

**SPECIAL REGULAR MEETING
APRIL 9, 2020
(COVID-19 CIRCUMSTANCES)**

The Ashland Board of Commissioners met in Special Regular Session in the Commissioners' Chambers, City Building, Ashland, Kentucky, on Thursday, April 9, 2020, at the hour of 12:00 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, III, Corporation Counsel; Susan W. Maddix, City Clerk; Wm. Todd Kelley, Chief of Police; Lorraine Woolery, Section 8/Housing Choice Voucher Administrator; and Reporters.

The invocation was given by Commissioner Gute.

The Pledge of Allegiance was conducted.

CALL LETTER

April 7, 2020

DELIVERED BY: DATE: TIME:
or delivered to

TO:

Amanda Clark, City Commissioner	D. Gilkison	4/7/2020	1540
Marty Gute, City Commissioner	S. Gute for Marty	4/7/2020	5:54
Matt Perkins, City Commissioner	Matt Perkins	4/7/20	6:35
Pat Steen, City Commissioner	D. Gilkison	4/7/2020	1525
Michael S. Graese, City Manager	W. Kelley	4/7/2020	1433
James H. Moore, III, Corporation Counsel	D. Gilkison	4/7/2020	1520
Susan W. Maddix, City Clerk	W. Kelley	4/7/2020	1421

FROM: Stephen E. Gilmore, Mayor Stephen E. Gilmore 4/7/2020 1803

Commissioners:

This is to advise that I hereby call a special meeting of the Board of Commissioners of the City of Ashland, Kentucky to be held in the Commissioners' Chambers, City Building, 1700 Greenup Avenue, Ashland, Kentucky:

DATE: Thursday, April 9, 2020

TIME: 12:00 PM

PURPOSE: To conduct all business as shown on the agenda attached hereto and incorporated by reference herein.

This meeting will be a video teleconference conducted from the Commissioners' Chambers located on the 3rd floor of the Ashland City Building at 1700 Greenup Avenue, Ashland, Kentucky. Under the authority of Attorney General Daniel Cameron OAG 20-05 dated March 18, 2020, there will be no primary location from which members of the public may attend and directly view this meeting and members of the public will not be admitted to the Commissioners' Chambers.

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Amanda Clark, Marty Gute, Matt Perkins and Pat Steen, City Commissioners
Michael S. Graese, City Manager
James H. Moore, III, Corporation Counsel
Susan W. Maddix, City Clerk

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SPECIAL REGULAR MEETING APRIL 9, 2020
CALL LETTER CONTINUED

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In lieu of a primary location, members of the public may view the proceedings by accessing a live stream of the Commission meeting broadcast by MyTown TV at the following sites:

<https://www.youtube.com/channel/UCyq2LQ45fzpLNVVsiOXG35w>
www.ashlandky.gov
<https://www.facebook.com/CityofAshlandKY/>

Members of the media may attend in person at the Commissioners' Chambers subject to social distancing protocols.

Very truly yours,

/s/Stephen E. Gilmore
 Mayor

/sm

Executed by delivering a true copy of the foregoing letter to each of the persons named in the caption thereof.

/s/Todd Kelley, Chief of Police
 Signature and rank of officer in charge
 of execution of this letter

The appropriately executed original of this letter shall be filed in the Office of the City Clerk of the City of Ashland, Kentucky.

True copies of the foregoing notice of special meeting have been served by e-mail upon the media sources shown on the list attached to the executed copy of this letter.

cc:

The Daily Independent
 Email: gputt@dailyindependent.com
 Email: tevans@dailyindependent.com
 Email: mjames@dailyindependent.com

My Town TV
 Email: Jeromy@mytowntv.com
 Email: Ashley@mytowntv.com

The Herald Dispatch
 Email: dmalloy@herald-dispatch.com

Lexington Herald Leader
 Email: dlawhead@herald-leader.com

WMKY Radio
 Email: wmky@moreheadstate.edu

WLGC Radio
 Email: jimforrest@koolhits1057.com

WSAZ – TV
 Email: news@wsaz.com
 Email: Kristen.Schneider@wsaz.com
 Email: Chad.Hedrick@wsaz.com

