

**RECESSED MEETING
JANUARY 24, 2020**

The Ashland Board of Commissioners met in Recessed Session in the Commissioners' Chambers, City Building, Ashland, Kentucky, on Friday, January 24, 2020, at the hour of 8:30 PM. Those present were Commissioners: Amanda Clark, Marty Gute, Pat Steen and Mayor Pro-Tem Matt Perkins, who presided. Absent: Stephen E. Gilmore, Mayor. Also present were: Michael S. Graese, City Manager; James H. Moore, III, Corporation Counsel; Susan W. Maddix, City Clerk; Sergeant Nick Lewis, Acting Chief of Police; Greg Ray, Fire Chief; Steve Cole, City Engineer; Tony Grubb, Finance Director; Michelle Veach, Assistant Finance Director; Jack Hunter, Street Superintendent; Chris Pullem, Director of Community and Economic Development; Mark Hall, Director of Utilities; Sean Murray, Human Resources/Parks & Recreation Director; Katherine Utsinger, Economic Development Specialist/Acting Planner.

AGENDA

City Manager Graese presented the agenda of January 24, 2020. Motion was made by Clark, seconded by Steen, to receive & file the agenda. Upon roll call, voting aye were Commissioners Clark, Gute, Steen and Mayor Pro-Tem Perkins. Nay - none. Motion passed.

OLD BUSINESS

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 5, 2020

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE A TASK ORDER 20-01 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND STRAND ASSOCIATES, INC. REGARDING THE 2019 ANNUAL COMBINED SEWER OVERFLOW REPORTS FOR THE DEPARTMENT OF UTILITY OPERATIONS IN AN AMOUNT NOT TO EXCEED \$15,000.00.

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 Task Order #20-01 in the contract authorized by Ordinance No. 67, Series of 2005, between the City of Ashland, Kentucky and Strand Associates, Inc. regarding the 2019 Annual Combined Sewer Overflow Reports for the City of Ashland in an amount not to exceed \$15,000.00. A copy of said Task Order 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 All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.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/MATT PERKINS
MAYOR PRO-TEM

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: January 23, 2020
READOPTED BY THE BOARD OF COMMISSIONERS: January 24, 2020
PUBLISHED:

RECESSED MEETING JANUARY 24, 2020
ORDINANCE NO. 5, 2020 CONTINUED

MOTION

Motion was made by Gute, seconded by Steen, to adopt Ordinance No. 5, 2020, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Steen and Mayor Pro-Tem Gilmore. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 6, 2020

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND APPROVING CHANGE ORDER NOS. 1 AND 2 DATED JANUARY 7 AND JANUARY 14, 2020 IN THE AMOUNT OF \$6,095.00 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND WOMACK EXCAVATING, LLC REGARDING THE ASHLAND SUB-STATION SITE PREPARATION FOR THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Change Order Nos. 1 and 2 dated January 7 and January 14, 2020 in the contract authorized by Ordinance No. 166, 2019 between the City of Ashland, Kentucky and Womack Excavating, LLC regarding the Ashland Police Department Sub-station site preparation for the Department of Community and Economic Development are hereby approved as follows:

Change Order Nos. 1 & 2 – Dated January 7 and 14, 2020

Original Contract Price	\$164,163.00
Previous Change Orders	0.00
Contract Price prior to this Change Order	164,163.00
Net Increase of Change Order #1	6,095.00
Net Increase of Change Order #2	0.00
Contract Price with all approved Change Orders	\$170,258.00

A true copy of Change Order Nos. 1 and 2 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/MATT PERKINS
MAYOR PRO-TEM

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: January 23, 2020
READOPTED BY THE BOARD OF COMMISSIONERS: January 24, 2020
PUBLISHED:

RECESSED MEETING JANUARY 24, 2020
ORDINANCE NO. 6, 2020 CONTINUED

MOTION

Motion was made by Clark, seconded by Gute, to adopt Ordinance No. 6, 2020, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Steen and Mayor Pro-Tem Perkins. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 7, 2020

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND APPROVING CHANGE ORDER NO. 1 IN THE AMOUNT OF \$280.00 BETWEEN THE CITY OF ASHLAND, KENTUCKY, BOYD COUNTY CENTER FOR AGING, INC., D/B/A ASHLAND SENIOR CENTER AND GUY’S FLOOR COVERING, LLC FOR A CONTRACT FOR ALL LABOR AND MATERIAL FOR THE ASHLAND SENIOR CENTER FLOORING PROJECT FOR THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT TO BE PAID FROM COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS.

