

**REGULAR MEETING  
APRIL 25, 2019**

The Ashland Board of Commissioners met in Regular Session in the Commissioners' Chambers, City Building, Ashland, Kentucky, on Thursday, April 25, 2019, at the hour of 6:00 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, Corporation Counsel; Susan W. Maddix, City Clerk; Todd Kelley, Chief of Police; Greg Ray, Fire Chief; Ryan Eastwood, City Engineer; Tony Grubb, Finance Director; Michelle Veach, Assistant Finance Director; Jack Hunter, Street Superintendent; Sean Murray, Human Resources/Parks & Recreation Director; Chris Pullem, Director of Community and Economic Development; Katherine Utsinger, Economic Development Specialist; Steve Alley, Deputy Fire Chief; Tom Gibbons, Finance Department; Michelle Grubb, Ashland Bus System; and Reporters.

The invocation was given by Commissioner Gute.

The Pledge of Allegiance was conducted.

**AGENDA**

City Manager Graese presented the agenda of April 25, 2019. Motion was made by Clark, 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 Gute, seconded by Clark, to dispense with reading and approve the minutes of the Regular Meeting held on April 11, 2019. 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 reported she participated in mock interviews at Paul G. Blazer High School as she has in past years. During 14 of the 15 interviews, the student interviewed stated that upon completion of college and/or other training, he/she plans to return to Ashland and make a difference. Commissioner Clark was very encouraged to hear that more students are looking to return to the Ashland area.

Commissioner Gute asked the public to remember the Ashland School Safety Patrol in thoughts and prayers for a safe trip to Washington, D.C. He believes this is the 53rd Annual trip and commended the Ashland Police Department. Commissioner Gute announced that the National Day of Prayer event will be held on May 2 at 8:00 AM at the Highlands Museum & Discovery Center on the 4<sup>th</sup> floor.

Commissioner Perkins commended the Ashland Police Department for the great work fighting the drug problem and what the Department is doing to keep drugs off the street.

Mayor Gilmore read the following Proclamation:

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

**WHEREAS**, the travel and tourism industry is important to the City of Ashland and the Boyd County area; and

**REGULAR MEETING APRIL 25, 2019**  
**HEARINGS AND REPORTS CONTINUED**

**WHEREAS**, the tourism industry contributes to economic prosperity, employment opportunities, international trade, peace and goodwill; and

**WHEREAS**, each of us derive benefits from the effects of tourism in that it enhances our personal growth and education, and our awareness of our greater society; and

**WHEREAS**, tourism promotes a cultural understanding and appreciation of the geography, history and people of Ashland.

**NOW, THEREFORE**, I, Stephen E. Gilmore, Mayor of the City of Ashland, Kentucky, in recognition of the significance of the travel and tourism industry to our community, do hereby proclaim the week of May 5th-11th, 2019, as

**“NATIONAL TRAVEL AND TOURISM WEEK”**

in the City of Ashland and ask that all citizens observe this week in appropriate activities.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the seal of Ashland, Kentucky to be affixed this 25th day of April, 2019.

/s/STEPHEN E. GILMORE, MAYOR

*Attest:*

/s/SUSAN W. MADDIX, CITY CLERK

**CERTIFICATE OF APPRECIATION**

Mayor Gilmore presented a Certificate of Appreciation to Jason Smith who worked in our Engineering Department and has accepted a new position with EN Engineering.

**City Manager's Report**

City Manager Graese reported the City has received complaints regarding the boat ramp at the Ashland Riverfront. He reported that work has been scheduled for the week of May 6.

The sale of surplus property is coming up and City Manager Graese advised the date and time will be published on the City's website and in *The Daily Independent* when confirmed.

**Other**

Mayor Gilmore stated there was a well-written letter to the editor recently commending various events and projects within the City; however, a comment was made in the same letter regarding the City constructing the boat ramp “in the wrong place.” Mayor Gilmore replied to that comment that the placement of the boat ramp was due to regulations enforced by the Corps of Engineers.