WOWK-TV
 Email: news@wowktv.com
 Email: sshaw@wowktv.com

WCHS – TV
 Email: news@wchstv.com

SPECIAL REGULAR MEETING APRIL 9, 2020
CALL LETTER CONTINUED

WRVC, WTKZ, WCMI The Planet Radio
 Kindred Communications
 Email: pr@kindredcom.net

WTCR, WKEE, WAEZ, WNST, B97
 Clearchannel
 Email: jim.davis@clearchannel.com

AGENDA

Motion was made by Gute, seconded by Steen, to receive and 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 Clark, seconded by Gute, to dispense with reading and approve the minutes of the Regular Meetings held on March 12 and March 26, 2020. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay - none. Motion passed.

HEARINGS AND REPORTS

Mayor and Commissioners' Comments

Commissioner Clark reported there were approximately 3700 people without power in the area due to storms and advised anyone without power to report the outage on the Kentucky Power website at kentuckypower.com.

Mayor Gilmore commented on the effects of COVID-19 on City government, businesses and on the citizens of Ashland. He reported City officials will continue to be fiscally responsible while trying to provide quality services to the citizens. The Finance Department is preparing the budget for Fiscal Year 2020 - 2021. Each department will be reviewing ways to streamline services while reducing expenditures. Mayor Gilmore commended Governor Beshear for keeping citizens of Kentucky well informed.

City Manager's Report

City Manager Graese reported on:

Storm damage throughout the City and thanked the Police and Fire Departments for their response in addition to the Street Department, Utilities Department, Boyd County Emergency Management and Kentucky Power. It will take approximately two weeks to get everything cleaned up from the storms.

Steps the City of Ashland has taken during COVID-19. The parks and the City Building are closed to the public. Employees are working shifts to make sure offices are covered. He is proud of staff and how they have adapted and publicly thanked City Clerk Susan Maddix. City Manager Graese announced two phone numbers citizens may call if there is an issue. Those numbers are 385-3300 or 385-3303. He reported that Finance is working diligently to estimate revenue. Staff reduction and layoffs will be considered during budget sessions.

The decision NOT to conduct the shut-off of water service for unpaid bills through April 27. This decision will be reviewed again at the end of April.

SPECIAL REGULAR MEETING APRIL 9, 2020
HEARINGS AND REPORTS CONTINUED

An increase in aggressive crimes such as domestic violence, assaults, etc. as reported by the Ashland Police Department.

City Manager Graese thanked the citizens for doing their part in social distancing with regard to COVID-19. He also thanked the Ashland-Boyd County Health Department, Boyd County Emergency Management, Boyd County Sheriff, Boyd County Coroner, Boyd County Jailer, King’s Daughters’ Medical Center and the elected officials of Boyd County and Catlettsburg. All agencies are working together and keeping each other informed during this pandemic.

Commissioner Perkins received reports of social gathering at AK Steel Sports Park and asked that signs be placed at the park.

Overview of proposed ordinances related to chronic nuisance properties

Corporation Counsel Moore reviewed with the Commission a proposed ordinance establishing regulations for the abatement of public nuisances. The ordinance would provide a penalty for violations by owners who permit the reoccurrence of public nuisance activities on their properties without taking reasonable actions to stop the misuse of their property. Mr. Moore also reviewed a companion ordinance requiring the owners of rental property to register with the City. Commissioner Perkins requested clarification as to how notification to the property owner would occur. Mr. Moore advised the property owner/manager would receive a letter from the Chief of Police stating that illegal activities were occurring at the particular property and ask the property owner/manager to contact the Chief within 7 days. The property owner/manager and Chief of Police would then work together on a plan to abate the illegal activities.

VOTE - CALL LETTER

Motion was made by Clark, seconded by Gute, to receive, file and record the call letter. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay - none. Motion passed.

OLD BUSINESS
SECOND READING & FINAL ADOPTION

ORDINANCE NO. 30, 2020

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING ORDINANCE NO. 55, SERIES OF 2013, AS PREVIOUSLY AMENDED, WHICH FIXED THE DAYS, THE TIME AND PLACE FOR MEETINGS OF THE BOARD OF COMMISSIONERS OF SAID CITY CHANGING THE MEETING TIME FOR ALL REGULARLY SCHEDULED MEETINGS DURING THE MONTHS OF APRIL THROUGH SEPTEMBER TO 12:00 PM (NOON).

