

**REGULAR MEETING  
JULY 25, 2019**

The Ashland Board of Commissioners met in Regular Session in the Commissioners' Chambers, City Building, Ashland, Kentucky, on Thursday, July 25, 2019, at the hour of 12:00 PM. Those present were Commissioners: Amanda Clark, Marty Gute, Matt Perkins and Mayor Stephen E. Gilmore, who presided. Absent: Commissioner Pat Steen. Also present were: Michael S. Graese, City Manager; James H. Moore, Corporation Counsel; Andrew Wheeler, Assistant Corporation Counsel; Susan W. Maddix, City Clerk; Todd Kelley, Chief of Police; Greg Ray, Fire Chief; Stephen W. Corbitt, Interim 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; Mark Hall, Director of Utilities; Steve Alley, Deputy Fire Chief; Michelle Grubb, Ashland Bus System; Katherine Utsinger, Economic Development Specialist & Acting Planner; Tom Gibbons, Database Administrator; Lorraine Woolery, Community and Economic Development; and Reporters.

The invocation was given by Commissioner Gute.

The Pledge of Allegiance was conducted under the direction of Mike Wurts.

**AGENDA**

City Manager Graese presented the agenda of July 25, 2019. Motion was made by Clark, seconded by Gute, to receive & file the agenda. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins and Mayor Gilmore. Nay - none. Motion passed.

**MINUTES**

Motion was made by Gute, seconded by Perkins, to dispense with reading and approve the minutes of the Called Meeting held on June 6, 2019 and the Regular Meeting held on June 27, 2019. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins and Mayor Gilmore. Nay – none. Motion passed.

**HEARINGS AND REPORTS**

**Mayor and City Commissioners' Comments**

Commissioner Gute welcomed those in attendance. He reported on the opening of the Delta Marriott Hotel, a successful Summer Motion, and the arrival of the bronze statues. Commissioner Gute welcome Stephen W. Corbitt who is acting as the City's Interim City Engineer. Commissioner Gute advised there was an item on the Consent Agenda regarding a curbside recycling program which has been a long time coming. He publicly thanked Nick Rupert and Brian Waters with Rumpke and asked City Manager Graese to explain the item on the agenda.

City Manager Graese explained the item requests permission to accept a bid from Rumpke. Rumpke has submitted a bid offering curbside recycling for a minimum of 850 citizens at \$7.75 per month with an increase of 3% for years #2 and #3. Monthly fees for Year #2 would be \$7.98 and Year #3 would be \$8.22. Rumpke would be responsible for all the monthly billing in addition to the \$20 delivery fee for the containers. The current bid only allows Rumpke to advertise to see if there are 850 people interested in committing to curbside recycling. If so, City staff would present a contract to the Board for approval.

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

Commissioner Clark reported she attended the Comprehensive Planning committee meeting and was pleased with the committee put together by the Department of Community and Economic Development to start reviewing and updating our current plan. It was a really good conversation about the direction in which Ashland is headed. Public meetings will be scheduled on future dates for input from the community. Commissioner Perkins asked for clarification on the members of the committee and was advised members include community members, representatives from the Planning Commission, Board of Zoning Adjustment and Code Enforcement Board, etc.

**City Manager's Report**

City Manager Graese echoed the remarks regarding the Comprehensive Plan committee and the high level of energy emitted by the committee.

A report regarding the Wastewater Treatment Plant (Sewer Plant) upgrade was distributed to each member of the Commission detailing the upgrades.

