sale and appropriate "NO SMOKING" signs shall be conspicuously displayed on said premises.

SECTION ~~11~~ 12. There shall be no storage or sale of consumer fireworks within any of the residential zones as defined in the City of Ashland Zoning Ordinance.

**NOVEMBER 15, 2018 REGULAR MEETING
ORDINANCE NO. 155, 2018 CONTINUED**

SECTION ~~12~~ 13. Anyone storing consumer fireworks or offering consumer fireworks for sale shall obtain a City of Ashland Business Privilege License and shall conspicuously display same on the premises at all times.

SECTION ~~13~~ 14. The storekeeper or vendor of fireworks shall maintain a current inventory control sheet which shall be kept on the premises and available for inspection at all times.

SECTION ~~14~~ 15. There shall be no storage or sale of consumer fireworks on premises which sell gasoline or petroleum products.

SECTION ~~15~~ 16. There shall be no sleeping accommodations within the premises where consumer fireworks are stored or offered for sale and no one shall be allowed to sleep within said premises.

SECTION ~~16~~ 17. The premises where consumer fireworks are stored or offered for sale shall be available for reasonable inspection at all times by designated authorities of the City of Ashland, Kentucky.

SECTION ~~17~~ 18. There shall be no storage or sales of consumer fireworks within One Hundred Feet (100 ft.) of any gasoline storage tanks or gasoline dispensing pumps.

SECTION ~~18~~ 19. All advertising of consumer fireworks for sale shall conform with the City of Ashland Sign Ordinance and the City of Ashland Zoning Ordinance.

~~SECTION 19. It shall be illegal to store or to offer for retail sale or to sell at retail any consumer fireworks without first obtaining and having in force a valid fireworks permit issued by the State Fire Marshal.~~

SECTION 20. The permit for storage or the retail sale of consumer fireworks shall be prominently displayed at all times on the premises where consumer fireworks are stored or offered for sale and the permit shall be available for inspection at all times.

Due to the need to closely inspect and monitor the sale of fireworks, the City hereby imposes fees to cover the cost of the inspection of facilities and inspections of the sale of fireworks. The fees for permits required by this Ordinance are as follows:

a. There shall be no fee for the review, issuance and inspections for the fireworks permit or for the use permit required in Section 2 above.

b. The fee for the review, issuance, and inspections for a seasonal fireworks retail permit and a permanent fireworks retail permit for the sale of consumer fireworks as defined in KRS 227.702(1) shall be twenty-five (\$25.00) dollars for the initial annual permit and the same for each annual renewal. This permit fee shall be in addition to all other occupational license fees payable by the permittee.

c. The fee for the review, issuance and inspections for a seasonal fireworks retail permit for the sale of consumer fireworks as defined in KRS 227.702(2) and (3) shall be one thousand (\$1,000.00) dollars annually. This permit fee shall be in addition to all other occupational license fees payable by the permittee. If consumers fireworks as defined in KS 227.702(1) are also sold, the total annual shall be one thousand (\$1,000.00) dollars.

d. All permits required by this Ordinance shall be issued by the Fire Chief or his designee. All permit fees shall be payable to the City of Ashland and are to be submitted to the City's Finance Department located in the City building prior to the issuance of any permit.

~~SECTION 21. Any person, firm or corporation violating the provisions of this ordinance or Kentucky Revised Statutes 227.702 to 227.750 shall be subject to a fine not more than One Thousand Dollars (\$1,000.00) or imprisoned in the county jail for not more than thirty (30) days, or both, and each violation shall constitute a separate offense.~~

NOVEMBER 15, 2018 REGULAR MEETING
ORDINANCE NO. 155, 2018 CONTINUED

a. Any person convicted of violating Section 2 shall be deemed guilty of a violation and subject to the monetary fine set out in KRS 534.040.

b. Any person convicted of violating the remaining provisions of this Ordinance shall be deemed guilty of a misdemeanor and shall be fined not more than one thousand (\$1,000.00) dollars or imprisoned for not more than thirty (30) days, or both and each violation shall constitute a separate offense.