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:
SECTION 1. That Section 1 of Ordinance No. 55, series of 2013, as previously amended, being an ordinance entitled, “AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, FIXING THE DAYS, THE TIME AND PLACE FOR MEETINGS OF THE BOARD OF COMMISSIONERS OF SAID CITY EFFECTIVE AUGUST 1, 2013 AND CONTINUING FOR SUBSEQUENT YEARS AND REPEALING ORDINANCE NO. 145, SERIES OF 1999 AND ALL AMENDMENTS THERETO,” be and said section is hereby amended as follows, such amendments shown by underscoring all newly inserted language and by a single broken line through all deleted language:

SPECIAL REGULAR MEETING APRIL 9, 2020
ORDINANCE NO. 30, 2020 CONTINUED

SECTION 1. That effective ~~May 25, 2017~~ April 1, 2020 and continuing throughout subsequent years unless amended, the Board of Commissioners of the City of Ashland, Kentucky, shall hold two regular meetings each month, with the exception of July, November and December. Said meetings shall convene at 12:00 PM on the second Thursday of each month and at 6:00 PM on the fourth Thursday of each month, with the exception of regularly scheduled meetings during the months of April, May, June, July, August and September which shall be held at 12:00 PM, in the Commissioners' Chambers located on the third floor of the City Building, Ashland, Kentucky. The one July meeting shall convene on the fourth Thursday of the month, and the one November meeting and December meeting shall convene on the second Thursday of the month.

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.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS:	March 26, 2020
READOPTED BY THE BOARD OF COMMISSIONERS:	April 9, 2020
PUBLISHED:	

MOTION

Motion was made by Gute, seconded by Steen, to adopt Ordinance No. 30, 2020, 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. 31, 2020

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING ORDINANCE NO. 47, SERIES OF 2016, REGARDING A POLICY PROVIDING FOR THE SUBMISSION OF GRANT APPLICATIONS.

* * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Section 1 of Ordinance No. 47, series of 2016, being an ordinance entitled, "AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, SETTING POLICY REGARDING THE SUBMISSION OF GRANT APPLICATIONS." Be and said section is hereby amended as follows, such amendments shown by underscoring all newly inserted language and by a single broken line through all deleted language:

SPECIAL REGULAR MEETING APRIL 9, 2020
ORDINANCE NO. 31, 2020 CONTINUED

SECTION 1. It shall be the policy of the City of Ashland that any and all grant applications submitted on behalf of the City of Ashland to any private or governmental agencies shall first be submitted to the City Public Information Officer who shall review and make a record of such proposed applications; then to the City Manager for his review and modification at his discretion; and then shall be approved by to the Ashland Board of City Commissioners for it formal approval. No grant application on behalf of the City or any agency thereof shall be submitted without first being approved by a majority vote of the Board of Commissioners in session prior to submission.

SECTION 2. All applications approved by the Commission shall be submitted by the City Manager.

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, re adoption and publication, as required by law.

SECTION 5. 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: March 26, 2020
READOPTED BY THE BOARD OF COMMISSIONERS: April 9, 2020
PUBLISHED:

MOTION

Motion was made by Clark, seconded by Gute, to adopt Ordinance No. 31, 2020, 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. 32, 2020

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND APPROVING CHANGE ORDER NO. 2 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND DEBCON, INC. INCREASING THE CONTRACT AMOUNT BY \$2,062.00 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. 2 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.

SPECIAL REGULAR MEETING APRIL 9, 2020
ORDINANCE NO. 32, 2020 CONTINUED

Change Order No. 2 dated March 18, 2020

Original Contract Price	\$1,137,000.00
Previous Change Orders	25,113.00
Contract Price prior to this Change Order	1,162,113.00
Net Increase of Change Order #2	<u>2,062.00</u>

Contract Price with Change Orders	1,164,175.00
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A true copy of Change Order No. 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/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS:	March 26, 2020
READOPTED BY THE BOARD OF COMMISSIONERS:	April 9, 2020
PUBLISHED:	

MOTION

Motion was made by Gute, seconded by Steen, to adopt Ordinance No. 32, 2020, at this its second reading.