He updated the Commission on the current capital projects listed below:

- Whole Internet Network System (WINS) project
- Streetscape Project at 12<sup>th</sup> & 13<sup>th</sup> Streets
- 29<sup>th</sup> Street CSO Project concrete repairs
- Water filter underdrains at the Water Treatment Plant
- Paving on U.S. 23 has occurred except in the area of Water Treatment Plant in order to enable our crews to construct a new waterline and replace fire hydrants in that area
- Supervisory Control and Data Acquisition (SCADA) - GRW currently completing the design and staff is expecting to advertise in August. The project is scheduled to be complete in approximately 18 months
- Summit tank cleaning and recoating project is currently on hold due to a non-compliant contractor
- Mill Street facility is complete except for the concrete
- Central Park Tot Lot will be closed August 1 for Park employees to begin de-constructing and removing the existing equipment. New equipment is scheduled to be delivered during the week of August 19 and the contractor will begin installation
- Pickle Ball/Tennis court lighting has been installed and is working
- Splash pad has been resurfaced and Parks & Recreation has ordered parts for the fountain

Commissioner Perkins requested the number of miles of waterline replacement completed during Fiscal Year 2018-2019. City Manager Graese will get the answer and report back to the Commission.

Commissioner Perkins asked the number of miles of waterline replacement planned for the current Fiscal Year. City Manager Graese advised LJB Engineers is designing 9 miles (53,000 feet) of waterline line replacement and City staff will review to determine the number of miles/feet that can be replaced within the \$1,000,000 budget set aside for waterline replacement.

Mayor Gilmore requested the City Manager provide a timeline for the 16<sup>th</sup> Street Plaza (Judd Plaza) project. The Mayor expects the advertisement for bids to occur soon enough in order to have a contractor ready to proceed at the conclusion of Poage Landing Days.

**REGULAR MEETING JULY 25, 2019**  
**PUBLIC PARTICIPATION**

**PUBLIC PARTICIPATION**

Mike Wurts, American Veterans (AMVETS) member, appeared before the Commission to request permission to distribute information regarding the Kentucky Department of Veterans Affairs Homeless Veteran Program. Mr. Wurts distributed pamphlets to each member of the Commission.

Suzanne Griffith, Westwood, appeared before the Commission to present information on blight and landbanks. Landbanks are governmental entities that specialize in the conversion of vacant, abandoned, and tax foreclosed properties into productive use. The primary thrust of all landbanks and land banking initiatives is to acquire and maintain properties that have been rejected by the open market and left as growing liabilities for neighborhoods and communities. Ms. Griffith presented each member of the Commission with a notebook containing information regarding land banking. Ms. Griffith was referred to Katherine Utsinger in the Department of Community and Economic Development.

Tim Barker, 4905 Williams Avenue, appeared before the Commission to complain about sewer backups. Mr. Barker advised the Board he had discussed the issue with Mr. Eastwood. Mr. Barker would like to have his line smoked or tested. Mr. Barker was introduced to Mark Hall, Director of Utilities, who will work with Mr. Barker to get the issue solved.

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

**ORDINANCE NO. 100, 2019**

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE A FIVE-YEAR EXTENSION TO THE HOUSING ASSISTANCE PAYMENTS CONTRACT BETWEEN THE CITY OF ASHLAND, KENTUCKY AND HARBOR HILL, LLLP REGARDING THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT PROJECT-BASED ASSISTANCE HOUSING CHOICE VOUCHER PROGRAM FOR THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT ADOPTED BY ORDINANCE NO. 104, SERIES OF 2009, AND REPEALING ORDINANCE NOS. 55 AND 148, SERIES OF 2018.

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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 five-year extension to the Housing Assistance Payments Contract between the City of Ashland, Kentucky and Harbor Hill, LLLP regarding the U.S. Department of Housing and Urban Development, Office of Public and Indian Housing, Project-Based Assistance, Housing Choice Voucher Program for the Department of Community and Economic Development. This is for the Harbor Hill 34 project-based vouchers to serve domestic violence victims. Said contract amends the contract previously adopted by Ordinance No. 104, Series of 2009. A copy of said contract extension is attached hereto and made a part hereof by reference.

SECTION 2. Ordinance No. 55, Series of 2018, Ordinance No. 148, Series of 2018, and 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.