c. The Fire Chief may revoke or suspend the permit of any person or business entity that violates the provisions of this Subchapter, including but not limited to, the failure of the permittee to comply with Subchapter and other laws and regulations involving the sale, display or storage of fireworks, the failure of the permittee to pay the appropriate permit fees and other taxes and fees payable to the City, and the submission by the permittee of an application that contains material false or untrue statements.

d. Any fireworks stored, sold or used in violation of this Ordinance may be removed by the Fire Chief or his designee in cooperation with the State Fire Marshal pursuant to the provisions of KRS 227.750.

SECTION 22. The sections, subsections, paragraphs, sentences, phrases and words of this ordinance are severable and should any of the same be held unenforceable or unconstitutional, the remaining sections of the ordinance shall continue to be enforced.

SECTION 23. That Ordinance No. 95, Series of 1986 and all ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 24. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 2. 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: November 1, 2018
 READOPTED BY THE BOARD OF COMMISSIONERS: November 15, 2018
 PUBLISHED:

MOTION

Motion was made by Steen, seconded by Gute, to adopt Ordinance No. 155, 2018, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

**NOVEMBER 15, 2018 REGULAR MEETING
ORDINANCE NO. 156, 2018**

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 156, 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 ARROW ELECTRIC CO., INC. FOR THE 1200 BLOCK OF WINCHESTER AVENUE STREETScape TRAFFIC SIGNALIZATION, MAST ARM INSTALLATION AND STREET BORING IN THE AMOUNT OF \$106,075.00 FOR THE DEPARTMENT OF PUBLIC SERVICES AND UTILITY OPERATIONS.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Stephen E. Gilmore, Mayor, be and he is hereby authorized and directed to execute a contract between the City of Ashland, Kentucky and Arrow Electric Co., Inc. for the 1200 block of Winchester Avenue Streetscape Traffic Signalization, Mast Arm installation, and street boring in an amount not to exceed \$106,075.00. A copy of said contract is attached hereto and made a part hereof by reference.

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

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

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

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: November 1, 2018
READOPTED BY THE BOARD OF COMMISSIONERS: November 15, 2018
PUBLISHED:

MOTION

Motion was made by Clark, seconded by Perkins, to adopt Ordinance No. 156, 2018, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

**NOVEMBER 15, 2018 REGULAR MEETING
ORDINANCE NO. 157, 2018**

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 157, 2018

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ADOPTING BY REFERENCE THE 2018 KENTUCKY BUILDING CODE AND THE 2018 KENTUCKY RESIDENTIAL CODE AS PROMULGATED IN KAR 815 7:120 AND 815 KAR 7:125 AND/OR APPROVED BY THE COMMONWEALTH OF KENTUCKY'S BOARD OF HOUSING, BUILDINGS AND CONSTRUCTION, AND AS MAY BE SUBSEQUENTLY REVISED OR AMENDED, AND REPEALING ORDINANCE NO. 116, SERIES OF 2013.

WHEREAS, KRS 198B.060(1), requires that all buildings constructed in Boyd County shall be built in conformance with the Uniform State Building Code as adopted by the Kentucky Board of Housing, Buildings and Construction, and

WHEREAS, KRS 198B.060 authorizes the legislative body of the City of Ashland, Boyd County, Kentucky, to adopt the Kentucky Building Code prior to the required effective date, and

WHEREAS, KRS 198B.060(5) authorizes the city, county or urban county government to extend, by ordinance, the application of the Kentucky Building Code to single family dwellings, and

WHEREAS, it is in the best interest of the City of Ashland to protect the public health and safety of its residents by requiring all new structures to be built according to standard criteria;

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

SECTION 1. That Ordinance No. 116, Series of 2013, is hereby repealed.

SECTION 2. That the 2018 Kentucky Building Code and the 2018 Kentucky Residential Code as promulgated and/or approved by the Commonwealth's Board of Housing, Buildings and Construction, and as they may be revised or amended, are hereby adopted in full as an Ordinance of the City of Ashland, Boyd County, Kentucky, by reference, as if set out at length herein.

