

**SPECIAL REGULAR MEETING  
APRIL 23, 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 23, 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: 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 21, 2020

DELIVERED BY:    DATE:    TIME:

TO:

Amanda Clark, City Commissioner	W. Horn	4-21-20	1818
Marty Gute, City Commissioner	W. Horn	4-21-20	1900
Matt Perkins, City Commissioner	W. Horn	4-21-20	1830
Pat Steen, City Commissioner	J. George	4-21-20	1822
Michael S. Graese, City Manager	T. Kelley	4/21/2020	1734
James H. Moore, III, Corporation Counsel	J. George	4-21-20	1840
Susan W. Maddix, City Clerk	T. Kelley	4/21/2020	1739

FROM: Stephen E. Gilmore, Mayor	W. Horn	4/21/2020	1846
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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 23, 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 3<sup>rd</sup> 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.

Page Two

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

**REGULAR SPECIAL MEETING (COVID-19)**  
**APRIL 23, 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](http://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.

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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: [tevans@dailyindependent.com](mailto:tevans@dailyindependent.com)  
Email: [mjames@dailyindependent.com](mailto:mjames@dailyindependent.com)  
Email: [asnyder@dailyindependent.com](mailto:asnyder@dailyindependent.com)

**My Town TV**  
Email: [Jeromy@mytowntv.com](mailto:Jeromy@mytowntv.com)  
Email: [Ashley@mytowntv.com](mailto:Ashley@mytowntv.com)

**The Herald Dispatch**  
Email: [dmalloy@herald-dispatch.com](mailto:dmalloy@herald-dispatch.com)

**Lexington Herald Leader**  
Email: [dlawhead@herald-leader.com](mailto:dlawhead@herald-leader.com)

**WMKY Radio**  
Email: [wmky@moreheadstate.edu](mailto:wmky@moreheadstate.edu)

**WLGC Radio**  
Email: [jimforrest@koolhits1057.com](mailto:jimforrest@koolhits1057.com)

**WSAZ – TV**  
Email: [news@wsaz.com](mailto:news@wsaz.com)  
Email: [Kristen.Schneider@wsaz.com](mailto:Kristen.Schneider@wsaz.com)  
Email: [Chad.Hedrick@wsaz.com](mailto:Chad.Hedrick@wsaz.com)

**WOWK-TV**  
Email: [news@wowktv.com](mailto:news@wowktv.com)  
Email: [sshaw@wowktv.com](mailto:sshaw@wowktv.com)

**WCHS – TV**  
Email: [news@wchstv.com](mailto:news@wchstv.com)

**REGULAR SPECIAL MEETING (COVID-19)**  
**APRIL 23, 2020**  
**CALL LETTER CONTINUED**

**WRVC, WTKZ, WCM1 The Planet Radio**  
**Kindred Communications**  
 Email: [pr@kindredcom.net](mailto:pr@kindredcom.net)

**WTCR, WKEE, WAEZ, WNST, B97**  
**Clearchannel**  
 Email: [jim.davis@clearchannel.com](mailto:jim.davis@clearchannel.com)

**VOTE - CALL LETTER**

Motion was made by Gute, seconded by Steen, 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.

**MINUTES**

Motion was made by Gute, seconded by Clark, to dispense with reading and approve the minutes of the Regular Special Meeting held on April 9, 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 read the following statement:

“I just wanted to take a second to commend you, this Commission, the City Manager, and all of our staff. The last few weeks have been hard. I think we can all agree on that. We’ve had to have conversations and facing decisions that none of us are taking lightly. We have no frame of reference in this crisis. We don’t know exactly what we’re facing. Beyond that, we can’t say for certain how long this crisis will affect us, how long we can expect it to last, or if we can anticipate any relief on a state or federal level. In spite of all of that, we are collectively getting prepared. So, thank you for recognizing that these days are hard on our citizens. Our small businesses are shuttered. Many simply cannot pay their utility bills, their property and net profits taxes. Thanks to you for recognizing that the government is not in the business of making a profit. There’s no magic pot of money that keeps police on the streets, firefighters at the ready and water in our pipes without that revenue. I appreciate that each of each you is dedicated to protecting the health and safety of our employees and our citizens. I am grateful that this group is committed to ensuring our citizens continue to receive top quality services. To our employees who will provide those services with likely fewer bodies and less resources, thank you as well. I realize that sounds hollow when we are looking at a dire budget that includes reducing benefits, cutting staff, but these are the days we’re living in. You are appreciated and you are valued more than we can express. Even in the best days we couldn’t pay you what you’re worth. It is my sincere hope that in the days to come we will get a clearer picture of exactly what we are facing. I know Finance is working diligently to model how this crisis affects our budget and we will be able to make better decisions with actual numbers in front of us. I will challenge this Commission and staff, as I usually do, be bold, think outside the box. We are governing in unprecedented days and we were chosen to lead our citizens through this. While much of this is out of our hands, I’m thankful to share this platform with you. I pray for each of you daily. I know how heavy all of this weighs on me, and I know it does on you as well. So I just wanted to take a minute just to say thanks to all of you and to all the staff and City Manager. Thank you.”

**REGULAR SPECIAL MEETING (COVID-19)**  
**APRIL 23, 2020**  
**HEARINGS AND REPORTS CONTINUED**

Commissioner Gute asked City Manager Graese for the record, “Do any of our first responders lack protective equipment that you know of?” City Manager Graese reported that none of our first responders lack protective equipment specifically for the day-to-day challenges that they have pre-COVID. He reported it has been a challenge locally and nationally on some of the new requirements such as N95 masks, etc. but we do have those assets in place now due to the diligent work of City staff. The City meets all of the national fire standards and requirements for equipment to protect our firefighters and the same is true for the police.

Mayor Gilmore commented regarding leadership in tough times. He stated these are probably the most difficult times he has ever served while in City government and as Superintendent of schools. Officials are being tested and the strength factor is how we approach this crisis as elected officials. Members of the Board were elected with the sacred trust of the voters of Ashland and are temporary trustees. Mayor Gilmore advised the members of the Board he was very proud to serve with each one. Though there have been a few disagreements, he believes the right thing was always done. Each member assured the voters that he/she would do their best. Strong leadership will prevail. The Mayor is very proud of Governor Beshear’s efforts and his commitment to keep Kentuckians informed and government officials apprised of state plans and directives. The Mayor advised the City will uphold the decisions of Governor Beshear. This crisis is difficult on our people. The Mayor noted the large percentage of our current population currently unemployed who would like to be employed but due to COVID-19 are not allowed to work. He is very proud of the citizens of Ashland and Boyd County for following the guidelines and regulations. The Board of Commissioners committed to keeping the City operating. The Board will continue to work hard to address the revenue reductions prevalent. The City has less revenue coming in and will reduce staff positions and watch every expenditure. The Board will be making some very tough decisions regarding the future of Ashland.

Mayor Gilmore urged all citizens to complete the 2020 Census. He asked that every entity such as school systems, churches, etc. use their resources such as one call, newsletters, etc. expressing the importance of completing the census. Completion of the census is vital to the funding of our cities and our state. The website is [my2020census.gov](http://my2020census.gov).

**City Manager’s Report**

City Manager Graese informed the Commission that staff is working diligently on the upcoming budget. Everything is being considered in the budget from top to bottom. There will be an impact on services in some areas; however, the City will continue to ensure police, fire, water and sewer services for the safety of our citizens. Staff is meeting daily to coordinate and make recommendations to the Board. City Manager Graese advised the Board he appreciates their leadership and their willingness to make fact-based and data-based decisions. City Manager Graese publicly thanked staff for the long hours spent making recommendations as to how the City will continue to operate during these trying times.