**REGULAR MEETING JULY 25, 2019**  
**ORDINANCE NO. 100, 2019 CONTINUED**

/s/STEPHEN E. GILMORE  
MAYOR

ATTEST:

/s/SUSAN W. MADDIX  
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: June 27, 2019  
READOPTED BY THE BOARD OF COMMISSIONERS: July 25, 2019  
PUBLISHED:

**MOTION**

Motion was made by Gute, seconded by Clark, to adopt Ordinance No. 100, 2019, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute and Mayor Gilmore. Nay – none. Abstain – Commissioner Perkins. Motion passed.

**CONSENT AGENDA**

**RESOLUTION NO. 18, 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 JULY 25, 2019.

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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”, for the regular meeting, July 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: July 25, 2019

**MOTION**

Motion was made by Gute, seconded by Clark, to adopt Resolution No. 18, 2019.

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

**DISCUSSION**

Mayor Gilmore asked for clarification on Item 13 – Recycling. Corporation Counsel Moore explained that approving Item 13 does not obligate the City but only allows Rumpke to collect data from those who may want to participate in curbside recycling for a monthly fee in order to see if there is enough interest from the community. A decision would have to be made by the Commission whether to continue operation of the current recycling center on Greenup Avenue. City Manager Graese informed the Commission if a contract is agreed upon between the City and Rumpke it would be for a term of 3 years and the City would be required to pay the difference to Rumpke if participation drops below 850 residents.

**VOTE**

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

**CONSENT AGENDA ITEMS**

1. City Manager recommends authorizing payment of Invoices #1 dated June 13, 2019, #2 dated June 15, 2019 and #3 dated June 14, 2019 in the total amount of \$44,722.97 to BLK Construction, LLC for the work completed under the miscellaneous concrete and asphalt repair contract, Department of Public Services and Utility Operations.
2. City Manager recommends authorizing payment of Invoice #66082 dated June 21, 2019 in the amount of \$36,558 to Newtech Systems, Inc. for the installation and implementation of security cameras and monitoring system for the Mill Street Facility.
3. City Manager recommends authorizing payment of Invoice #103919 dated 103919 in the amount of \$17,699.56 to Barton & Loguidice for the filter failure investigation at the Water Treatment Plant.
4. City Manager recommends authorizing payment of Invoices #3 dated June 25, 2019 and Invoice #4 dated June 25, 2019 in the total amount of \$62,293.80 to Arrow Electric Company for the Winchester Streetscape Traffic Signalization, Mast Arm Installation and Street Boring Project.
5. City Manager recommends authorizing payment of Invoice #0676-01 dated June 28, 2019 in the amount of \$75,728.74 to Building Crafts, Inc. for the Water Treatment Plant 6A Underdrain Replacement.
6. City Manager recommends authorizing payment of (3) invoices dated July 2, 2019 in the total amount of \$156,260.36 to King-Crete Drilling, Inc for the road slips located on Hogsten Drive, Vanbibber Court and Ashland Avenue.
7. City Manager recommends authorizing payment of Invoice #649991 dated June 25, 2019 in the amount of \$23,276.27 to Rumpke for the removal and disposition of sludge from the Wastewater Treatment Plant.
8. City Manager recommends authorizing payment of Invoice #0116816A.00-3 dated July 9, 2019 in the amount of \$53,819.09 to LJB, Inc. for the engineering services for the 2019 waterline replacement project.
9. City Manager recommends authorizing payment of Invoice #283171-9 dated June 14, 2019 in the amount of \$75,881.41 to Mountain Enterprises, Inc. for the preparation work for the street paving completed in April and May 2019.

