

**SPECIAL REGULAR MEETING
MAY 14, 2020
(COVID-19 CIRCUMSTANCES)
VIDEO TELECONFERENCE CONDUCTED REMOTELY**

The Ashland Board of Commissioners met in Special Regular Session by video teleconference conducted remotely on Thursday, May 14, 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, Community and Economic Development; Michelle Grubb, Public Information Officer; and Reporters.

The invocation was given by Commissioner Gute.

The Pledge of Allegiance was conducted.

CALL LETTER

May 12, 2020

DELIVERED BY: DATE: TIME:

TO:

| | | | |
|--|-------------|-----------|------|
| Amanda Clark, City Commissioner | Nick Lewis | 5/12/20 | 1650 |
| Marty Gute, City Commissioner | Nick Lewis | 5/12/20 | 1721 |
| Matt Perkins, City Commissioner | Brian Horn | 5-12-2020 | 2014 |
| Pat Steen, City Commissioner | Brian Horn | 5-12-2020 | 2004 |
| Michael S. Graese, City Manager | Nick Lewis | 5/12/20 | 1642 |
| James H. Moore, III, Corporation Counsel | Nick Lewis | 5/12/20 | 1750 |
| Susan W. Maddix, City Clerk | Todd Kelley | 5/12/2020 | 1530 |

| | | | |
|---------------------------------|------------|-----------|------|
| FROM: Stephen E. Gilmore, Mayor | Brian Horn | 5-12-2020 | 1952 |
|---------------------------------|------------|-----------|------|

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 attended remotely by the Board of Commissioners by teleconference and to be broadcast by MyTown TV:

DATE: Thursday, May 14, 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 remotely. 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 meeting.

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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

SPECIAL REGULAR MEETING MAY 14, 2020
CALL LETTER CONTINUED

* * * * *

In lieu of a primary location, members of the public and the media 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/>

Very truly yours,

/s/Stephen E. Gilmore (sm)
 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: tevans@dailyindependent.com
 Email: mjames@dailyindependent.com
 Email: asnyder@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 MAY 14, 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

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.

HEARINGS AND REPORTS

City Manager's Report

City Manager Graese reported a pre-construction meeting was held regarding the SCADA at the Water Treatment Plant. The project is scheduled to start within 30 days with an expected completion date of May 2021.

City Manager Graese reported City staff is preparing for a limited re-opening of City facilities such as parks and the City Building. The target date is June 1. Governor Beshear has issued extensive guidance for re-opening. A more liberal re-opening may occur on July 1 depending on the guidance from the state.

Mayor Gilmore emphasized the importance of everyone completing the Census. The Census determines the amount of funding received from state and federal government.

Commissioner Perkins asked if the parks would be re-opened on Saturday, May 16. Mayor Gilmore advised he is open to the parking opening on the weekend. City Manager Graese reported the park grounds, walking paths and picnic facilities will be open. Playgrounds, ballfields, tennis courts, basketball courts, library commons and restroom facilities will be closed. The gates will remain closed and the park will close at 7:00 PM.

OLD BUSINESS

FIRST READING

DIED FOR LACK OF SECOND

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 to adopt Ordinance No. _____, 2020, at this its first reading. Motion died for lack of a second.

**SPECIAL REGULAR MEETING MAY 14, 2020
ORDINANCE NO. _____, 2020**

**FIRST READING
DIED FOR LACK OF SECOND**

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

Motion was made by Gute to adopt Ordinance No. _____, 2020, at this its first reading. Motion died for lack of a second.

DISCUSSION

Discussion that these two ordinances are to be brought back before the Board at such time as landlords have a recourse. Due to COVID19 many solutions are not available such as eviction, etc.

SECOND READING AND FINAL ADOPTION

ORDINANCE NO. 50, 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.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Change Order No. 2 to the Contract authorized by Ordinance No. 151, 2018, between the City of Ashland, Kentucky and GRW Engineers, Inc. regarding their contract to provide engineering services for the Pollard Mills Drainage Project is hereby approved as follows:

Change Order No. 2

| | |
|--|-------------|
| Original Contract | 421,800.00 |
| Decreasing Resident Project Representation | (38,000.00) |

SPECIAL REGULAR MEETING MAY 14, 2020
ORDINANCE NO. 50, 2020 CONTINUED

| | |
|--|-------------|
| Increasing Design Costs | \$30,000.00 |
| Increasing Bidding Costs | 8,000.00 |
| Net increase/decrease of this Change Order | 0.00 |

CONTRACT TOTAL **\$421,800.00**

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: | April 23, 2020 |
| READOPTED BY THE BOARD OF COMMISSIONERS: | May 14, 2020 |
| PUBLISHED: | |

MOTION

Motion was made by Clark, seconded by Steen, to adopt Ordinance No. 50, 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 AND FINAL ADOPTION

ORDINANCE NO. 51, 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.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Change Order No. 2 to the Contract authorized by Ordinance No. 165, 2019, between the City of Ashland, Kentucky and Frederick & May Construction Company, Inc. regarding the Pollard Mills Drainage Project is hereby approved as follows:

**SPECIAL REGULAR MEETING MAY 14, 2020
ORDINANCE NO. 51, 2020 CONTINUED**

Change Order No. 2 dated April 20, 2020

| | |
|----------------------------------|-----------------|
| Original Contract (CDBG Portion) | \$439,685.00 |
| Previous Change Orders | 5,200.00 |
| Change Order No. 2 | <u>2,992.00</u> |