SECTION 3. That copies of the above Codes, together with copies of all regulations or pamphlets adopted or referred to thereunder, shall be kept on file in the Office of Code Enforcement of the City of Ashland. Such Codes shall be made available for reference at all times during the regular office hours of such officials.

SECTION 4. That an attested copy of this Ordinance shall be transmitted to the Department of Housing, Buildings and Construction of the Commonwealth of Kentucky.

SECTION 5. That the Department of Community and Economic Development, Division of Code Enforcement, shall be the designated local enforcement agency for the above codes.

SECTION 6. That all ordinances or parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 7. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 8. It is hereby authorized that publication of this ordinance be in summary form.

/s/STEPHEN E. GILMORE
MAYOR

**NOVEMBER 15, 2018 REGULAR MEETING
ORDINANCE NO. 157, 2018 CONTINUED**

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: November 1, 2018
READOPTED BY THE BOARD OF COMMISSIONERS: November 15, 2018
PUBLISHED:

MOTION

Motion was made by Perkins, seconded by Steen, to adopt Ordinance No. 157, 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. 158, 2018

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING SECTION 4 OF ORDINANCE NO. 73, SERIES OF 2008, AS PREVIOUSLY AMENDED BY ORDINANCE NO. 113, SERIES OF 2009, WHICH ESTABLISHED SUBSTANTIVE AND PROCEDURAL REQUIREMENTS FOR BUILDING AND DEMOLITION PERMITS AND FIXING THE FEES TO BE CHARGED BY THE CITY OF ASHLAND.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Section 4 of Ordinance No. 73, series of 2008, being an ordinance entitled, “AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ESTABLISHING SUBSTANTIVE AND PROCEDURAL REQUIREMENTS FOR BUILDING AND DEMOLITION PERMITS AND FIXING THE FEES TO BE CHARGED BY THE CITY OF ASHLAND AND REPEALING ORDINANCE NO. 47, SERIES OF 1997, AND ALL AMENDMENTS THERETO,” be and said section is hereby amended as follows, such amendments shown by underscoring all newly inserted language and by a single broken line through all deleted language:

SECTION 4. FEES

Building Permit Fees

No permit shall be issued until the fees prescribed in this section shall have been paid. No amendment to a permit shall be approved until the additional fee, if any, due to an increase in the estimated cost of the building or structure, shall have been paid.

Exception: Ramps constructed with wood are not required to pay a permit fee, but are still required to have a building permit.

All construction and remodeling:

Valuation	Fee
\$1 – 1,000	\$25.00
\$1,001 – 50,000	\$25.00 plus \$6 per \$1,000
\$50,001 – 250,000	\$325.00 plus \$5 per \$1,000 over \$50,000
\$250,001 – 1,000,000	\$1325 plus \$4 per \$1,000 over \$250,000
\$1,000,000 -	\$4325 plus \$3 per \$1,000 over \$1,000,000

**NOVEMBER 15, 2018 REGULAR MEETING
ORDINANCE NO. 158, 2018 CONTINUED**

Moving: \$10.00 per \$1,000 value
Demolition: \$10.00 per \$1,000 cost

Signs: \$0.25 per square foot or sign areas
\$25.00 minimum per business site/application

State Jurisdiction

**All projects that the Commonwealth of Kentucky has jurisdiction, a permit fee will only be charged to cover services provided, if any, by the City of Ashland building department. 100% surcharge for requests received after construction has started.

Plan Review Fees

No permit shall be issued where a Plan Review is required until the fees prescribed in this section have been paid. No amendment to a permit shall be approved until the additional fee, if any, due to an increase in the Plan Review, shall have been paid.