**PUBLIC PARTICIPATION**

None

**REGULAR MEETING APRIL 25, 2019**  
**ORDINANCE NO. 45, 2019**

**OLD BUSINESS**  
**SECOND READING & FINAL ADOPTION**

**ORDINANCE NO. 45, 2019**

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ADOPTING THE JOB DESCRIPTION FOR THE POSITION OF GIS TECHNICIAN IN THE DEPARTMENT OF ENGINEERING; AMENDING THE AUTHORIZED POSITIONS TO ADD THE POSITION OF GIS TECHNICIAN (TOTAL STAFF TO CONTINUE NOT TO EXCEED FOUR); AND AMENDING THE AUTHORIZED POSITIONS ELIMINATING ONE TECHNICIAN II POSITION AND INCREASING EQUIPMENT OPERATOR BY ONE POSITION IN THE DEPARTMENT OF PUBLIC SERVICES, DIVISION OF STREET MAINTENANCE 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. The job description for the position of GIS Technician is hereby adopted. The Authorized Positions Listing is hereby amended by adding the position of GIS Technician; however, the combined total of the Department of Engineering support staff shall continue not to exceed four (4). The Authorized Positions Listing is hereby amended by eliminating one Technician II position and adding one Equipment Operator position in the Department of Public Services, Division of Street Maintenance. 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

|  |                |
|--|----------------|
| ADOPTED BY THE BOARD OF COMMISSIONERS:   | April 11, 2019 |
| READOPTED BY THE BOARD OF COMMISSIONERS: | April 25, 2019 |
| PUBLISHED:                               |                |

**REGULAR MEETING APRIL 25, 2019**  
**ORDINANCE NO. 45, 2019 CONTINUED**

**MOTION**

Motion was made by Clark, seconded by Steen, to adopt Ordinance No. 45, 2019, 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. 46, 2019**

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND APPROVING CHANGE ORDER NO. 1 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND DIXON ENGINEERING, INC. REGARDING THEIR CONTRACT FOR ENGINEERING AND INSPECTION SERVICES FOR COATING, PAINTING AND REPAIRING THE 1,000,000 GALLON STEEL RESERVOIR (CATLETTSBURG WATER STORAGE TANK) BY INCREASING THE CONTRACT IN THE AMOUNT OF \$15,717.98 FOR THE DEPARTMENT OF UTILITIES.

\* \* \* \* \*

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Change Order No. 1 to the Contract authorized by Ordinance No. 12, 2018, between the City of Ashland, Kentucky and Dixon Engineering, Inc. for providing engineering and inspection services for coating, painting and repairing the 1,000,000-gallon steel reservoir (Catlettsburg Water Storage Tank) is hereby approved as follows:

**Change Order No. 1**

|  |                  |
|--|------------------|
| Original Contract                                  | 46,760.00        |
| Previous Change Orders                             | 0.00             |
| Contract Price prior to this Change Order          | 46,760.00        |
| Net <b>INCREASE</b> /decrease of this Change Order | <u>15,717.98</u> |
| Contract Price with all approved Change Orders     |                  |

**NEW CONTRACT TOTAL** **\$62,477.98**

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

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

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

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

/s/STEPHEN E. GILMORE  
MAYOR

ATTEST:

/s/SUSAN W. MADDIX  
CITY CLERK

**REGULAR MEETING APRIL 25, 2019**  
**ORDINANCE NO. 46, 2019 CONTINUED**

ADOPTED BY THE BOARD OF COMMISSIONERS: April 11, 2019  
 READOPTED BY THE BOARD OF COMMISSIONERS: April 25, 2019  
 PUBLISHED:

**MOTION**

Motion was made by Gute, seconded by Clark, to adopt Ordinance No. 46, 2019, 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. 47, 2019**

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND APPROVING CHANGE ORDER NO. 1 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND NETWORK INNOVATION SOLUTIONS (NIS) IN THE AMOUNT OF \$24,875.69 FOR THE PURCHASE AND INSTALLATION OF AN ACTIVE DIRECTORY SYSTEM FOR THE CONNECTION OF THE NEW TECHNOLOGY INFRASTRUCTURE.

