

**RECESSED MEETING
FEBRUARY 28, 2020**

The Ashland Board of Commissioners met in Recessed Session in the Commissioners' Chambers, City Building, Ashland, Kentucky, on Friday, February 28, 2020, at the hour of 8:30 AM. Those present were Commissioners: Marty Gute, Matt Perkins, Pat Steen and Mayor Stephen E. Gilmore, who presided. Absent: Commissioner Amanda Clark. Also present were: Michael S. Graese, City Manager; James H. Moore, III, Corporation Counsel; Susan W. Maddix, City Clerk; Wm. Todd Kelley, Chief of Police; Greg Ray, Fire Chief; Steve Cole, City Engineer; Tony Grubb, Finance Director; Michelle Veach, Assistant Finance Director; Jack Hunter, Street Superintendent; Mark Hall, Director of Utilities; Lorraine Woolery, Section 8/Housing Choice Voucher Administrator; Brian Felty, Central Garage Superintendent; Scott Niece, Community and Economic Development; and Michelle Grubb, Public Information Officer.

AGENDA

City Manager Graese presented the agenda of February 28, 2020. Motion was made by Gute, seconded by Perkins, to receive & file the agenda. Upon roll call, voting aye were Commissioners Gute, Perkins, Steen and Mayor Gilmore. Nay - none. Motion passed.

OLD BUSINESS

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 12, 2020

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND APPROVING CHANGE ORDER NO. 3 DATED JANUARY 29, 2020 IN THE AMOUNT OF \$1,252.00 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND WOMACK EXCAVATING, LLC REGARDING THE COMMUNITY CENTER FOR THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Change Order No. 3 dated January 29, 2020 in the contract authorized by Ordinance No. 166, 2019 between the City of Ashland, Kentucky and Womack Excavating, LLC regarding the Community Center site preparation for the Department of Community and Economic Development are hereby approved as follows:

Change Order No. 3 – Dated January 29, 2020

Original Contract Price	\$164,163.00
Previous Change Orders	6,095.00
Contract Price prior to this Change Order	170,258.00
Net Increase of Change Order #1	1,252.00
Contract Price with all approved Change Orders	\$171,510.00

A true copy of Change Order No. 3 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the City of Ashland and any parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.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

**RECESSED MEETING FEBRUARY 28, 2020
ORDINANCE NO. 12, 2020 CONTINUED**

ATTEST:

/s/SUSAN W. MADDIX
 CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: February 27, 2020
 READOPTED BY THE BOARD OF COMMISSIONERS: February 28, 2020
 PUBLISHED:

MOTION

Motion was made by Gute, seconded by Steen, to adopt Ordinance No. 12, 2020, at this its second reading. Upon roll call, voting aye were Commissioners Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 13, 2020

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND APPROVING CHANGE ORDER NO. 1 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND DEBCON, INC. INCREASING THE CONTRACT AMOUNT BY \$25,113.00 REGARDING THE 16TH STREET PLAZA (JUDD PLAZA) RENOVATION PROJECT FOR THE DEPARTMENT OF ENGINEERING.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Change Order No. 1 in the contract authorized by Ordinance No. 162, 2019 between the City of Ashland, Kentucky and Debcon, Inc. for the 16th Street Plaza (Judd Plaza) Renovation Project is hereby approved as follows.

Change Order No. 1 dated February 20, 2020

Original Contract Price	\$1,137,000.00
Previous Change Orders	0.00
Contract Price prior to this Change Order	1,137,000.00
Net Increase of Change Order #1	<u>25,113.00</u>
 Contract Price with Change Orders	 1,162,113.00

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

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

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

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

/s/STEPHEN E. GILMORE
 MAYOR

ATTEST:

/s/SUSAN W. MADDIX
 CITY CLERK

RECESSED MEETING FEBRUARY 28, 2020
ORDINANCE NO. 13, 2020 CONTINUED

ADOPTED BY THE BOARD OF COMMISSIONERS: February 27, 2020
 READOPTED BY THE BOARD OF COMMISSIONERS: February 28, 2020
 PUBLISHED:

MOTION

Motion was made by Gute, seconded by Perkins, to adopt Ordinance No. 13, 2020, at this its second reading. Upon roll call, voting aye were Commissioners Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 14, 2020

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 SINGLE PHASE SERVICE IN EXISTING CONDUIT FOR THE COMMUNITY CENTER PROJECT FOR THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT AT A COST OF \$744.07.

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 single phase service in existing conduit for the Community Center Project for the Department of Community and Economic Development at a cost of \$744.07. The City agrees to dig the trench and install conduit and the pull rope. A copy of 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: February 27, 2020
 READOPTED BY THE BOARD OF COMMISSIONERS: February 28, 2020
 PUBLISHED:

RECESSED MEETING FEBRUARY 28, 2020
ORDINANCE NO. 14, 2020 CONTINUED

MOTION

Motion was made by Gute, seconded by Perkins, to adopt Ordinance No. 14, 2020, at this its second reading. Upon roll call, voting aye were Commissioners Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 15, 2020

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 RELOCATION OF POLES TO ALLOW FOR THE ADDITION OF A SIDEWALK ON DIXON STREET FOR THE POLLARD MILLS PROJECT FOR THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT AT A COST OF \$4,138.56.