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

**ORDINANCE NO. 42, 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.

**REGULAR SPECIAL MEETING (COVID-19)  
APRIL 23, 2020  
ORDINANCE NO. 42, 2020 CONTINUED**

\* \* \* \*

WHEREAS, in order to comply with the Families First Coronavirus Response Act (hereinafter referred to as the “Act”), and

WHEREAS, said plan shall be in effect through December 31, 2020 or until such time as the Act is extended;

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

SECTION 1. The Board of City Commissioners (“Board”) hereby amends the Medical Care Plan and Summary Plan Document for employees of the City of Ashland and the Fire Department Union as adopted by Ordinance No. 46, Series of 2012, and previously amended. Said amendments are attached hereto and made a part hereof by reference.

SECTION 2. Stephen E. Gilmore, Mayor, is hereby authorized and directed to execute any and all other documents relating to the adoption and implementation of said amendments.

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

ATTEST:

/s/SUSAN W. MADDIX  
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: April 9, 2020  
READOPTED BY THE BOARD OF COMMISSIONERS: April 23, 2020  
PUBLISHED:

**MOTION**

Motion was made by Clark, seconded by Gute, to adopt Ordinance No. 42, 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. 43, 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.

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**REGULAR SPECIAL MEETING (COVID-19)  
APRIL 23, 2020  
ORDINANCE NO. 43, 2020 CONTINUED**

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Stephen E. Gilmore, Mayor of the City of Ashland, be and he is hereby authorized and directed to submit the FY 2020 grant application to the Federal Transit Administration on behalf of the Ashland Bus System for operating costs, preventative maintenance, paratransit service, maintenance payroll, capital expenditures and CARES Act expenses. Said grant application is to be filed electronically pursuant to the guidelines of the Federal Transit Administration.

SECTION 2. That Stephen E. Gilmore, Mayor of the City of Ashland, be and he is hereby authorized and directed to execute any and all other documents necessary for the implementation of these grants.

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

ATTEST:

/s/SUSAN W. MADDIX  
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: April 9, 2020  
READOPTED BY THE BOARD OF COMMISSIONERS: April 23, 2020  
PUBLISHED:

**MOTION**

Motion was made by Gute, seconded by Steen, to adopt Ordinance No. 43, 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. 44, 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.

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BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That the Board of City Commissioners of the City of Ashland, Kentucky hereby accepts the proposal of BlueWater Kentucky, LLC in an amount not to exceed \$40,000.00 to conduct a water quality study (WQS) as required in the Agreed Order executed on November 7, 2019 with the Kentucky Energy and Environmental Cabinet for the Department of Utilities.

A copy of said Proposal is attached hereto and made a part hereof by reference.

**REGULAR SPECIAL MEETING (COVID-19)**  
**APRIL 23, 2020**  
**ORDINANCE NO. 44, 2020 CONTINUED**

SECTION 2. That Stephen E. Gilmore, Mayor, is hereby authorized and directed to execute said Proposal.

SECTION 3. 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 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: April 9, 2020  
READOPTED BY THE BOARD OF COMMISSIONERS: April 23, 2020  
PUBLISHED:

**MOTION**

Motion was made by Clark, seconded by Steen, to adopt Ordinance No. 44, 2020, at this its second reading. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

**CONSENT AGENDA**

**RESOLUTION NO. 9, 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 23, 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 23, 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 23, 2020

**REGULAR SPECIAL MEETING (COVID-19)**  
**APRIL 23, 2020**  
**CONSENT AGENDA CONTINUED**

**MOTION**

Motion was made by Gute, seconded by Steen, to adopt Resolution No. 9, 2020. Upon roll call, voting aye were Commissioners Clark, Gute, Steen and Mayor Gilmore. Nay – none. Abstain – Commissioner Perkins. Motion passed.