All Plan Review:

The City of Ashland hereby adopts by reference the Plan Review Fee Schedule as established by the Commonwealth of Kentucky in the 2018 Kentucky Building Code, effective ~~July 2007~~ January 2019. ~~A true copy of said schedule is attached hereto.~~

SECTION 2. 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: November 1, 2018
READOPTED BY THE BOARD OF COMMISSIONERS: November 15, 2018
PUBLISHED:

MOTION

Motion was made by Clark, seconded by Gute, to adopt Ordinance No. 158, 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. 159, 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, KENTUCKY AND ASHLAND CITY FIREFIGHTERS, LOCAL 706, INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, AFL-CIO-CLC.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

**NOVEMBER 15, 2018 REGULAR MEETING
ORDINANCE NO. 159, 2018 CONTINUED**

SECTION 1. That Stephen E. Gilmore, Mayor, be and is hereby authorized and directed to execute an agreement between the City of Ashland, Kentucky and Ashland City Firefighters, Local 706, International Association of Firefighters, AFL-CIO-CLC. A copy of said agreement is attached hereto and made a part hereof by reference.

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

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

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

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: November 1, 2018
READOPTED BY THE BOARD OF COMMISSIONERS: November 15, 2018
PUBLISHED:

MOTION

Motion was made by Perkins, seconded by Steen, to adopt Ordinance No. 159, 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. 160, 2018

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ACCEPTING THE PROPOSAL OF COMMONWEALTH ECONOMICS PARTNERS, LLC TO PROVIDE CONSULTING SERVICES TO THE CITY OF ASHLAND FOR THE DOWNTOWN REDEVELOPMENT PROJECT AS IT RELATES TO THE STATE INCENTIVE PROGRAM FOR THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT IN THE AMOUNT OF \$3,500.00 PER MONTH PLUS EXPENSES FOR A MINIMUM OF THREE (3) MONTHS.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That the Board of City Commissioners of the City of Ashland, Kentucky hereby accepts the proposal of Commonwealth Economics Partners, LLC to provide consulting services to the City of Ashland for the downtown redevelopment project as it relates to the State Incentive Program for the Department of Community and Economic Development in the amount of \$3,500.00 per month plus expenses for a minimum of three (3) months. A copy of said Proposal 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.

**NOVEMBER 15, 2018 REGULAR MEETING
ORDINANCE NO. 160, 2018 CONTINUED**

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: November 1, 2018
READOPTED BY THE BOARD OF COMMISSIONERS: November 15, 2018
PUBLISHED:

MOTION

Motion was made by Clark, seconded by Steen, to adopt Ordinance No. 160, 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. 161, 2018

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING SECTION 2 OF ORDINANCE NO. 101, SERIES OF 2018, WHICH IS COMMONLY KNOWN AND REFERRED TO AS THE "BUDGET ORDINANCE" OF THE CITY OF ASHLAND.

* * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Section 2 of Ordinance No. 101, series of 2018, being an ordinance entitled, "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," which is commonly known and referred to as the "Budget Ordinance" be and said section is 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. That the following appropriations be and the same are hereby made from revenues on hand and to be received during the year 2018-2019 by the City of Ashland, Kentucky:

FROM GENERAL FUND

FOR:	
DEPARTMENT OF GENERAL GOVERNMENT	\$ 5,821,159
DEPARTMENT OF FINANCE	648,118
DEPARTMENT OF PUBLIC SERVICES	4,912,125 <u>4,917,944</u>
DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT	743,522
DEPARTMENT OF POLICE	5,137,811 <u>5,186,997</u>
DEPARTMENT OF FIRE	6,135,515
DEPARTMENT OF CITY ENGINEER	214,990
 TOTAL FROM GENERAL FUND	 \$ 23,613,240 <u>23,668,245</u>