\* \* \* \* \*

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Change Order No. 1 to the Contract authorized by Ordinance No. 136, 2018, between the City of Ashland, Kentucky and Network Innovation Solutions (NIS) regarding the creation of a technology infrastructure connecting all City of Ashland facilities, which includes an upgrade of the City's telephone system, authorizing the purchase and installation of an active directory system is hereby approved as follows:

**Change Order No. 1**

|  |                  |
|--|------------------|
| Original Contract                                  | 249,936.76       |
| Previous Change Orders                             | 0.00             |
| Contract Price prior to this Change Order          | 249,936.76       |
| Net <b>INCREASE</b> /decrease of this Change Order | <u>24,875.69</u> |
| Contract Price with all approved Change Orders     |                  |

**NEW CONTRACT TOTAL** **\$274,812.45**

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

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

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

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

/s/STEPHEN E. GILMORE  
 MAYOR

ATTEST:

/s/SUSAN W. MADDIX  
 CITY CLERK

**REGULAR MEETING APRIL 25, 2019**  
**ORDINANCE NO. 47, 2019 CONTINUED**

ADOPTED BY THE BOARD OF COMMISSIONERS: April 11, 2019  
READOPTED BY THE BOARD OF COMMISSIONERS: April 25, 2019  
PUBLISHED:

**MOTION**

Motion was made by Gute, seconded by Clark, to adopt Ordinance No. 47, 2019, 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. 48, 2019**

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE AN AMENDMENT TO TASK ORDER 2018-02 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND HDR ENGINEERING, INC. REGARDING THE PHASE 2 STORMWATER MS4 COMPLIANCE REPORT IN AN ADDITIONAL AMOUNT OF \$4,060.00 FOR PREPARATION AND SUBMISSION TO THE KENTUCKY DIVISION OF WATER.

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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 an Amendment to Task Order 2018-02 between the City of Ashland, Kentucky and HDR Engineering, Inc. regarding the Phase 2 Stormwater MS4 Compliance Report. Task Order 2018-02 was approved by Ordinance No. 1, Series of 2019, in the amount of \$15,080.00. This Amendment in the amount of \$4,060.00 authorizes HDR Engineering, Inc. to compile the data, prepare and submit the annual compliance report to the Kentucky Division of Water. A copy of said Amendment 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: April 11, 2019  
READOPTED BY THE BOARD OF COMMISSIONERS: April 25, 2019  
PUBLISHED:

**MOTION**

Motion was made by Clark, seconded by Steen, to adopt Ordinance No. 48, 2019, 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 APRIL 25, 2019**  
**ORDINANCE NO. 49, 2019**

**SECOND READING & FINAL ADOPTION**

**ORDINANCE NO. 49, 2019**

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, PROHIBITING THROWING, PLACING, BLOWING OR ALLOWING NOXIOUS WEEDS, RANK VEGETATION, GRASS CLIPPINGS OR LEAVES UPON ANY STREET, ROADWAY, AVENUE, HIGHWAY OR ALLEY AND/OR INTO ANY GUTTER, STORM DRAIN OR WATERCOURSE WITHIN THE CITY OF ASHLAND; PROVIDING A FINE FOR THE VIOLATION OF THIS ORDINANCE AND REPEALING R.O. 1939, §1441.

\* \* \* \* \*

WHEREAS, to provide for the health, safety and general welfare of the citizens of Ashland through the regulation of non-stormwater discharges to the stormwater drainage system;

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

SECTION 1. That it shall be unlawful for any person to throw, place, blow or allow noxious weeds, rank vegetation, grass clippings or leaves from the lawn or yard as follows:

- (a) upon any streets, roadways, avenues, highways or alleys of the City of Ashland
- (b) in the gutters of any streets, roadways, avenues, highways or alleys of the City of Ashland
- (c) in any storm drain or watercourse of the City of Ashland

SECTION 2. That it shall be unlawful for any person to operate any lawn mower, lawn sweep or other mechanical device used for cutting weeds or grass or collecting leaves in such a manner as to permit or cause the weeds, grass clippings or leaves discharged from said lawn mower, lawn sweep or other mechanical device to be deposited, thrown, placed or blown onto any street, roadway, avenue, highway, alley, gutter, storm drain or watercourse of the City of Ashland.