DISCUSSION

Mayor Gilmore requested City Engineer Steve Cole submit a progress report to the Board.

VOTE

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

SPECIAL REGULAR MEETING APRIL 9, 2020
ORDINANCE NO. 33, 2020

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 33, 2020

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO SUBMIT THE PROGRAM YEAR 2019 **AMENDED** ACTION PLAN, ADOPTED BY ORDINANCE NO. 64, SERIES OF 2019, AS AMENDED BY ORDINANCE NO. 109, SERIES OF 2019, AND ORDINANCE NO. 149, SERIES OF 2019, FOR A COMMUNITY DEVELOPMENT BLOCK GRANT TO THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) IN THE AMOUNT OF \$561,481.00 PLUS CARRY-OVER FUNDING IN THE AMOUNT OF \$1,089,482.00, TO REDISTRIBUTE FUNDING ALLOCATIONS, AND UPON ACCEPTANCE OF SAID APPLICATION FROM HUD, TO EXECUTE ON BEHALF OF THE CITY OF ASHLAND, AN AGREEMENT WITH THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO ENABLE THE CITY TO UNDERTAKE THESE ACTIVITIES AND/OR ANY AND ALL DOCUMENTS ASSOCIATED WITH THE GRANT SUBMITTAL.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That the Program Year 2019 **AMENDED** Action Plan, adopted by Ordinance No. 64, Series of 2019, and amended by Ordinance No. 109, Series of 2019, and Ordinance No. 149, Series of 2019, is hereby approved by the Board of Commissioners of said City and Stephen E. Gilmore, Mayor, is hereby authorized and directed to execute and submit said **AMENDED** Plan in the amount of \$561,481.00 plus carry-over funding in the amount of \$1,089,482.00, to the Department of Housing and Urban Development for approval and implementation; to provide such documentation and certifications as may be required by the Department of Housing and Urban Development; and, further, to act as the authorized correspondent of the City of Ashland relating to the Community Development Program.

SECTION 2. That the United States of America and the Secretary of Housing and Urban Development be, and hereby are, assured of full compliance by the Board of Commissioners of the City of Ashland, Kentucky, with certifications relating to all regulations and administration of Civil Rights Act, citizen participation, relocation payments, acquisition processes, accounting procedures, the Hatch Act, minimum wage and minimum hour provisions of the Fair Labor Standards Act, and all requirements of the National Environmental Policy Act of 1968.

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/STEPHEN E. GILMORE
MAYOR

SPECIAL REGULAR MEETING APRIL 9, 2020
ORDINANCE NO. 33, 2020 CONTINUED

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: March 26, 2020
READOPTED BY THE BOARD OF COMMISSIONERS: April 9, 2020
PUBLISHED:

MOTION

Motion was made by Gute, seconded by Steen, to adopt Ordinance No. 33, 2020, at this its second reading. Upon roll call, voting aye were Commissioners Gute, Steen and Mayor Gilmore. Nay – none. Abstain – Commissioners Clark and Perkins. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 34, 2020

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING THE SUBMITTAL OF THE ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING (AI) AS REQUIRED BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) IN ORDER FOR CONTINUED COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOUSING CHOICE VOUCHER (HCV) FUNDING FOR THE CITY OF ASHLAND DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That the Ashland Board of City Commissioners hereby authorizes the submittal of the Analysis of Impediments to Fair Housing (AI) to the Department of Housing and Urban Development (HUD) for continued Community Development Block Grant (CDBG) and Housing Choice Voucher (HCV) funding for the City of Ashland Department of Community and Economic Development. Said Analysis 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. SEVERABILITY CLAUSE. It shall be considered that it is the intent of the City of Ashland, in enacting this ordinance, that if any part of it be held unconstitutional the remaining parts shall remain in force, unless the ordinance provides otherwise, or unless the remaining parts are so essentially and inseparably connected with and dependent upon the unconstitutional part that it is apparent that the City would not have enacted the remaining parts without the unconstitutional part, or unless the remaining parts, standing alone, are incomplete and incapable of being executed in accordance with the intent of the City of Ashland.