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Change Order No. 1 in the contract authorized by Ordinance No. 153, 2019 between the City of Ashland, Kentucky, Boyd County Center for Aging, Inc. d/b/a Ashland Senior Center and Guy’s Floor Covering, LLC for the Ashland Senior Center flooring project is hereby approved as follows:

Change Order No. 1

Original Contract Price	\$11,546.25
Previous Change Orders	0.00
Contract Price prior to this Change Order	11,546.25
Net Increase/ Decrease of this Change Order	<u>280.00</u>
Contract Price with all approved Change Orders	\$11,826.25

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/MATT PERKINS
MAYOR PRO-TEM

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: January 23, 2020
READOPTED BY THE BOARD OF COMMISSIONERS: January 24, 2020
PUBLISHED:

RECESSED MEETING JANUARY 24, 2020
ORDINANCE NO. 7, 2020 CONTINUED

MOTION

Motion was made by Gute, seconded by Steen, to adopt Ordinance No. 7, 2020, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Steen and Mayor Pro-Tem Perkins. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 8, 2020

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING ORDINANCE NO. 169, SERIES OF 1995, AS PREVIOUSLY AMENDED, COMMONLY REFERRED TO AS THE STOP SIGN ORDINANCE, AUTHORIZING THE PLACEMENT OF STOP SIGNS NORTHBOUND ON POLLARD ROAD AT ITS INTERSECTION WITH SPRING STREET, WESTBOUND ON POLLARD ROAD AT ITS INTERSECTION WITH POLLARD ROAD AND SPRING STREET (WEST OF PIERCE STREET), AND NORTHBOUND AND SOUTHBOUND ON DIXON STREET AT ITS INTERSECTION WITH LONG STREET.

* * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Ordinance No. 169, Series of 1995, as amended by Ordinance No. 58, Series of 1996, Ordinance No.126, Series of 1996, Ordinance no. 79, Series of 1997, Ordinance No. 126, Series of 1997, Ordinance No. 129, Series of 1997, Ordinance No. 140, Series of 1997, Ordinance No. 73, Series of 1998, Ordinance No. 81, Series of 1998, Ordinance No. 105, Series of 1998, Ordinance No. 73, Series of 1999, Ordinance No. 15, Series of 2000, Ordinance No. 78, Series of 2000, Ordinance No. 128, Series of 2001, Ordinance No. 149, Series of 2001, Ordinance No. 123, Series of 2002, Ordinance No. 144, Series of 2002, Ordinance No. 93, Series of 2005, Ordinance No. 117, Series of 2005, Ordinance No. 167, Series of 2005, Ordinance No. 134, Series of 2006, Ordinance No. 14, Series of 2007, Ordinance No. 113, Series of 2007, Ordinance No. 108, Series of 2009, Ordinance No. 98, Series of 2011, Ordinance No. 39, Series of 2012, Ordinance No. 49, Series of 2012, Ordinance No. 26, Series of 2013; Ordinance No. 99, Series of 2013; Ordinance No. 78, Series of 2014 and Ordinance No. 68, Series of 2018; being an ordinance entitled, “AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, PROVIDING FOR THE INSTALLATION OF STOP SIGNS WITHIN THE CITY OF ASHLAND AND PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE AND REPEALING ORDINANCE NO. 100, SERIES OF 1988, AS AMENDED, AND DECLARING AN EMERGENCY TO EXIST TO ALLOW TWO READING OF THIS ORDINANCE ON THE SAME DAY”, which adopted the “Stop Sign Survey”, by reference, be and said “Stop Sign Survey” is amended, such amendment shown by a single broken line through all deleted language and by underscoring all newly inserted language.

A true and correct copy of such amendment is attached hereto and made a part hereof by reference.

SECTION 2. All other ordinances 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.

RECESSED MEETING JANUARY 24, 2020
ORDINANCE NO. 8, 2020 CONTINUED

/s/MATT PERKINS
MAYOR PRO-TEM

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: January 23, 2020
READOPTED BY THE BOARD OF COMMISSIONERS: January 24, 2020
PUBLISHED:

MOTION

Motion was made by Clark, seconded by Gute, to adopt Ordinance No. 8, 2020, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Steen and Mayor Pro-Tem Perkins. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 9, 2020

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, DESIGNATING A HANDICAP PARKING SPACE ON THE SOUTH SIDE OF WINCHESTER AVENUE IN THE 1600 BLOCK EASTBOUND; AND PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE.

* * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That a handicap parking space be and the same is hereby created and specifically described as follows:

On the South side of Winchester Avenue in the first parking space of the 1600 block eastbound

SECTION 2. That the Chief of Police is hereby authorized and directed to take appropriate steps to enforce the provisions of this ordinance.

SECTION 3. That the Superintendent of Streets is hereby authorized and directed to install appropriate signs to carry the provisions of this ordinance into effect.

SECTION 4. Any person, firm or corporation violating the terms of this ordinance shall be deemed guilty and shall be fined pursuant to the provisions outlined in KRS 189.990.