**NOVEMBER 15, 2018 REGULAR MEETING
ORDINANCE NO. 161, 2018 CONTINUED**

FROM TAX INCREMENT FINANCE FUND

FOR:
DIVISION OF TAX INCREMENT FINANCING \$ ~~297,225~~ 1,589,734

FROM MUNICIPAL AID ROAD FUND

FOR:
DIVISION OF MUNICIPAL AID PROGRAM \$ 634,865

FROM COMMUNITY DEVELOPMENT BLOCK GRANT FUND

FOR:
DIVISION OF GENERAL CDBG \$ 102,021
DIVISION OF CDBG ACTIVITIES 1,137,648

TOTAL FROM COMMUNITY DEVELOPMENT BLOCK GRANT \$ 1,239,669

FROM SECTION 8 VOUCHER PROGRAM FUND

FOR:
DIVISION OF SECTION 8 VOUCHER PROGRAM \$ 2,943,755

FROM FLOODWALL OPERATING FUND

FOR:
DIVISION OF FLOODWALL MAINTENANCE \$ ~~186,429~~ 225,450

FROM UTILITY FUND

FOR:
DEPARTMENT OF UTILITY ADMINISTRATION \$ ~~5,545,795~~ 5,680,764
DEPARTMENT OF WATER SERVICES 9,495,162
DEPARTMENT OF WASTWATER 4,620,535

TOTAL FROM UTILITY FUND \$ 19,661,492
19,796,461

FROM ASHLAND BUS SYSTEM FUND

FOR:
DIVISION OF BUS SYSTEM \$ 1,554,761

FROM RECREATION OPERATING FUND

FOR:
DIVISION OF CENTRAL PARK \$ ~~564,669~~ 591,900
DIVISION OF DAWSON PARK POOL 140,080
DIVISION OF SPORTS PARK 98,200
DIVISION OF OTHER PARKS (RECREATION) 144,790

TOTAL FROM RECREATION OPERATING FUND \$ ~~947,739~~ 974,970

FROM ASHLAND CEMETERY FUND

FOR:
DIVISION OF CEMETERY \$ ~~152,993~~ 162,630

**NOVEMBER 15, 2018 REGULAR MEETING
ORDINANCE NO. 161, 2018 CONTINUED**

FROM CAPITAL PURCHASE / IMPROVEMENT FUND

FOR:	
DEPARTMENT OF GENERAL GOVERNMENT	\$ 25,715 <u>150,684</u>
DEPARTMENT OF PUBLIC SERVICES	1,017,995
DEPARTMENT OF POLICE	244,432
DEPARTMENT OF FIRE	237,000
 TOTAL FROM CAPITAL PURCHASE / IMPROVEMENT FUND	 \$ 1,525,142 <u>1,650,111</u>

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:	November 1, 2018
READOPTED BY THE BOARD OF COMMISSIONERS:	November 15, 2018
PUBLISHED:	

MOTION

Motion was made by Gute, seconded by Perkins, to adopt Ordinance No. 161, 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. 26, 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 NOVEMBER 15, 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, November 15, 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

**NOVEMBER 15, 2018 REGULAR MEETING
CONSENT AGENDA CONTINUED**

ATTEST:

/s/SUSAN W. MADDIX
 CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: November 15, 2018

MOTION

Motion was made by Clark, seconded by Gute, to adopt Resolution No. 26, 2018. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