SECTION 3. Any person who violates any provision of this ordinance shall be punished by a fine not exceeding Two Hundred and Fifty Dollars (\$250.00) nor more than the limits set forth in Kentucky Revised Statutes 534.040. Every day any violation shall continue shall constitute a separate offense.

SECTION 4. That R.O. 1939 §1441 is hereby repealed. All other ordinances and parts of ordinances in conflict with herewith, to the extent of such conflict only, are hereby repealed.

SECTION 5. 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

**REGULAR MEETING APRIL 25, 2019**  
**ORDINANCE NO. 49, 2019 CONTINUED**

ADOPTED BY THE BOARD OF COMMISSIONERS: April 11, 2019  
 READOPTED BY THE BOARD OF COMMISSIONERS: April 25, 2019  
 PUBLISHED:

**MOTION**

Motion was made by Gute, seconded by Clark, to adopt Ordinance No. 49, 2019, 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. 50, 2019**

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, CLOSING AN UNIMPROVED PORTION OF CEDAR STREET LOCATED BETWEEN JENKINS STREET AND BLACKBURN AVENUE AND RUNNING PARALLEL TO 6<sup>TH</sup> STREET IN THE CITY OF ASHLAND, KENTUCKY.

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WHEREAS, at the request of Randy Heaberlin of 200 Jenkins Street, Ashland, it has been determined that an unimproved portion of Cedar Street located between Jenkins Street and Blackburn Avenue and running parallel to 6<sup>th</sup> Street will serve a more useful public purpose if the herein described unimproved portion of Cedar Street is closed; and

WHEREAS, the City Commission has identified the property owners in or abutting the portion of the public right-of-way to be closed to be Randell L. Heaberlin and Michelle B. Heaberlin; and

WHEREAS, pursuant to KRS 82.405(2), written notice of the proposed closing was given to the property owners in or abutting that portion of Cedar Street that is described in Exhibit A, and the property owner in or abutting that portion of the public right-of-way has agreed to the closing of the that unimproved portion of Cedar Street, with said consent being attached hereto as Exhibit B; and,

WHEREAS, the City of Ashland Planning Commission, as set forth in the minutes and records of Case No. RW19-02-01, has recommended to the Ashland City Commission that the unimproved portion of Cedar Street located between Jenkins Street and Blackburn Avenue and running parallel to 6<sup>th</sup> Street and being in the City of Ashland be closed as said closing is in compliance with the guidelines, principles and objectives of the Comprehensive Plan; and

WHEREAS, the City Commission concurs in and adopts the Findings of Fact of the Ashland Planning Commission in Case No. RW19-02-01 and approves and accepts the recommendation of the Ashland Planning Commission as set out in said minutes and records;

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

SECTION 1. That the unimproved portion of Cedar Street located between Jenkins Street and Blackburn Avenue and running parallel to 6<sup>th</sup> Street more particularly described in Exhibit A and in the minutes and records of the Ashland Planning Commission Case No. RW16-07-01 be closed, subject to all existing easements of record and all existing utility easements or rights enjoyed by said utility companies as the result of being located in, on or over said right-of-way.

SECTION 2. The City Attorney is hereby directed to take any and all actions necessary with respect to this ordinance to close the unimproved portion of Cedar Street located between Jenkins Street and Blackburn Avenue and running parallel to 6<sup>th</sup> Street.

**REGULAR MEETING APRIL 25, 2019**  
**ORDINANCE NO. 50, 2019 CONTINUED**

SECTION 3. The City Commission hereby authorizes and directs the Mayor to sign any and all documents necessary to effectuate the intent of this ordinance.

SECTION 4. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 5. 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: April 11, 2019  
READOPTED BY THE BOARD OF COMMISSIONERS: April 25, 2019  
PUBLISHED:

**MOTION**

Motion was made by Gute, seconded by Steen, to adopt Ordinance No. 50, 2019, 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. 51, 2019**

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 TRIPLE B CONSTRUCTION FOR THE 5<sup>TH</sup> STREET LIFT STATION RENOVATION PROJECT IN THE AMOUNT OF \$41,125.50 FOR THE DEPARTMENT OF UTILITIES, DIVISION OF WASTEWATER COLLECTION.