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/STEPHEN E. GILMORE
MAYOR

SPECIAL REGULAR MEETING APRIL 9, 2020
ORDINANCE NO. 34, 2020 CONTINUED

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: March 26, 2020
READOPTED BY THE BOARD OF COMMISSIONERS: April 9, 2020
PUBLISHED:

MOTION

Motion was made by Gute, seconded by Steen, to adopt Ordinance No. 34, 2020, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Steen and Mayor Gilmore. Nay – none. Abstain – Commissioner Perkins. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 35, 2020

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ADOPTING THE PUBLIC HOUSING AGENCY (PHA) FIVE YEAR PLAN TO COMPLY WITH SECTION 511 OF THE QUALITY HOUSING AND WORK RESPONSIBILITY ACT AND THE ENSUING HUD REQUIREMENTS TO BE SUBMITTED TO THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, OFFICE OF PUBLIC AND INDIAN HOUSING.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That the City of Ashland Assisted Housing Authority Public Housing Agency’s (PHA) Five Year Plan is hereby adopted in full by the City of Ashland and is to be submitted to the U. S. Department of Housing and Urban Development, Office of Public and Indian Housing. Said Plan 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. SEVERABILITY CLAUSE. It shall be considered that it is the intent of the City of Ashland, in enacting this ordinance, that if any part of it be held unconstitutional the remaining parts shall remain in force, unless the ordinance provides otherwise, or unless the remaining parts are so essentially and inseparably connected with and dependent upon the unconstitutional part that it is apparent that the City would not have enacted the remaining parts without the unconstitutional part, or unless the remaining parts, standing alone, are incomplete and incapable of being executed in accordance with the intent of the City of Ashland.

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/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

**SPECIAL REGULAR MEETING APRIL 9, 2020
ORDINANCE NO. 35, 2020 CONTINUED**

ADOPTED BY THE BOARD OF COMMISSIONERS: March 26, 2020
READOPTED BY THE BOARD OF COMMISSIONERS: April 9, 2020
PUBLISHED:

MOTION

Motion was made by Gute, seconded by Steen, to adopt Ordinance No. 35, 2020, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Steen and Mayor Gilmore. Nay – none. Abstain – Commissioner Perkins. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 36, 2020

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ADOPTING THE 2020 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CITIZEN PARTICIPATION PLAN FOR DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT PROGRAMS AS REQUIRED BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD).

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That the Board of Commissioners of the City of Ashland, Kentucky hereby adopts the 2020 Community Development Block Grant (CDBG) Citizen Participation Plan for the Department of Community and Economic Development pursuant to requirements by the Department of Housing and Urban Development (HUD) for continued CDBG funding. Said plan 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: March 26, 2020
READOPTED BY THE BOARD OF COMMISSIONERS: April 9, 2020
PUBLISHED:

MOTION

Motion was made by Clark, seconded by Steen, to adopt Ordinance No. 36, 2020, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Steen and Mayor Gilmore. Nay – none. Abstain – Commissioner Perkins. Motion passed.

**SPECIAL REGULAR MEETING APRIL 9, 2020
ORDINANCE NO. 37, 2020**

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 37, 2020

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ADOPTING THE 2020 – 2024 CITY OF ASHLAND COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CONSOLIDATED PLAN AND THE 2020 ANNUAL PLAN FOR THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT.

WHEREAS, it is necessary and in the public interest that the City of Ashland, Kentucky avail itself of the financial assistance provided by Title I of the Housing and Community Development Act of 1974, as amended, to commence a Community Development Program within the City of Ashland, Kentucky, and

WHEREAS, the United States Department of Housing and Urban Development’s application process for said assistance includes preparation of a 2020-2024 Consolidated Plan and the 2020 Annual Plan;

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

SECTION 1. That the United States of America, Secretary of Housing and Urban Development be and is hereby assured of full compliance by the City of Ashland, Kentucky, with certifications relating to all regulations and administration of Civil Rights Acts, citizen participation, relocation payments, acquisition processes, accounting procedures, the Hatch Act, minimum wage and minimum hour provisions of the Fair Labor Standards Act, all requirements of the National Environmental Policy Act of 1968, and all other certifications applicable to activities undertaken in whole or part with Community Development Block Grant funds, as stipulated in 24 CFR 570.303 and as contained in the attached “Grantee Certifications”, which are incorporated herein by reference.