**CONSENT AGENDA ITEMS**

1. City Manager recommends authorizing payment of Invoice #2634 dated April 8, 2020 in the amount of \$153,991.68 to Anthratech U.S., Inc. for the Phoenix Underdrain System Filters 1-3 at the Ashland Water Treatment Plant.
2. City Manager recommends authorizing payment of Invoices #1097 dated February 26, 2020, #1115 dated March 13, 2020, and #1129 dated March 24, 2020 in the total amount of \$98,284.13 to Bluegrass Recreation Sales and Installation, LLC for the purchase and installation of ship-themed playground equipment.
3. City Manager recommends authorizing payment of Invoice #1200260267 dated April 10, 2020 in the amount of \$3,600 to HDR Engineering, Inc. for engineering services associated with a Cost of Service Study for water and sewer rates for the Department of Utilities.
4. City Manager recommends authorizing payment of Invoice #4 dated March 27, 2020 in the amount of \$12,855.00 to Howerton Engineering & Surveying PLLC for engineering services associated with the preparation of the cured in place pipe lining rehabilitation project for the Department of Engineering.
5. City Manager recommends authorizing payment of Invoice #3 dated March 20, 2020 in the amount of \$10,350.00 to Howerton Engineering & Surveying PLLC for the development of design drawings, plans, specifications, and bidding services for the DeBord Terrace sidewalks, stairs and handrail project.
6. City Manager recommends approval authorizing the Mayor to submit the Set-Aside Funding application for the Housing Choice Voucher Program (HCV) to the Department of Housing and Urban Development (HUD).
7. Other Consent Items.

**NEW BUSINESS**

**EMERGENCY CLAUSE**

**FIRST AND SECOND READING AND FINAL ADOPTION**

**ORDINANCE NO. 45, 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, ORDINANCE NO. 149, SERIES OF 2019, AND ORDINANCE NO. 33, SERIES OF 2020, 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 AND COVID-19 FUNDS IN THE AMOUNT OF \$337,555.00, TO REDISTRIBUTE

**REGULAR SPECIAL MEETING (COVID-19)**  
**APRIL 23, 2020**  
**ORDINANCE NO. 45, 2020 CONTINUED**

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 AND DECLARING AN EMERGENCY TO EXIST TO ALLOW TWO READINGS OF THIS ORDINANCE ON THE SAME DAY.

\* \* \* \* \*

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, Ordinance No. 149, Series of 2019, and Ordinance No. 33, Series of 2020, 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 and COVID-19 funds in the amount of \$337,555.00, 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. In order to obtain immediate assistance from the amended funding allocations for the citizens of Ashland adversely affected by the CoronaVirus crisis and because the Board of Commissioners is not scheduled to hold another regular meeting until May 14, 2020, an emergency is hereby declared to exist and the rules requiring this ordinance to be read on two separate days are hereby suspended.

SECTION 4. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 5. The provisions of this ordinance shall become effective immediately upon its adoption and readoption as provided in Section 3 and by a vote of 2/3 or more of the Ashland Board of City Commissioners and shall be published at a later date, as required by law.

SECTION 6. 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: April 23, 2020  
READOPTED BY THE BOARD OF COMMISSIONERS: April 23, 2020  
PUBLISHED:

**REGULAR SPECIAL MEETING (COVID-19)**  
**APRIL 23, 2020**  
**ORDINANCE NO. 45, 2020 CONTINUED**

**MOTION**

Motion was made by Gute, seconded by Steen, to adopt Ordinance No. \_\_\_\_\_, 2020, at this its first reading.

**DISCUSSION**

The Department of Housing and Urban Development added CARES funding to our entitlement grant of \$337,555 which gives us a total funding from this Action Plan (budget) of \$1,988,518. The CARES act lifted the normal 15% limitation on service agency funding. This allows us to allocate additional funding to these agencies during this Pandemic. The following is a list of the projects proposed:

**Cares** - Additional \$10,000 of funding to provide case management, utilities, liability insurance and food pantry expenses. Total Funding = \$40,000.

**Shelter of Hope** - Additional \$12,000 of funding to provide case management, utilities, liability insurance and food pantry expenses. Total Funding = \$17,000.