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 relocation of poles on Dixon Street to allow for the addition of a sidewalk for the Pollard Mills Project for the Department of Community and Economic Development at a cost of \$4,138.56. A copy of 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, re adoption 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: February 27, 2020
READOPTED BY THE BOARD OF COMMISSIONERS: February 28, 2020
PUBLISHED:

MOTION

Motion was made by Gute, seconded by Steen, to adopt Ordinance No. 15, 2020, at this its second reading. Upon roll call, voting aye were Commissioners Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

RECESSED MEETING FEBRUARY 28, 2020
ORDINANCE NO. 16, 2020

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 16, 2020

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 BY KENTUCKY POWER OF THREE-PHASE, UG XFMR SERVICE, REMOVAL BY KENTUCKY POWER OF ONE (1) POST-TOP LIGHT AND THE PURCHASE BY THE CITY OF ASHLAND OF SIX (6) POST-TOP LIGHTS FOR THE 16TH STREET PLAZA (JUDD PLAZA) PROJECT FOR THE DEPARTMENT OF ENGINEERING, AT A COST OF \$19,420.77.

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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 3-Phase UG Primary and set KVA Pad XFMR and service, removal of 1 post-top light and all attachments on steel poles and the sale of 6 post-top lights to the City for the 16th Street Plaza (Judd Plaza) project for the Department of Engineering at a cost of \$19,420.77. The City agrees to have XFMR pad and 2-runs of 4” conduit into a 40” deep ditch with 2 sweeping 90’s and conduit for service. A copy of 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: February 27, 2020

READOPTED BY THE BOARD OF COMMISSIONERS: February 28, 2020

PUBLISHED:

MOTION

Motion was made by Gute, seconded by Perkins, to adopt Ordinance No. 16, 2020, at this its second reading. Upon roll call, voting aye were Commissioners Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

RECESSED MEETING FEBRUARY 28, 2020
ORDINANCE NO. 17, 2020

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 17, 2020

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 BOYD COUNTY SANITARY LANDFILL, INC. (RUMPKE) FOR A SUITABLE LANDFILL LOCATION FOR THE RECEIPT AND DISPOSAL OF COMPACTED GARBAGE AND REFUSE, RUBBLE AND RUBBISH, COLLECTED BY THE CITY OF ASHLAND FOR A PERIOD OF ONE (1) YEAR IN AN AMOUNT NOT TO EXCEED \$17.75 PER TON FOR THE DEPARTMENT OF PUBLIC SERVICES, DIVISION OF SANITATION.

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 Boyd County Sanitary Landfill, Inc. (Rumpke) for the receipt and disposal of compacted garbage and refuse, rubble and rubbish, collected by the City of Ashland for a period of one (1) year in an amount not to exceed \$17.75 per ton for the Department of Public Services, Division of Sanitation. 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: February 27, 2020
READOPTED BY THE BOARD OF COMMISSIONERS: February 28, 2020
PUBLISHED:

MOTION

Motion was made by Gute, seconded by Steen, to adopt Ordinance No. 17, 2020, at this its second reading. Upon roll call, voting aye were Commissioners Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

RECESSED MEETING FEBRUARY 28, 2020
CONSENT AGENDA

RESOLUTION NO. 5, 2020

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 **FEBRUARY 28, 2020**.

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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, **February 28, 2020**, 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: February 28, 2020

MOTION

Motion was made by Gute, seconded by Perkins, to adopt Resolution No. 5, 2020. Upon roll call, voting aye were Commissioners Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

CONSENT AGENDA ITEMS

1. City Manager recommends authorizing payment of Invoice 75642245 dated February 14, 2020 in the amount of \$4,138.56 to American Electric Power to relocate the poles to allow addition of sidewalk on Dixon Street.
2. City Manager recommends authorizing payment of Invoice 75725114 dated February 17, 2020 in the amount of \$744.07 to American Electric Power to install underground service for the Community Center Project.
3. City Manager recommends authorizing payment of Invoice 75760818 dated February 12, 2020 in the amount of \$19,420.77 to American Electric Power to install three Phase UG-XFMR and service, removal of one Post Top Light and sell six Post Top Lights to the City.
4. Other Consent Items

RECESSED MEETING FEBRUARY 28, 2020
ADJOURNMENT

Mayor Gilmore declared the meeting adjourned in memory of Retired Ashland Police Officer Danny Mooney.


STEPHEN E. GILMORE
MAYOR

ATTEST:


SUSAN W. MADDIX
CITY CLERK