SECTION 2. That the Mayor of the City of Ashland is hereby authorized and directed to prepare such certifications and to assure full compliance with all certifications as are outlined in paragraph one (1) above.

SECTION 3. That a Consolidated Plan and the 2020 Annual Plan on behalf of the City of Ashland for a grant of said Title I funds is hereby approved and the Mayor is hereby authorized to execute and file such plans with the U.S. Department of Housing and Urban Development, provide such additional information and to furnish such documentation as may be required and to act as the authorized correspondent of the City of Ashland relating to the Community Development Program.

SECTION 4. That the Mayor is hereby authorized to accept the grant funds for the Consolidated Plan and 2020 Annual Plan when formally issued by the United States Department of Housing and Urban Development, and is further authorized to perform all acts necessary to execute the grant agreement between the City of Ashland and the Secretary of Housing and Urban Development.

SECTION 5. 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 6. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 7. 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

SPECIAL REGULAR MEETING APRIL 9, 2020
ORDINANCE NO. 37, 2020 CONTINUED

ADOPTED BY THE BOARD OF COMMISSIONERS: March 26, 2020
READOPTED BY THE BOARD OF COMMISSIONERS: April 9, 2020
PUBLISHED:

MOTION

Motion was made by Gute, seconded by Steen, to adopt Ordinance No. 37, 2020, at this its second reading. Upon roll call, voting aye were Commissioners Gute, Steen and Mayor Gilmore. Nay – none. Abstain – Commissioners Clark and Perkins. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 38, 2020

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ADOPTING THE HOUSING CHOICE VOUCHER PROGRAM 2020B ADMINISTRATIVE PLAN FOR THE CITY OF ASHLAND, DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, DIVISION OF ASSISTED HOUSING (SECTION 8).

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That the City of Ashland, Department of Community and Economic Development, Division of Assisted Housing (Section 8) Housing Choice Voucher Program 2020B Administrative Plan is hereby adopted by the Board of Commissioners of the City of Ashland, Kentucky. Said Administrative Plan 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. SEVERABILITY CLAUSE. It shall be considered that it is the intent of the City of Ashland, in enacting this ordinance, that if any part of it be held unconstitutional the remaining parts shall remain in force, unless the ordinance provides otherwise, or unless the remaining parts are so essentially and inseparably connected with and dependent upon the unconstitutional part that it is apparent that the City would not have enacted the remaining parts without the unconstitutional part, or unless the remaining parts, standing alone, are incomplete and incapable of being executed in accordance with the intent of the City of Ashland.

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/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: March 26, 2020
READOPTED BY THE BOARD OF COMMISSIONERS: April 9, 2020
PUBLISHED:

**SPECIAL REGULAR MEETING APRIL 9, 2020
ORDINANCE NO. 38, 2020 CONTINUED**

MOTION

Motion was made by Gute, seconded by Steen, to adopt Ordinance No. 38, 2020, at this its second reading. Upon roll call, voting aye were Commissioners Gute, Steen and Mayor Gilmore. Nay – none. Abstain – Commissioner Clark and Perkins. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 39, 2020

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND APPROVING CHANGE ORDER NO. 4 DATED MARCH 16, 2020 IN THE AMOUNT OF \$11,890.59 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. 4 dated March 16, 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. 4 – Dated March 16, 2020

Original Contract Price	\$164,163.00
Previous Change Orders	7,347.00
Contract Price prior to this Change Order	171,510.00
Net Increase of Change Order #1	11,890.59
Contract Price with all approved Change Orders	\$183,400.59

A true copy of Change Order No. 4 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: March 26, 2020
READOPTED BY THE BOARD OF COMMISSIONERS: April 9, 2020
PUBLISHED:

**SPECIAL REGULAR MEETING APRIL 9, 2020
ORDINANCE NO. 39, 2020 CONTINUED**

MOTION

Motion was made by Gute, seconded by Steen, to adopt Ordinance No. 39, 2020, 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. 40, 2020

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND APPROVING CHANGE ORDER NOS. 1 AND 2 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND BRISTLECONE VENTURES 2, LLC D/B/A FALCON STRUCTURES INCREASING THE CONTRACT AMOUNT BY \$6,475.00 REGARDING THE COMMUNITY CENTER PROJECT 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 in the contract authorized by Ordinance No. 154, 2019 between the City of Ashland, Kentucky and Bristlecone Ventures 2, LLC d/b/a Falcon Structures for the Community Center Project are hereby approved as follows.