**Safe Harbor** - Additional \$12,000 of funding to provide utilities, liability insurance and food pantry expenses. Total Funding = \$17,000.

**Community Kitchen** - Additional \$21,000 of funding to provide staff salaries, utilities, liability insurance and supplies for meal prep. Total Funding = \$26,000.

**Hillcrest Bruce** - Additional \$22,000 of funding to provide for utilities, liability insurance and Food Pantry. Total Funding = \$40,000.

**Senior Center** - Additional \$11,000 of funding to provide for utilities, liability insurance and Food Pantry. Total Funding = \$25,000.

**Ashland Child Development Center** - Additional \$5,000 of funding to provide for utilities and liability insurance. Total Funding = \$12,000.

**Salvation Army** - \$10,000 of funding to provide for utilities. Total Funding = \$10,000.

**City of Ashland Service Programs**

Utility Assistance Program = \$75,000 to assist 500 plus families.

Clean Start Kits/ Supplies = \$5,000 to assist 100 plus families.

Food Boxes = \$5,000 to assist 100 plus families.

Personal Protection Equipment = \$5,000 to the production of 2,000 units.

Operational Expenses - Payroll of City of Ashland employee to manage service projects = \$40,000.

Code Enforcement project decreased from \$40,000 to \$36,000

Ashland Community Center project decreased from \$362,364 to 0.

DeBord Terrace Infrastructure increased \$73,000 from \$234,555 to \$358,605.

Pollard Mills Infrastructure increased \$248,592 from \$497,041 to \$746,633.

Senior Center Flooring increased \$58 from \$11,868 to \$11,926.

Minority Business loans increased \$10,350 from \$170,823 to \$181,173.

Shelter of Hope floors increased \$33,364 from \$14,067 to \$47,431.

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

**SUSPENSION OF RULES**

Motion was made by Clark, seconded by Steen, to suspend the rules requiring this ordinance to be read on two separate days. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

**REGULAR SPECIAL MEETING (COVID-19)  
APRIL 23, 2020  
ORDINANCE NO. 45, 2020 CONTINUED**

**READOPTION**

Motion was made by Gute, seconded by Steen, to adopt Ordinance No. 45, 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.

**EMERGENCY CLAUSE  
FIRST AND SECOND READING AND FINAL ADOPTION**

**ORDINANCE NO. 46, 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), REPEALING ORDINANCE NO. 36, SERIES OF 2020, AND DECLARING AN EMERGENCY TO EXIST TO ALLOW TWO READINGS OF THIS ORDINANCE ON THE SAME DAY.

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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. In order to obtain immediate assistance from the amended funding allocations for the citizens of Ashland adversely affected by the CoronaVirus crisis and because the Board of Commissioners is not scheduled to hold another regular meeting until May 14, 2020, an emergency is hereby declared to exist and the rules requiring this ordinance to be read on two separate days are hereby suspended.

SECTION 3. That Ordinance No. 36, Series of 2020 and 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 4. The provisions of this ordinance shall become effective immediately upon its adoption and readoption as provided in Section 2 and by a vote of 2/3 or more of the Ashland Board of City Commissioners and shall be published at a later date, 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: April 23, 2020  
READOPTED BY THE BOARD OF COMMISSIONERS: April 23, 2020  
PUBLISHED:

**REGULAR SPECIAL MEETING (COVID-19)  
APRIL 23, 2020  
ORDINANCE NO. 46, 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, Steen and Mayor Gilmore. Nay – none. Abstain – Commissioner Perkins. Motion passed.

**SUSPENSION OF RULES**

Motion was made by Clark, seconded by Steen, to suspend the rules requiring this ordinance to be read on two separate days. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

**READOPTION**

Motion was made by Gute, seconded by Steen, to adopt Ordinance No. 46, 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.