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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 Triple B Construction for the 5<sup>th</sup> Street Lift Station Renovation Project in the amount of \$41,125.50 for the Department of Utilities, Division of Wastewater Collection. 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

**REGULAR MEETING APRIL 25, 2019**  
**ORDINANCE NO. 51, 2019 CONTINUED**

ADOPTED BY THE BOARD OF COMMISSIONERS: April 11, 2019  
READOPTED BY THE BOARD OF COMMISSIONERS: April 25, 2019  
PUBLISHED:

**MOTION**

Motion was made by Clark, seconded by Gute, to adopt Ordinance No. 51, 2019, 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. 52, 2019**

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 SOUTHERN OHIO TRENCHING & EXCAVATING FOR THE WATERLINE REPLACEMENT ON U.S. 23 FROM 43<sup>RD</sup> STREET (ASHLAND) TO 11<sup>TH</sup> STREET (CATLETTSBURG) IN THE AMOUNT OF \$429,705.00 FOR THE DEPARTMENT OF UTILITIES, DIVISION OF WATER DISTRIBUTION.

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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, Kentucky be and is hereby authorized to execute a contract between the City of Ashland, Kentucky, and Southern Ohio Trenching & Excavating for the waterline replacement on U.S. 23 from 43<sup>rd</sup> Street in Ashland to 11<sup>th</sup> Street in Catlettsburg in the amount of \$429,705.00 for the Department of Utilities, 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: April 11, 2019  
READOPTED BY THE BOARD OF COMMISSIONERS: April 25, 2019  
PUBLISHED:

**MOTION**

Motion was made by Gute, seconded by Perkins, to adopt Ordinance No. 52, 2019, 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 APRIL 25, 2019**  
**ORDINANCE NO. 53, 2019**

**SECOND READING & FINAL ADOPTION**

**ORDINANCE NO. 53, 2019**

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE A CONTRIBUTION – IN – AID – OF - CONSTRUCTION AGREEMENT FOR ELECTRIC DISTRIBUTION SERVICE BETWEEN THE CITY OF ASHLAND, KENTUCKY, AND KENTUCKY POWER COMPANY FOR THE INSTALLATION OF NEW THREE-PHASE LINE, 3 -25 KVA 120/240 V XFMR WITH 2/04 SERVICE AND THE REMOVAL OF THE OLD PRIMARY LINE, ONE LARGE TREE AND SIDE CUT ONE TREE AT THE 24-MILLION GALLON RAW WATER RESERVOIR FOR THE DEPARTMENT OF UTILITIES, DIVISION OF WATER TREATMENT PLANT, AT A COST OF \$3,655.06.

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BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That the Mayor, Stephen E. Gilmore, is hereby authorized and directed to execute on behalf of said City a Contribution-In-Aid-Of-Construction Agreement for electric distribution service between the City of Ashland and Kentucky Power Company for the installation of new 3-Phase line, 3 -25 KVA 120/240 V XFMR with 2/04 service; the removal of the old primary line, the removal of one large tree and the side cut of one tree at the 24-million gallon raw water reservoir for the Department of Utilities, Division of Water Treatment Plant at a cost of \$3,655.06. Said agreement is attached hereto and made a part hereof by reference.

SECTION 2. All other ordinances or 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: April 11, 2019  
READOPTED BY THE BOARD OF COMMISSIONERS: April 25, 2019  
PUBLISHED:

**MOTION**

Motion was made by Gute, seconded by Clark, to adopt Ordinance No. 53, 2019, 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 APRIL 25, 2019**  
**ORDINANCE NO. 54, 2019**

**SECOND READING & FINAL ADOPTION**

**ORDINANCE NO. 54, 2019**

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 HORIZON BROTHERS PAINTING CORPORATION FOR THE REPAIR AND PAINTING OF THE SUMMIT WATER STORAGE TANK IN THE AMOUNT OF \$215,800.00 FOR THE DEPARTMENT OF UTILITIES, 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 Horizon Brothers Painting Corporation for the repair and painting of the Summit Water Storage Tank in an amount not to exceed \$215,800.00 for the Department of Utilities, 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: April 11, 2019  
READOPTED BY THE BOARD OF COMMISSIONERS: April 25, 2019  
PUBLISHED:

**MOTION**

Motion was made by Clark, seconded by Steen, to adopt Ordinance No. 54, 2019, 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. 10, 2019**

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 APRIL 25, 2019.