CONSENT AGENDA ITEMS

1. City Manager recommends approval for payment of Pay Request #4 dated October 22, 2018 in the amount of \$34,525.40 to Worldwide Industries Corp. for the repair and repainting of the Catlettsburg Water Storage Tank.
2. City Manager recommends approval for payment of Invoice #283171-5 in the amount of \$108,438.66 to Mountain Enterprises, Inc. for the street paving work completed in September 2018.
3. City Manager recommends approval for payment of Pay Request #10 dated October 15, 2018 in the amount of \$95,381.27 to Tri-State Construction, Inc. for the work completed on the Mill Street Facility Project, Phase II.
4. City Manager requests the Commission consider a proposal to replace the sidewalks on 15th Street between Winchester Avenue and Greenup Avenue on both sides of the road due to the recent work in front of Lara's Bridal, removal of trees by the Stars building and Marine Recruiter's Office and the renovation of the Plaza Hotel.
5. City Manager recommends approval for the installation and payment of 20' and 30' slide gates with operator and keypads at the Wastewater Treatment Plant to Tri-State Fencing, Inc. in the amount of \$26,968.35.
6. City Manager recommends payment of retainage in the amount of \$100,000 to Tribute Contracting and Consulting, LLC for work completed on the 29th Street Storm Water Separation Project.
7. City Manager recommends approval for payment of Fiscal Year 2019 Contribution as approved in FY19 adopted budget of \$83,167 to be paid quarterly to Boyd County Office of Emergency Management.
8. City Manager recommends awarding the bid for the purchase and installation of equipment required to convert existing aerator motors to VFD controlled at the Wastewater Treatment Plant in the amount of \$52,340 to Service Pump & Supply, Department of Public Services & Utility Operations.
9. City Manager recommends the approval to award the bid for the purchase of all labor and materials for tree trimming for a (2) year period to Light's Enterprises, Inc. pursuant to the amounts listed in their bid dated October 18, 2018.
10. City Manager recommends approval for the Mayor to sign an application to the Commonwealth of Kentucky for Expanded Jurisdiction for local building projects currently under the authority of the State Department of Housing and Building Construction.

**NOVEMBER 15, 2018 REGULAR MEETING
CONSENT AGENDA CONTINUED**

11. City Manager recommends the rescission of the appointment of Steffanie M. Forrest to the position of Customer Service Representative, Finance Department, approved by the Commission at the October 25, 2018.
12. City Manager recommends the rescission of the appointments of Joseph K. Ramey and Daniel G. Vossmer to the position of Police Officer previously approved by the Commission on October 25, 2018.
13. City Manager recommends the probationary appointment of Leslie W. Tackett to the position of Customer Service Representative, Grade 105, Finance Department, contingent upon the satisfactory completion of a physical examination.
14. Other Consent Items

**NEW BUSINESS
FIRST READING AND ADOPTION ONLY**

ORDINANCE NO. _____, 2018

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND APPROVING CHANGE ORDER NO. 2 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND MORRIS CONTRACTING INCREASING THE CONTRACT AMOUNT BY \$4,766.40 AND EXTENDING THE CONTRACT REGARDING THE DEBORD TERRACE CONCRETE AND HANDRAIL PROJECT FOR THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT THROUGH THE HOUSING AND URBAN DEVELOPMENT (HUD) 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, 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 MASTER AGREEMENT BETWEEN THE CITY OF ASHLAND, KENTUCKY AND LJB INC. FOR CONSULTING SERVICES REGARDING THE 5TH STREET LIFT STATION RENOVATION IN AN AMOUNT NOT TO EXCEED \$12,800.00.

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.

**NOVEMBER 15, 2018 REGULAR MEETING
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 A CONTRACT BETWEEN THE CITY OF ASHLAND AND SERVICE PUMP & SUPPLY, INC. IN THE AMOUNT OF \$52,340.00 FOR THE PURCHASE AND INSTALLATION OF EQUIPMENT REQUIRED TO CONVERT EXISTING AERATOR MOTORS TO VFD CONTROLLED FOR THE DEPARTMENT OF PUBLIC SERVICES AND UTILITY OPERATIONS, DIVISION OF WASTEWATER TREATMENT.

MOTION

Motion was made by Clark, seconded by Steen, 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, AMENDING ORDINANCE NO. 137, SERIES OF 2000, AS PREVIOUSLY AMENDED, RELATING TO THE TRAFFIC FLOW IN THE ALLEY RUNNING PARALLEL TO WINCHESTER AVENUE AND CARTER AVENUE FROM 12TH STREET TO 13TH STREET.

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 CONTRACT BETWEEN THE CITY OF ASHLAND AND LIGHT'S ENTERPRISES, INC. FOR THE PURCHASE OF ALL LABOR & MATERIALS FOR TREE TRIMMING FOR A TWO (2) YEAR PERIOD FOR THE DEPARTMENT OF PUBLIC SERVICES AND UTILITY OPERATIONS, DIVISION OF STREETS.