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

10. City Manager recommends authorizing payment of Invoice #0052859 dated June 30, 2019 in the amount of \$14,685.00 to GRW Engineering for the design work completed on the Pollard Mills Storm Water, Sidewalks, Curbs, Gutters and Paving Contract.
11. City Manager recommends authorizing Pay Request #3 dated April 30, 2019 in the amount of \$22,896.47 to Morris Contracting for the work completed on the South 29th Street waterline replacement project.
12. City Manager recommends awarding the bid for the placement and replacement of sidewalks, curbs, gutters and other related work in the amount of \$137,365 for a period not to exceed one year to Cosby Construction.
13. City Manager recommends awarding the bid for single stream curbside recycling service to Rumpke of Kentucky, Inc to begin to advertise through the City utility bills and other methods for data collection of residents who wish to participate in the program. This process will determine if enough public interest exist to initiate a voluntary curbside recycling program.
14. City Manager recommends awarding the bid to provide labor, equipment and materials to install filter underdrain anchors at the Ashland Water Treatment Plant in the amount of \$98,480 to Southern Ohio Trenching.
15. City Manager recommends approval for the United Way to conduct a Run, Walk and Live United 5k race on Saturday, August 24, 2019 beginning at 9:00 am. starting and finishing at The Neighborhood on 25th Street.
16. City Manager recommends permission authorizing Stephen E. Gilmore, Mayor to sign the Access Authorization Request from the Kentucky Division of Waste Management.
17. City Manager recommends permission authorizing Stephen E. Gilmore to sign a letter of support to the Huntington WV Area Habitat for Humanity for service area expansion into Boyd County, KY.
18. City Manager recommends the probationary appointment of Jeffrey S. McFarlin to the position of Laboratory Technician, Grade 110, Utilities Department, Wastewater Treatment Plant Division, effective July 29, 2019.
19. City Manager recommends the probationary appointment of Lowell J. (L.J.) Moore to the position of Maintenance Technician, Grade 111, Utilities Department, Water Production Division, effective July 29, 2019.
20. City Manager recommends the probationary appointment of James R. Morgan to the position of Wastewater Treatment Plant Superintendent, Grade 113, Utilities Department, Wastewater Treatment Plant Division, effective July 29, 2019.
21. City Manager recommends the probationary appointment of Cameron R. Thomas to the position of Maintenance Worker I, Grade 102, Public Services Department, Streets Division, contingent upon satisfactory completion of a physical examination.
22. Other Consent Items

**REGULAR MEETING JULY 25, 2019**  
**NEW BUSINESS**  
**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 MODIFICATION OF PARKING SPACE LEASE AGREEMENT BETWEEN THE CITY OF ASHLAND AND GLIDING SWAN PROPERTIES, LLC REGARDING THE LEASING OF PARKING SPACES NORTH OF THE FLOODWALL AND WEST OF THE DEPOT PROPERTY.

**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 Gute, Perkins and Mayor Gilmore. Nay – none. Abstain – Commissioner Clark. 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 ENGINEERING SERVICES AGREEMENT BETWEEN THE CITY OF ASHLAND, KENTUCKY AND STRAND ASSOCIATES, INC. RETAINING STRAND TO PROVIDE ENGINEERING SERVICES FOR THE WASTEWATER TREATMENT PLANT EXPANSION AND IMPROVEMENTS PROJECT IN AN AMOUNT NOT TO EXCEED \$535,990.00.

**MOTION**

Motion was made by Clark, seconded by Gute, to adopt Ordinance No. \_\_\_\_\_, 2019, at this its first reading. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins 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 WITH COSBY CONSTRUCTION FOR THE CONCRETE IMPROVEMENT PROGRAM FOR THE CITY OF ASHLAND, DEPARTMENT OF PUBLIC SERVICES AND UTILITIES OPERATIONS, DIVISION OF STREET MAINTENANCE, IN THE AMOUNT OF \$137,365.00.