**REGULAR MEETING APRIL 25, 2019**  
**CONSENT AGENDA CONTINUED**

\* \* \* \* \*

BE IT RESOLVED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. The Board of City Commissioners hereby adopts, authorizes and approves the action presented by the City Manager on each item appearing on the "Consent Agenda" for the regular meeting, April 25, 2019, 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: April 25, 2019

**MOTION**

Motion was made by Clark, seconded by Gute, to adopt Resolution No. 10, 2019. Upon roll call, voting aye were Commissioners Clark, Gute, Steen and Mayor Gilmore. Nay – none. Abstain – Commissioner Perkins. Motion passed.

**CONSENT AGENDA ITEMS**

1. City Manager recommends authorizing payment in the amount of \$27,204.60 to Planet Technologies for Microsoft 365 software subscription renewal that includes Microsoft Office packages, email, archiving for use City wide.
2. City Manager recommends approval to award the bid for the placement and replacement of bituminous asphalt material for the 2019 street paving season in the amount of \$865,375 to Mountain Enterprises, Inc., Department of Public Services.
3. City Manager recommends authorizing the Mayor to sign a Certification of Local Approval for Non-Profit Organizations for projects proposed by Shelter of Hope, Inc., applying with Kentucky Housing Corporation for Emergency Solutions Grant Funds from the Department of Housing and Urban Development.
4. City Manager recommends authorizing the Mayor to sign a Certification of Local Approval for Non-Profit Organizations for projects proposed by Safe Harbor of Northeast KY, applying with Kentucky Housing Corporation for Emergency Solutions Grant Funds from the Department of Housing and Urban Development.
5. City Manager recommends authorizing the Mayor to sign a Certification of Local Approval for Non-Profit Organizations for projects proposed by CARES, applying with Kentucky Housing Corporation for Emergency Solutions Grant Funds from the Department of Housing and Urban Development.
6. City Manager recommends the rescission of Christopher J. Dorner to the position of Water Distribution Operator I, Water Distribution/Meter Services Division, Public Services & Utility Operations Department, originally approved by the Commission on March 14, 2019.

**REGULAR MEETING APRIL 25, 2019**  
**CONSENT AGENDA CONTINUED**

7. City Manager recommends the appointment of Andrew K. Wheeler to the position of Part-time Corporation Counsel, Grade 117, contingent upon satisfactory completion of a physical examination.
8. Other Consent Items

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

**ORDINANCE NO. \_\_\_\_\_, 2019**

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ADOPTING AMENDMENT 9 FOR CITY EMPLOYEES AND AMENDMENT 8 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, DUE TO THE NAME CHANGE OF THE ORGAN AND TRANSPLANT POLICY PROVIDER.

**MOTION**

Motion was made by Gute, seconded by Perkins, to adopt Ordinance No. \_\_\_\_\_, 2019, 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. \_\_\_\_\_, 2019**

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 MOUNTAIN ENTERPRISES, INC. FOR THE PLACEMENT AND REPLACEMENT OF BITUMINOUS ASPHALT MATERIAL FOR THE 2019 STREET PAVING PROGRAM IN THE AMOUNT OF \$865,375.00 FOR THE CITY OF ASHLAND, DEPARTMENT OF PUBLIC WORKS.

**MOTION**

Motion was made by Clark, seconded by Steen, to adopt Ordinance No. \_\_\_\_\_, 2019, 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 APRIL 25, 2019**  
**ORDINANCE NO. \_\_\_\_\_, 2019**

**FIRST READING AND ADOPTION ONLY**

**ORDINANCE NO. \_\_\_\_\_, 2019**

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF ASHLAND, KENTUCKY AND TAYLOR SIEFKER WILLIAMS DESIGN GROUP LLC IN THE AMOUNT OF \$32,980.00 FOR THE PREPARATION OF A COMPREHENSIVE PLAN FOR THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT.

