

**RECESSED MEETING
JULY 26, 2019**

The Ashland Board of Commissioners met in Recessed Session in the Commissioners' Chambers, City Building, Ashland, Kentucky, on Friday, July 26, 2019, at the hour of 8:30 AM. 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, III, Corporation Counsel; Susan W. Maddix, City Clerk; Todd Kelley, Chief of Police; Mark Hall, Director of Utilities; Stephen W. Corbitt, Interim City Engineer; Tony Grubb, Finance Director; Michelle Veach, Assistant Finance Director; Jack Hunter, Street Superintendent; Katherine Utsinger, Economic Development Specialist/Acting Planner; and Lorraine Woolery, Section 8 Voucher/Grant Coordinator.

AGENDA

City Manager Graese presented the agenda of July 26, 2019. Motion was made by Clark, seconded by Perkins, to receive & file the agenda. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins and Mayor Gilmore. Nay - none. Motion passed.

OLD BUSINESS

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 101, 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.

WHEREAS, Gliding Swan Properties, LLC (hereinafter Gliding Swan), and the City of Ashland, Kentucky (hereinafter City), entered into a written agreement dated March 24, 2017 for the lease of 100 parking spaces as designated therein, and

WHEREAS, Gliding Swan is desirous of amending the terms of said lease in order to allow assignment of the same to any subsequent third party bona-fide purchaser of the building it owns located at 1539 Greenup Avenue, Ashland, Kentucky;

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

SECTION 1. That the Ashland Board of City Commissioners hereby authorizes and directs 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. A copy of said Modification Agreement 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, 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

RECESSED MEETING JULY 26, 2019
ORDINANCE NO. 101, 2019 CONTINUED

ADOPTED BY THE BOARD OF COMMISSIONERS: July 25, 2019
READOPTED BY THE BOARD OF COMMISSIONERS: July 26, 2019
PUBLISHED:

MOTION

Motion was made by Gute, seconded by Perkins, to adopt Ordinance No. 101, 2019, *at* this its second reading. Upon roll call, voting aye were Commissioners Gute, Perkins and Mayor Gilmore. Nay – none. Abstain – Commissioner Clark. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 102, 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.

* * * * *

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 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. 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: July 25, 2019
READOPTED BY THE BOARD OF COMMISSIONERS: July 26, 2019
PUBLISHED:

MOTION

Motion was made by Clark, seconded by Perkins, to adopt Ordinance No. 102, 2019, *at* this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins and Mayor Gilmore. Nay – none. Motion passed.

RECESSED MEETING JULY 26, 2019
ORDINANCE NO. 103, 2019
SECOND READING & FINAL ADOPTION

ORDINANCE NO. 103, 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.

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 Cosby Construction, 61 Naples Valley Drive, Ashland, Kentucky for the purchase of all labor and materials for the placement and replacement of sidewalks, curbs, gutters and other related work for the Concrete Improvement Program for a period of up to one (1) year for the City of Ashland, Department of Engineering in an amount not to exceed those prices specified in their bid. A true 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: July 25, 2019
READOPTED BY THE BOARD OF COMMISSIONERS: July 26, 2019
PUBLISHED:

MOTION

Motion was made by Gute, seconded by Perkins, to adopt Ordinance No. 103, 2019, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins and Mayor Gilmore. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 104, 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 29TH STREET WATERLINE REPLACEMENT PROJECT FOR THE DEPARTMENT OF UTILITIES, DIVISION OF WATER DISTRIBUTION.

RECESSED MEETING JULY 26, 2019
ORDINANCE NO. 104, 2019 CONTINUED

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Change Order No. 1 in the contract authorized by Ordinance No. 122, 2018 between the City of Ashland, Kentucky and Morris Contracting, Inc. for the South 29th Street waterline replacement project is hereby approved as follows.

This change order addresses the additional cost of 37' of 8" pipe (\$1,598.40), 72' of 6" pipe (\$4,579.20) and 3 additional services (\$4,172.40) that were not on the original plans and additional asphalt of 7,300' (7,300 sq. ft. x \$2.32 = \$16,936.00). The amount of the change order is \$27,286.00. This amount represents a deducted asphalt replacement value of \$2.32 per square feet reduced from the original contract amount of \$3.60 per square foot due to non-conformance with contract specifications.