**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 and Mayor Gilmore. Nay – none. Motion passed.

**REGULAR MEETING JULY 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 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND MORRIS CONTRACTING, INC. INCREASING THE CONTRACT AMOUNT BY \$27,286.00 REGARDING THE SOUTH 29<sup>TH</sup> STREET WATERLINE REPLACEMENT PROJECT FOR THE DEPARTMENT OF UTILITIES, DIVISION OF WATER DISTRIBUTION.

**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 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 CONSULTING AGREEMENT BETWEEN THE CITY OF ASHLAND, KENTUCKY AND JM DULEY CONSULTING LLC IN AN AMOUNT NOT TO EXCEED \$5,000.00 TO PROVIDE CONSULTING SERVICES REGARDING DATA RETENTION POLICIES FOR THE CITY OF ASHLAND.

**MOTION**

Motion was made by Clark, seconded by Gute, to adopt Ordinance No. \_\_\_\_, 2019, at this its first reading. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins 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 SOUTHERN OHIO TRENCHING & EXCAVATING INC. TO PROVIDE LABOR, EQUIPMENT AND MATERIALS TO INSTALL FILTER UNDERDRAIN ANCHORS AT THE WATER TREATMENT PLANT IN THE AMOUNT OF \$98,480.00 FOR THE DEPARTMENT OF UTILITIES, DIVISION OF WATER PRODUCTION.

**REGULAR MEETING JULY 25, 2019**  
**ORDINANCE NO. \_\_\_\_\_, 2019 CONTINUED**

**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 and Mayor Gilmore. Nay – none. Motion passed.

**READING AND ADOPTION**

**MUNICIPAL ORDER NO. 4, 2019**

A MUNICIPAL ORDER OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING THE FINANCE DEPARTMENT TO ISSUE A CREDIT TO SANITATION DISTRICT NO. 4 IN THE AMOUNT OF \$95,728.86 FOR INACCURATE TOTAL SUSPENDED SOLID READINGS DUE TO EQUIPMENT MALFUNCTION.

\* \* \* \*

WHEREAS, Sanitation District No. 4 (hereinafter SD #4) has requested that the City of Ashland issue a credit to SD #4 for surcharge amounts regarding Total Suspended Solid readings due to a malfunction of the sampling equipment, and

WHEREAS, City staff is confident that the readings were inaccurate and recommends issuing a credit to SD #4;

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

SECTION 1. That a credit in the amount of \$95,728.86 be issued to Sanitation District No. 4 for inaccurate Total Suspended Solid readings in the months of November and December 2018 and January, February and March 2019. Said credit shall be offset against current amounts owed and future billings.

**INTRODUCED, PUBLICLY READ AND FINALLY APPROVED ON ONE READING**, this the 25<sup>th</sup> day of July, 2019.

/s/STEPHEN E. GILMORE  
MAYOR

ATTEST:

/s/SUSAN W. MADDIX  
CITY CLERK

**MOTION**

Motion was made by Gute, seconded by Clark, to adopt Municipal Order No. 4, 2019. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins and Mayor Gilmore. Nay – none. Motion passed.

**READING AND ADOPTION**

**MUNICIPAL ORDER NO. 5, 2019**

A MUNICIPAL ORDER OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE A DONATION AGREEMENT REGARDING ACCEPTANCE BY THE CITY OF ASHLAND OF A DONATION OF BRONZE STATUES KNOWN AS AND DEPICTING VULCAN, VENUS AND GENESIS AND REPEALING MUNICIPAL ORDER NO. 1, 2019.

**REGULAR MEETING JULY 25, 2019**  
**MUNICIPAL ORDER NO. 5, 2019 CONTINUED**

\* \* \* \*

WHEREAS, David Alban is the owner of bronze statues depicting Vulcan, Venus and Genesis, and

WHEREAS, David Alban is desirous of making a donation of the statues to the City of Ashland, and

WHEREAS, the City of Ashland is willing to accept the donation;

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

SECTION 1. That Stephen E. Gilmore, Mayor, is hereby authorized and directed to execute a Donation Agreement between the City of Ashland, Kentucky and David Alban for acceptance by the City of Ashland of a donation of three (3) bronze statues depicting Vulcan, Venus and Genesis. A copy of said Donation Agreement is attached hereto and made a part hereof by reference.