Change Order No. 1 dated January 29 and No. 2 dated March 16, 2020

Original Contract Price	\$110,170.00
Previous Change Orders	0.00
Contract Price prior to this Change Order	110,170.00
Net Increase of Change Order #1	750.00
Net Increase of Change Order #2	<u>5,725.00</u>
 Contract Price with Change Orders	 116,645.00

A true copy of Change Order Nos. 1 and 2 are 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: March 26, 2020
READOPTED BY THE BOARD OF COMMISSIONERS: April 9, 2020
PUBLISHED:

SPECIAL REGULAR MEETING APRIL 9, 2020
ORDINANCE NO. 40, 2020 CONTINUED

MOTION

Motion was made by Gute, seconded by Clark, to adopt Ordinance No. 40, 2020, 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. 41, 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 ORDERS CONSTRUCTION COMPANY INC. FOR THE CONSTRUCTION OF THE ASHLAND WATER TREATMENT PLANT SUPERVISORY CONTROL AND DATA ACQUISITION SYSTEM (SCADA) IN THE AMOUNT OF \$3,195,800.00 FOR THE DEPARTMENT OF ENGINEERING.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. 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 Orders Construction Company, Inc. for the construction of the Ashland Water Treatment Plant Supervisory Control and Data Acquisition System (SCADA) in an amount not to exceed \$3,195,800.00 for the Department of Engineering. 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: March 26, 2020
READOPTED BY THE BOARD OF COMMISSIONERS: April 9, 2020
PUBLISHED:

MOTION

Motion was made by Gute, seconded by Steen, to adopt Ordinance No. 41, 2020, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

SPECIAL REGULAR MEETING APRIL 9, 2020
CONSENT AGENDA

RESOLUTION NO. 8, 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 SPECIAL MEETING OF THE BOARD OF CITY COMMISSIONERS OF APRIL 9, 2020.

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 special meeting, April 9, 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: April 9, 2020

MOTION

Motion was made by Gute, seconded by Clark, to adopt Resolution No. 8, 2020. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

CONSENT AGENDA ITEMS

1. City Manager recommends authorizing payment of Invoice #0158416 dated March 11, 2020 in the amount of \$7,197.61 to Strand Associates, Inc. for engineering services associated with the City of Ashland's Consent Judgement Annual Report.
2. City Manager recommends authorizing payment of Invoices #0054422 and #0054423 dated February 29, 2020 in the total amount of \$12,517.50 to GRW Engineering for the design and engineering work performed for the Ashland Water Treatment Plant SCADA and Instrumentation Upgrades Project.
3. City Manager recommends authorizing payment of Invoice #2618 dated February 25, 2020 in the amount of \$153,991.68 to Anthratech (AWI) U.S., Inc for the Phoenix Underdrain System Filters 1-3 at the Ashland Water Treatment Plant.
4. City Manager recommends authorizing payment of Invoice #0116816A.00-11 dated March 11, 2020 to LJB, Inc. for the engineering services for the 2019 waterline replacement project.
5. City Manager recommends authorizing payment of Invoice #1200254485 dated March 13, 2020 in the amount of \$10,800 to HDR Engineering, Inc. for engineering services associated with a Cost of Service Study for water and sewer rates for the Department of Utilities.

SPECIAL REGULAR MEETING APRIL 9, 2020
CONSENT AGENDA CONTINUED

6. City Manager recommends authorizing payment of Invoice #0158415 dated March 11, 2020 in the amount of \$15,641.43 to Strand Associates for engineering services associated with the City of Ashland Wastewater Treatment Plant Expansion and Improvements Project for the Department of Utilities.
7. City Manager recommends authorizing payment of Application #2 for the period ending April 1, 2020 in the amount of \$4,680 to Frederick & May Construction Co., Inc. for the Pollard Mills Storm Water, Sidewalks, Curbs, Gutters, and Paving project for the Department of Community & Economic Development from CDBG funds.
8. City Manager recommends authorizing payment of Invoices #04714-10 and #04714-04 dated March 1, 2020 in the total amount of \$4,366.45 to GRW Engineering for the Pollard Mills Storm Water, Sidewalks, Curbs, Gutters, and Paving Contract.
9. Other Consent Items.