SECTION 5. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 6. After its adoption, readoption and publication, as required by law, this ordinance shall be effective upon the installation of appropriate signs as herein directed.

/s/MATT PERKINS
MAYOR PRO-TEM

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

RECESSED MEETING JANUARY 24, 2020
ORDINANCE NO. 9, 2020 CONTINUED

ADOPTED BY THE BOARD OF COMMISSIONERS: January 23, 2020
 READOPTED BY THE BOARD OF COMMISSIONERS: January 24, 2020
 PUBLISHED:

MOTION

Motion was made by Clark, seconded by Gute, to adopt Ordinance No. 9, 2020, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Steen and Mayor ProTem Perkins. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 10, 2020

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING ORDINANCE NO. 55, SERIES OF 2009, PREVIOUSLY AMENDED BY ORDINANCE NO. 45, SERIES OF 2010, ORDINANCE NO. 77, SERIES OF 2014, AND ORDINANCE NO. 81, SERIES OF 2018, COMMONLY KNOWN AND REFERRED TO AS THE LOADING ZONE ORDINANCE DESIGNATING A LOADING ZONE IN THE 1500 BLOCK OF CARTER AVENUE AND IN THE 1600 BLOCK OF WINCHESTER AVENUE.

* * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Ordinance No. 55, Series of 2009, previously amended by Ordinance No. 45, Series of 2010, Ordinance No. 77, Series of 2014, and Ordinance No. 81, Series of 2018, being an ordinance entitled, "AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY DESIGNATING THE LOCATION OF LOADING/UNLOADING ZONES WITHIN THE CITY OF ASHLAND, PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE AND REPEALING ANY AND ALL OTHER ORDINANCES IN CONFLICT HEREWITH" is amended, such amendment shown by a single broken line through all deleted language and by underscoring all newly inserted language.

SECTION 5. That loading zones be and the same are hereby created as follows:

100 Block of 15th Street adjacent to the Federal Building located at 1405 Greenup Avenue (Two Loading/Unloading Zones)

Beginning at a point on the west curblineline of 15th Street, said point being 91.4 feet from the intersection of the west curblineline of 15th Street and the north curblineline of Greenup Avenue, thence extending 45.4 feet (one existing 20.4 foot stall and one existing 25 foot parking stall) northerly to a point on the west curblineline of 15th Street.

Greenup Avenue

Southeast corner a distance of 50 feet in an easterly direction from 13th Street.

West Side of 18th Street (Two Loading/Unloading Zones)

Beginning at a point 36 feet from the curb insert and continuing in a southerly direction 10 feet for the first loading zone and second such zone to begin at this point and continue 10 additional feet in a southerly direction.

1401 Winchester Avenue – G.B. Johnson Building (2-car loading zone)

Beginning at a point on the north curb line of Winchester Avenue, said point being 15.50 feet from the easterly right-of-way of 14th Street; thence with the northerly curb line of Winchester Avenue in the southeasterly direction 44.00 feet to a point.

RECESSED MEETING JANUARY 24, 2020
ORDINANCE NO. 10, 2020 CONTINUED

17th Street

Beginning at a point on the east curb line of 17th Street; said point being in a southerly direction 74.0' from the intersection point of the southerly curb line of Winchester Avenue and the easterly curb line of 17th Street; thence in a southerly direction 40.0' to a point; thence in an easterly direction 8.0' to a point in an existing sidewalk; thence in a northerly direction with said sidewalk 40.0'; thence in a westerly direction 8.0' to the point of beginning.

1501 Carter Avenue

Beginning at a point on the north curb line of Carter Avenue, said point being 127.50 feet from the intersection of the east curb line of 15th Street and the north line of Carter Avenue; thence with the north line of Carter Avenue in a southeasterly direction 14 feet to a point; thence leaving said curb line, at approximately 60° angle to the curb, in a southwesterly direction 22.00 feet to a point; thence in a northwesterly direction 14.00 feet to a point; thence in a northeasterly direction 22.00 feet to the point and place of beginning.

230 16th Street

Beginning at a point on the easterly curblines of 16th Street, said point being 18' from the intersection of the easterly curblines of 16th Street and the southerly curblines of an alley, thence southerly 13' to a point on the easterly curblines of 16th Street.

Central Avenue – Kentucky Power

Beginning at a point on the northerly curblines of Central Avenue, said point being 112.5 feet from the intersection of the westerly curblines of 18th Street and Central Avenue, thence westerly 45' to a point on the northerly curblines of Central Avenue.

Winchester Avenue – 1300 Block – In front of Ashland News

Beginning at a point on the northerly curblines of Winchester Avenue, said point being 147 feet from the intersection of the westerly curblines of 14th Street and Winchester Avenue, thence westerly 22' to a point on the northerly curblines of Winchester Avenue.