Change Order No. 1

Original Contract Price	\$225,787.20
Previous Change Orders	0.00
Contract Price prior to this Change Order	225,787.20
Change Order #1	27,286.00

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: July 25, 2019
READOPTED BY THE BOARD OF COMMISSIONERS: July 26, 2019
PUBLISHED:

MOTION

Motion was made by Clark, seconded by Perkins, to adopt Ordinance No. 104, 2019, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins and Mayor Gilmore. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 105, 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.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

RECESSED MEETING JULY 26, 2019
ORDINANCE NO. 105, 2019 CONTINUED

SECTION 1. That Stephen E. Gilmore, Mayor, be and he is hereby authorized and directed to execute a Consulting Agreement between the City of Ashland, Kentucky and JM Duley Consulting LLC for consulting services regarding data retention policies for the City of Ashland in an amount not to exceed \$5,000.00. 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: July 25, 2019
READOPTED BY THE BOARD OF COMMISSIONERS: July 26, 2019
PUBLISHED:

MOTION

Motion was made by Gute, seconded by Clark, to adopt Ordinance No. 105, 2019, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins and Mayor Gilmore. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 106, 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.

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 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. 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.

RECESSED MEETING JULY 26, 2019
ORDINANCE NO. 106, 2019 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: July 25, 2019
READOPTED BY THE BOARD OF COMMISSIONERS: July 26, 2019
PUBLISHED:

MOTION

Motion was made by Gute, seconded by Clark, to adopt Ordinance No. 106, 2019, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins and Mayor Gilmore. Nay – none. Motion passed.

CONSENT AGENDA

RESOLUTION NO. 19, 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 26, 2019.

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 26, 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 26, 2019

MOTION

Motion was made by Clark, seconded by Gute, to adopt Resolution No. 19, 2019. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins and Mayor Gilmore. Nay – none. Motion passed.

RECESSED MEETING JULY 26, 2019
CONSENT AGENDA CONTINUED

CONSENT AGENDA ITEMS

1. City Manager recommends authorizing Pay Request #4 dated May 2, 2019 in the amount of \$27,286 to Morris Contracting for the work completed on the South 29th Street waterline replacement project.
2. City Manager recommends the probationary appointment of Nicholas R. Morris and Samuel L. Smith to the position Water Distribution Operator I, Grade 104, Utilities Department, Water Distribution/Meter Services Division, contingent upon the satisfactory completion of a physical examination.
3. City Manager recommends the probationary appointment of Steven A. Mansfield to the position of Solid Waste Worker I, Grade 102, Public Services Department, Fleet Maintenance/Solid Waste Division, contingent upon the satisfactory completion of a physical examination.
4. Other Consent Items

NEW BUSINESS
FIRST READING AND ADOPTION ONLY

ORDINANCE NO. _____, 2019

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND APPROVING CHANGE ORDER NO. 2 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND TRI-STATE CONSTRUCTION & ENTERPRISE LLC INCREASING THE CONTRACT AMOUNT BY \$230.00 AND EXTENDING THE CONTRACT TO AUGUST 20, 2019 FOR RENOVATIONS OF BUILDING #3 AT SAFE HARBOR OF NORTHEAST KENTUCKY TO BE PAID FROM COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (CDBG).

MOTION

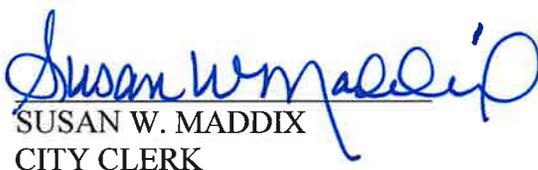
Motion was made by Gute, seconded by Clark, to adopt Ordinance No. _____, 2019, at this its first reading. Upon roll call, voting aye were Commissioners Clark, Gute and Mayor Gilmore. Nay – none. Abstain – Commissioner Perkins. Motion passed.

ADJOURNMENT

Mayor Gilmore adjourned the meeting at 8:36 AM.


 STEPHEN E. GILMORE
 MAYOR

ATTEST:


 SUSAN W. MADDIX
 CITY CLERK