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.

**NOVEMBER 15, 2018 REGULAR MEETING
ORDINANCE NO. _____, 2018**

FIRST READING AND ADOPTION ONLY

ORDINANCE NO. _____, 2018

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING ORDINANCE NO. 52, SERIES OF 2016, AS PREVIOUSLY AMENDED, BY AMENDING THE AREA FOR THE ENFORCEMENT OF TWO HOUR PARKING LIMITS WITHIN THE CITY OF ASHLAND TO INCLUDE THE SOUTH SIDE OF CENTRAL AVENUE AND BOTH SIDES OF 14TH STREET FROM CENTRAL AVENUE SOUTH TO THE ALLEY.

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, ADOPTING AMENDMENT 8 FOR CITY EMPLOYEES AND AMENDMENT 7 FOR THE FIRE DEPARTMENT UNION FOR THE CITY OF ASHLAND, KENTUCKY MEDICAL CARE PLAN AND SUMMARY PLAN ADOPTED BY ORDINANCE 46, 2012 AND PREVIOUSLY AMENDED.

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, ESTABLISHING GUIDELINES AND PROCEDURES FOR CONTRIBUTIONS BY THE CITY OF ASHLAND AND REPEALING ORDINANCE NO. 60, SERIES OF 2018.

MOTION

Motion was made by Clark, seconded by Steen, 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.

**NOVEMBER 15, 2018 REGULAR MEETING
DISCUSSION ITEMS**

DISCUSSION ITEM

Responsible Bidder Ordinance – Commissioner Perkins asked the Board to consider a responsible bidder ordinance. He wants to make sure the City is getting the best, most qualified candidates for projects. Commissioner Perkins advised he wants to see contractors making sure we are on time with our projects and getting good quality work which on some recent projects has been less than satisfactory. Commissioner Perkins would like to look at legislative option which can be taken in order to get the best most qualified bidders as the taxpayers deserve.

Mayor Gilmore reported that the City adopted the Model Procurement Code originally in 1979 and has amended it over the years since then. Mayor Gilmore would like to refer this to our Legal Department and Finance Department for review. Two things the Mayor and Commissioner Perkins would like to see added are requirements for OSHA compliance and drug testing. Mayor Gilmore advised the City recently advertised for bids on the 16th Street/Judd Plaza project and received only two bids. Twenty construction companies were notified (union and non-union), several of which picked up the plans. Mayor Gilmore plans to contact each of the companies in order to understand they did not bid.

Corporation Counsel Moore clarified it was mentioned that the City of Grayson recently adopted the Model Procurement Code. The City of Ashland has been under the Model Procurement Code since 1979. The City of Ashland was one of the first cities in Kentucky to adopt the Model Procurement Code. Mr. Moore noted there is a vendor pre-qualification section already in the ordinance.

CAPITAL PROJECT REVIEW COMMITTEE

Motion was made by Perkins, seconded by Steen, to formally create the Capital Project Review Committee. Commissioner Perkins noted no action would be taken by the committee, but this would be an opportunity for members to engage with contractors, city staff and citizens so that the Commission could be better informed as to how to move forward on capital projects. Commissioner Perkins requested the first meeting be held on December 13, 2018 at 9:00 AM. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

TOUR OF HOTEL CURRENTLY UNDER CONSTRUCTION

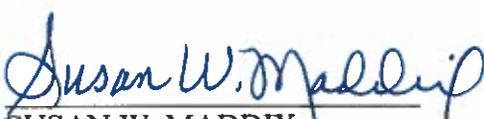
The Commission toured the former Quality Inn, Ashland Plaza Hotel, currently being renovated which will become a Marriott Delta Hotel.

RECESS

Mayor Gilmore declared the meeting recessed at 2:00 PM until November 29, 2018 at 10:00 AM.


STEPHEN E. GILMORE
MAYOR

ATTEST:


SUSAN W. MADDIX
CITY CLERK