Winchester Avenue – 2200 Block

Beginning at a point on the southerly curblines of Winchester Avenue, said point being westerly 140 feet from the intersection of the southerly curblines of Winchester Avenue and the westerly curblines of 23rd Street, thence westerly along the southerly curblines of Winchester Avenue 22' to a point on the southerly curblines of Winchester Avenue.

In front of 1544 Winchester Avenue

8th Street – 300 Block – East Side (7:00 AM – 8:00 PM)**

Beginning at a point on the easterly curblines of 8th Street, said point being southerly 160 feet from the intersection of the southerly curblines of Winchester Avenue and the easterly curblines of 8th Street, thence northerly along the easterly curblines of 8th Street 80' to a point on the easterly curblines of 8th Street.

Carter Avenue – 1500 Block

In the 1500 block of Carter Avenue on the north side of the street in a parallel space adjacent to the entrance of Community Trust Bank parking entrance and directly beside Speedy Signs.

Winchester Avenue – 1600 Block

In the 1600 block of Winchester Avenue on the south side of the street in spaces 2, 3 and 4 on Sundays from 0700 – 2300 hours (7:00 AM – 11:00 PM).

RECESSED MEETING JANUARY 24, 2020
ORDINANCE NO. 10, 2020 CONTINUED

SECTION 2. All other ordinances 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.

/s/MATT PERKINS
MAYOR PRO-TEM

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: January 23, 2020
READOPTED BY THE BOARD OF COMMISSIONERS: January 24, 2020
PUBLISHED:

MOTION

Motion was made by Clark, seconded by Gute, to adopt Ordinance No. 10, 2020, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Steen and Mayor Pro-Tem Perkins. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 11, 2020

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING THE ZONING MAP OF THE OFFICIAL ZONING ORDINANCE OF THE CITY OF ASHLAND NO. 101, SERIES OF 1986, AS PREVIOUSLY AMENDED, BY CHANGING THE ZONING CLASSIFICATION OF ALL PROPERTIES ALONG BOTH SIDES OF 29TH STREET FROM MONTGOMERY AVENUE TO 1013 29TH STREET AND PROPERTIES ALONG BELMONT STREET FROM THE 29TH STREET/BELMONT STREET SPLIT TO SIMPSON ROAD FROM (B-1) NEIGHBORHOOD BUSINESS TO (B-2) GENERAL BUSINESS.

WHEREAS, the City of Ashland Planning Commission requested the rezoning of all properties located along both sides of 29th Street from Montgomery Avenue to 1013 29th Street and properties along Belmont Street from the 29th Street/Belmont Street split to Simpson Road from B-1 Neighborhood Business to B-2 General Business, and

WHEREAS, the Ashland Planning Commission held a duly advertised and conducted public hearing on said application November 19, 2019, and on the basis of evidence presented thereat made certain factual determinations and concluded therefrom that the proposed change is in conformance with the adopted Comprehensive Plan; and made a recommendation to the Ashland City Commission that said application be approved as requested;

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

SECTION 1. On the basis of the aforementioned factual determinations and recommendation by the Ashland Planning Commission with further review of such facts of the Ashland Board of City Commissioners, and pursuant to KRS Chapter 100, that the official Zoning Ordinance of the City of Ashland, No. 101, series of 1986 and the official Zoning Map which is a part thereof, be hereby amended as follows:

RECESSED MEETING JANUARY 24, 2020
ORDINANCE NO. 11, 2020 CONTINUED

The zoning classification of all properties located between 8th and 9th Streets facing Central Avenue from R-4 Multi/Single Family is hereby changed from B-1 Neighborhood Business to B-2 General Business.

SECTION 2. The invalidity of any provision of this Ordinance shall not affect the validity of any other provision.

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

SECTION 4. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 5. It is hereby authorized that publication of this ordinance be in summary form.

/s/MATT PERKINS
MAYOR PRO-TEM

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: January 23, 2020
READOPTED BY THE BOARD OF COMMISSIONERS: January 24, 2020
PUBLISHED:

MOTION

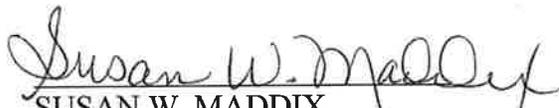
Motion was made by Gute, seconded by Steen, to adopt Ordinance No. 11, 2020, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Steen and Mayor Pro-Tem Perkins. Nay – none. Motion passed.

ADJOURNMENT

Mayor Pro-Tem Perkins declared the meeting adjourned at 8:40 AM.


MATT PERKINS
MAYOR PRO-TEM

ATTEST:


SUSAN W. MADDIX
CITY CLERK