SECTION 2. That Municipal Order No. 1, 2019 is hereby repealed.

**INTRODUCED, PUBLICLY READ AND FINALLY APPROVED ON ONE READING**, this the 25<sup>th</sup> day of July, 2019.

/s/STEPHEN E. GILMORE  
MAYOR

ATTEST:

/s/SUSAN W. MADDIX  
CITY CLERK

**MOTION**

Motion was made by Gute, seconded by Clark, to adopt Municipal Order No. 5, 2019. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins and Mayor Gilmore. Nay – none. Motion passed.

**DISCUSSION ITEM – SIGN APPEAL**

**Request from Patrick Watson to maintain the approximate 400 sq. ft. lighted sign erected on the hillside at the end of Florida Street above the Midtown Shopping Center** – Corporation Counsel Moore read from the sign ordinance regarding a waiver of the sign ordinance. Mr. Watson appeared before the Commission and advised the purpose of the sign was to advertise a proposed residential development known as Ashland Cliffside. Mr. Watson stated the project is a 20-acre development and the sign created website traffic and interest in the project. The sign is lit by LED lights only during the night. Corporation Counsel Moore confirmed with Mr. Watson that the property has not been subdivided and approved as a subdivision. The ordinance addresses signs for subdivisions that have been platted and approved and Corporation Counsel Moore advised technically, there should be no sign. Mr. Watson advised it is a temporary sign just to create interest in the project. Mr. Watson has not initiated any steps to begin the design or platting of lots for the development. Commissioner Clark indicated the Commission should not set a precedent by approving a sign in complete disregard of the sign ordinance. Mr. Watson advised the sign will be removed once construction begins. Commissioner Clark asked how long the sign will be “temporary.” Commissioner Perkins suggested Mr. Watson meet with Director of Community and Economic Development Chris Pullem.

**Motion** was made by Perkins, seconded by Gute, granting the sign ordinance appeal temporarily for a period of 90 days.

**Discussion** – Commissioner Clark asked for clarification that the sign would be turned off at the end of 90 days if Mr. Watson does not submit the proper paperwork to begin the process for this development.

**REGULAR MEETING JULY 25, 2019**  
**DISCUSSION ITEM CONTINUED**

Director of Community and Economic Development (CED) Chris Pullem advised the Commission there are structural elements involved also. A sign of this size should have been inspected by the Building Inspector and therefore, the City cannot guarantee safety.

Mayor Gilmore asked that Mr. Watson work with CED to schedule an inspection of the sign structure.

Mayor Gilmore requested a Motion tabling the prior motion granting the sign appeal.

**Motion** was made by Gute, seconded by Clark, to table the prior motion. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins and Mayor Gilmore. Nay – none. Motion passed.

Mr. Watson was instructed to work with CED Director Pullem and Acting Planner Katherine Utsinger to schedule an inspection of the property and the sign and begin the plan review process regarding the future development.

Mr. Watson asked if he could turn the sign on and was advised the sign could remain operational during the approval process.

**EXECUTIVE SESSION**

Motion was made by Clark, seconded by Gute, to go into Executive Session at 1:13 PM to discuss potential litigation. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins and Mayor Gilmore. Nay – none. Motion passed.

**RECONVENED**

The meeting reconvened at 1:53 PM and Mayor Gilmore announced the only item discussed was potential litigation with no final action taken.

**RECESS**

Mayor Gilmore declared the meeting recessed at 1:54 PM to Friday, July 26, 2019 at 8:30 AM.

  
 STEPHEN E. GILMORE  
 MAYOR

ATTEST:

  
 SUSAN W. MADDIX  
 CITY CLERK