**EMERGENCY CLAUSE  
FIRST AND SECOND READING AND FINAL ADOPTION**

**ORDINANCE NO. 47, 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, REPEALING ORDINANCE NO. 37, SERIES OF 2020, DECLARING AN EMERGENCY TO EXIST TO ALLOW TWO READINGS OF THIS ORDINANCE ON THE SAME DAY.

\*\*\*\*\*

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.

**REGULAR SPECIAL MEETING (COVID-19)**  
**APRIL 23, 2020**  
**ORDINANCE NO. 47, 2020 CONTINUED**

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. In order to obtain immediate assistance from the amended funding allocations for the citizens of Ashland adversely affected by the CoronaVirus crisis and because the Board of Commissioners is not scheduled to hold another regular meeting until May 14, 2020, an emergency is hereby declared to exist and the rules requiring this ordinance to be read on two separate days are hereby suspended.

SECTION 5. That Ordinance No. 37, Series of 2020, and 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. The provisions of this ordinance shall become effective immediately upon its adoption and readoption as provided in Section 5 and by a vote of 2/3 or more of the Ashland Board of City Commissioners and shall be published at a later date, 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

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

**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 Gute, Steen and Mayor Gilmore. Nay – none. Abstain – Commissioners Clark and Perkins. Motion passed.

**SUSPENSION OF RULES**

Motion was made by Clark, seconded by Steen, to suspend the rules requiring this ordinance to be read on two separate days. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

**READOPTION**

Motion was made by Gute, seconded by Steen, to adopt Ordinance No. 47, 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.

**REGULAR SPECIAL MEETING (COVID-19)****APRIL 23, 2020****ORDINANCE NO. \_\_\_\_\_, 2020****TABLED****ORDINANCE NO. \_\_\_\_\_, 2020**

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, REQUIRING THE REGISTRATION OF RESIDENTIAL HOUSING UNITS WITHIN THE CITY OF ASHLAND AND PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE.

**MOTION**

Motion was made by Gute, seconded by Steen, to adopt Ordinance No. \_\_\_\_\_, 2020, at this its first reading.

**MOTION TO TABLE**

Motion was made by Clark, seconded by Steen, to table Ordinance No. \_\_\_\_\_, 2020, to the next meeting in order to receive public comments. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

**TABLED****ORDINANCE NO. \_\_\_\_\_, 2020**

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ENACTING REGULATIONS TO PROMOTE THE ABATEMENT OF PUBLIC NUISANCES AND PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE BY OWNERS OF PROPERTIES WHO PERMIT THE REOCCURRENCE OF PUBLIC NUISANCE ACTIVITIES ON THEIR PROPERTIES WITHOUT TAKING REASONABLE ACTIONS TO ABATE THE MISUSE OF THEIR PROPERTIES.

**MOTION TO TABLE**

Motion was made by Gute, seconded by Clark, to table Ordinance No. \_\_\_\_\_, 2020. 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 APPROVING CHANGE ORDER NO. 2 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND GRW ENGINEERS, INC. REGARDING THEIR CONTRACT TO PROVIDE ENGINEERING SERVICES FOR THE POLLARD MILLS DRAINAGE IMPROVEMENT PROJECT MAKING NO CHANGE TO THE PROJECT TOTAL OF \$421,800.00 BUT RE-DISTRIBUTING FUNDS WITHIN THE CONTRACT FOR THE DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT.

**REGULAR SPECIAL MEETING (COVID-19)  
APRIL 23, 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, ADOPTING AMENDMENT 11 FOR CITY EMPLOYEES AND AMENDMENT 10 FOR THE FIRE DEPARTMENT UNION FOR THE CITY OF ASHLAND, KENTUCKY MEDICAL CARE PLAN AND SUMMARY PLAN ADOPTED BY ORDINANCE 46, 2012 AND PREVIOUSLY AMENDED, TO INCLUDE TELEHEALTH SERVICES.

**MOTION**

Motion was made by Gute, seconded by Steen, to adopt Ordinance No. \_\_\_\_\_, 2020, at this its first reading.