NEW BUSINESS
FIRST READING AND ADOPTION ONLY

ORDINANCE NO. _____, 2020

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ADOPTING THE AMENDED MEDICAL CARE PLAN AND SUMMARY PLAN DESCRIPTION FOR CITY EMPLOYEES AND FOR THE FIRE DEPARTMENT UNION ADOPTED BY ORDINANCE 46, 2012 AND PREVIOUSLY AMENDED, TO MEET THE REQUIREMENTS OF THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT.

MOTION

Motion was made by Gute, seconded by Steen, to adopt Ordinance No. _____, 2020, 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. _____, 2020

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO SUBMIT THE FY 2020 GRANT APPLICATION TO THE FEDERAL TRANSIT ADMINISTRATION ON BEHALF OF THE ASHLAND BUS SYSTEM FOR OPERATING COSTS, PREVENTATIVE MAINTENANCE, PARA TRANSIT SERVICE, MAINTENANCE PAYROLL, CAPITAL EXPENDITURES AND CARES ACT EXPENSES; AND FURTHER AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY FOR THE IMPLEMENTATION OF THIS GRANT.

**SPECIAL REGULAR MEETING APRIL 9, 2020
ORDINANCE NO. _____, 2020 CONTINUED**

MOTION

Motion was made by Clark, seconded by Steen, to adopt Ordinance No. _____, 2020, 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. _____, 2020

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO ACCEPT THE PROPOSAL OF BLUEWATER KENTUCKY, LLC IN AN AMOUNT NOT TO EXCEED \$40,000.00 TO CONDUCT A WATER QUALITY STUDY FOR THE DEPARTMENT OF UTILITIES.

MOTION

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

READING AND ADOPTION

MUNICIPAL ORDER NO. 5, 2020

A MUNICIPAL ORDER OF THE CITY OF ASHLAND, KENTUCKY, EXTENDING THE AGREEMENT BETWEEN THE CITY OF ASHLAND AND ASHLAND CITY FIREFIGHTERS LOCAL 706, INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, AFL-CIO-CLC, TO JUNE 30, 2021.

* * * *

WHEREAS, the City of Ashland, Kentucky and the Ashland City Firefighters' Local 706, International Association of Firefighters, AFL-CIO-CLC entered into an agreement dated November 29, 2018 and effective June 30, 2018 adopted by Ordinance No. 159, and

WHEREAS, said agreement expires on June 30, 2020, and

WHEREAS, due to COVID-19, the parties by agreement wish to extend said contract to June 30, 2021;

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

SECTION 1. That Stephen E. Gilmore, Mayor of the City of Ashland, Kentucky, is hereby authorized and directed to execute the Amendment to the agreement between the City of Ashland and the Ashland City Firefighters' Local 706 extending the contract to June 30, 2021. Said amended agreement is attached hereto and made a part hereof by reference.

INTRODUCED, PUBLICLY READ AND FINALLY APPROVED ON ONE READING, this the 9th day of April, 2020.

/s/STEPHEN E. GILMORE
MAYOR

SPECIAL REGULAR MEETING APRIL 9, 2020
MUNICIPAL ORDER NO. 5, 2020 CONTINUED

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

MOTION

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

OTHER NEW BUSINESS

City Manager Graese announced the Annual Easter Egg hunt is canceled and reported that the City is keeping Facebook updated with information regarding cancellations, COVID-19 information, etc.

City Manager Graese announced the number of users of the recycling center located on Greenup Avenue is reducing each month. The City will make a recommendation in the future regarding continued operation of the center.

ADJOURNMENT

Mayor Gilmore declared the meeting adjourned at 1:18 PM.


STEPHEN E. GILMORE
MAYOR

ATTEST:


SUSAN W. MADDIX
CITY CLERK