**MOTION**

Motion was made by Gute, seconded by Clark, to adopt Ordinance No. \_\_\_\_\_, 2019, 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. \_\_\_\_\_, 2019**

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 DIXON ENGINEERING, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE PROJECT ADMINISTRATION AND INSPECTION SERVICES FOR THE COATING, PAINTING AND REPAIRING OF THE 1,000,000 GALLON SUMMIT WATER STORAGE TANK IN AN AMOUNT NOT TO EXCEED \$67,522.65.

**MOTION**

Motion was made by Gute, seconded by Clark, to adopt Ordinance No. \_\_\_\_\_, 2019, 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. \_\_\_\_\_, 2019**

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING THE “POLICIES AND PROCEDURES, COMPENSATION PLAN AND CLASSIFICATION PLAN” AS ADOPTED BY ORDINANCE NO. 51, SERIES OF 2017, AS PREVIOUSLY AMENDED, TO INCLUDE A SMOKING/TOBACCO USE POLICY.

**MOTION**

Motion was made by Gute, seconded by Clark, to adopt Ordinance No. \_\_\_\_\_, 2019, 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 APRIL 25, 2019**  
**ORDINANCE NO. \_\_\_\_\_, 2019**

**FIRST READING AND ADOPTION ONLY**

**ORDINANCE NO. \_\_\_\_\_, 2019**

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND APPROVING CHANGE ORDER NO. 1 DATED APRIL 18, 2019 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND SUMMIT FENCE COMPANY, INC. INCREASING THE CONTRACT AMOUNT BY \$6,050.00 FOR THE INSTALLATION OF FENCING, GATES AND ALL APPURTENANCES FOR THE NEW MILL STREET FACILITY FOR THE DEPARTMENT OF UTILITIES.

**MOTION**

Motion was made by Gute, seconded by Steen, to adopt Ordinance No. \_\_\_\_\_, 2019, 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. \_\_\_\_\_, 2019**

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ADOPTING BY REFERENCE UPDATED “PROCUREMENT REGULATIONS FOR THE CITY OF ASHLAND, KENTUCKY, MAY 2019” AND REPEALING ORDINANCE NO. 87, SERIES OF 1992, AND ALL AMENDMENTS THERETO.

**MOTION**

Mayor Gilmore asked for a motion changing the starting time of the Commission meetings to 12:00 NOON on the second and fourth Thursdays of each month for May through September 2019.

Motion was made by Clark, seconded by Steen, to adopt Ordinance No. \_\_\_\_\_, 2019, at this its first reading. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

**OTHER NEW BUSINESS**

**Commission Meeting Time Change**

Mayor Gilmore asked for a motion changing the starting time of the Commission meetings to 12:00 NOON on the second and fourth Thursdays of each month for May through September 2019.

Motion was made by Clark, seconded by Gute, changing the starting time of the Commission meetings to 12:00 NOON on the second and fourth Thursdays of each month for the months of May through September 2019. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

**REGULAR MEETING APRIL 25, 2019**  
**OTHER NEW BUSINESS CONTINUED**

**Recycling**

Commissioner Gute asked the Commission to re-visit recycling. Commissioner Gute stated that recycling has been discussed since prior to 2008. The program has evolved from area drop-off locations to the new central drop-off point on Greenup Avenue. Motion was made by Commissioner Gute that the Commission approve advertising for bid specifications for curbside pickup for the City of Ashland. The voluntary program would require participation of at least 12% of the current households. Motion was seconded by Clark. 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 Steen, approving the Mayor's appointment of Travis Womack to the Ashland Planning Commission to fulfill an unexpired term that will expire on January 1, 2021. 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 Steen, to go into Executive Session at 6:35 PM to discuss pending litigation. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

**RECONVENED**

The meeting reconvened at 6:59 PM and Mayor Gilmore announced that the only item discussed was pending litigation with no final action taken

**ADJOURNMENT**

Mayor Gilmore declared the meeting adjourned at 6:59 PM.

  
 STEPHEN E. GILMORE  
 MAYOR

ATTEST:

  
 SUSAN W. MADDIX  
 CITY CLERK