**DISCUSSION**

Commissioner Perkins asked for clarification that this amendment is an additional coverage for telehealth services for employees at no additional cost. Corporation Counsel Moore advised that was correct.

**VOTE**

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 APPROVING CHANGE ORDER NO. 2 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND FREDERICK & MAY CONSTRUCTION CO., INC. REGARDING THEIR CONTRACT FOR THE POLLARD MILLS DRAINAGE IMPROVEMENT PROJECT INCREASING THE CONTRACT AMOUNT BY \$2,992.00 FOR THE DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT.

**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.

**REGULAR SPECIAL MEETING (COVID-19)**  
**APRIL 23, 2020**  
**ORDINANCE NO. \_\_\_\_\_, 2020**

**FIRST READING AND ADOPTION ONLY**

**ORDINANCE NO. \_\_\_\_\_, 2020**

A SERIES BOND ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING THE ISSUANCE OF \$10,500,000 PRINCIPAL AMOUNT OF WATER AND SEWER SYSTEM REVENUE BONDS, SERIES 2020A (WHICH AMOUNT MAY BE INCREASED OR DECREASED BY UP TO \$1,050,000); DESIGNATING THE PAYING AGENT AND REGISTRAR IN RESPECT THEREOF; APPROVING THE PREPARATION OF A PRELIMINARY AND FINAL OFFICIAL STATEMENT IN RESPECT THEREOF; PROVIDING FOR THE SALE OF SUCH BONDS TO THE LOWEST AND BEST BIDDER; AND AUTHORIZING THE MAYOR AND THE CITY CLERK TO EXECUTE DOCUMENTS ON BEHALF OF THE CITY.

**MOTION**

Motion was made by Gute, seconded by Steen, to adopt Ordinance No. \_\_\_\_\_, 2020, at this its first reading.

**DISCUSSION**

Commissioner Clark asked for clarification as to why this bond issue is needed while the City is going through a difficult time. City Manager Graese explained the City has utility work that is crucial. There is approximately \$16,000,000 of work to be done. The City Engineer and the Director of Utilities have reviewed the list in order to place priorities on each individual project. The Finance Department worked with bond counsel to come up with an amount that was manageable.

**VOTE**

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

**READING AND ADOPTION**

**MUNICIPAL ORDER NO. 6, 2020**

A MUNICIPAL ORDER OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF ASHLAND, KENTUCKY AND THE CITY OF RUSSELL, KENTUCKY AUTHORIZING ASHLAND AND RUSSELL POLICE OFFICERS TO EXERCISE THEIR POWERS THROUGHOUT BOTH CITIES IN ORDER TO COMBAT ILLEGAL ACTIVITY.

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**REGULAR SPECIAL MEETING (COVID-19)**  
**APRIL 23, 2020**  
**MUNICIPAL ORDER NO. 6, 2020 CONTINUED**

WHEREAS, KRS 65.255 provides that peace officers and police department members acting in the performance of their duties outside their own jurisdiction pursuant to an interlocal agreement shall have the full powers of arrest and all powers they possess in their own jurisdiction, and shall have the same immunities and privileges as if the duties were performed in their own jurisdiction;

**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 an Interlocal Cooperation Agreement between the City of Ashland and the City of Russell, Kentucky. A true copy of said Interlocal Cooperation Agreement is attached hereto and made a part hereof by reference.

**INTRODUCED, PUBLICLY READ AND FINALLY APPROVED ON ONE READING**, this the 23<sup>rd</sup> day of April, 2020.

/s/STEPHEN E. GILMORE  
MAYOR

ATTEST:

/s/SUSAN W. MADDIX  
CITY CLERK

**MOTION**

Motion was made by Gute, seconded by Steen, to adopt Municipal Order No. 6, 2020. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

**ADJOURNMENT**

Mayor Gilmore declared the meeting adjourned at 1:04 PM.

  
STEPHEN E. GILMORE  
MAYOR

ATTEST:

  
SUSAN W. MADDIX  
CITY CLERK