NEW CONTRACT TOTAL (CDBG Portion) \$447,877.00

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: | April 23, 2020 |
| READOPTED BY THE BOARD OF COMMISSIONERS: | May 14, 2020 |
| PUBLISHED: | |

MOTION

Motion was made by Gute, seconded by Clark, to adopt Ordinance No. 51, 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. 52, 2020

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE AN AGREEMENT WITH ASHLAND CHILD DEVELOPMENT CENTER, THE SUB-RECIPIENT OF \$5,000.00 FROM THE 2019 PROGRAM YEAR COMMUNITY DEVELOPMENT BLOCK GRANT-CV FUNDS.

WHEREAS, the City of Ashland has applied for and received funds from the United States Government under Title I of the Housing and Community Development Act of 1974, as amended;

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

SPECIAL REGULAR MEETING MAY 14, 2020
ORDINANCE NO. 52, 2020 CONTINUED

SECTION 1. That Stephen E. Gilmore, Mayor of the City of Ashland, Kentucky, is hereby authorized to execute an agreement with Ashland Child Development Center as the sub-recipient of \$5,000.00 to be used to prevent, prepare for, and respond to the Coronavirus, said agreement is attached hereto and made a part hereof by reference.

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

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

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

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: May 7, 2020
READOPTED BY THE BOARD OF COMMISSIONERS: May 14, 2020
PUBLISHED:

MOTION

Motion was made by Clark, seconded by Steen, to adopt Ordinance No. 52, 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. 53, 2020

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE AN AGREEMENT WITH ASHLAND COMMUNITY KITCHEN, THE SUB-RECIPIENT OF \$21,000.00 FROM THE 2019 PROGRAM YEAR COMMUNITY DEVELOPMENT BLOCK GRANT-CV FUNDS.

WHEREAS, the City of Ashland has applied for and received funds from the United States Government under Title I of the Housing and Community Development Act of 1974, as amended;

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

SECTION 1. That Stephen E. Gilmore, Mayor of the City of Ashland, Kentucky, is hereby authorized to execute an agreement with Ashland Community Kitchen as the sub-recipient of \$21,000.00 to be used to prevent, prepare for, and respond to the Coronavirus, said agreement is attached hereto and made a part hereof by reference.

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

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

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

SPECIAL REGULAR MEETING MAY 14, 2020
ORDINANCE NO. 53, 2020 CONTINUED

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: May 7, 2020
READOPTED BY THE BOARD OF COMMISSIONERS: May 14, 2020
PUBLISHED:

MOTION

Motion was made by Clark, seconded by Gute, to adopt Ordinance No. 53, 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. 54, 2020

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE AN AGREEMENT WITH ASHLAND SENIOR CENTER, THE SUB-RECIPIENT OF \$11,000.00 FROM THE 2019 PROGRAM YEAR COMMUNITY DEVELOPMENT BLOCK GRANT-CV FUNDS.

* * * * *

WHEREAS, the City of Ashland has applied for and received funds from the United States Government under Title I of the Housing and Community Development Act of 1974, as amended;

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

SECTION 1. That Stephen E. Gilmore, Mayor of the City of Ashland, Kentucky, is hereby authorized to execute an agreement with Ashland Senior Center as the sub-recipient of \$11,000.00 to be used to prevent, prepare for, and respond to the Coronavirus, said agreement is attached hereto and made a part hereof by reference.

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

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

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

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: May 7, 2020
READOPTED BY THE BOARD OF COMMISSIONERS: May 14, 2020
PUBLISHED:

SPECIAL REGULAR MEETING MAY 14, 2020
ORDINANCE NO. 54, 2020 CONTINUED

MOTION

Motion was made by Gute, seconded by Steen, to adopt Ordinance No. 54, 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. 55, 2020

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE AN AGREEMENT WITH COMMUNITY ASSISTANCE & REFERRAL SERVICE, INC. (CARES), THE SUB-RECIPIENT OF \$10,000.00 FROM THE 2019 PROGRAM YEAR COMMUNITY DEVELOPMENT BLOCK GRANT-CV FUNDS.

WHEREAS, the City of Ashland has applied for and received funds from the United States Government under Title I of the Housing and Community Development Act of 1974, as amended;

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

SECTION 1. That Stephen E. Gilmore, Mayor of the City of Ashland, Kentucky, is hereby authorized to execute an agreement with Community Assistance & Referral Service, Inc. (CAREs) as the sub-recipient of \$10,000.00 to be used to prevent, prepare for, and respond to the Coronavirus, said agreement is attached hereto and made a part hereof by reference.

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

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

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

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: May 7, 2020
READOPTED BY THE BOARD OF COMMISSIONERS: May 14, 2020
PUBLISHED:

MOTION

Motion was made by Gute, seconded by Steen, to adopt Ordinance No. 55, 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 MAY 14, 2020
ORDINANCE NO. 56, 2020 CONTINUED**

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 56, 2020

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE AN AGREEMENT WITH HILLCREST BRUCE MISSION, THE SUB-RECIPIENT OF \$22,000.00 FROM THE 2019 PROGRAM YEAR COMMUNITY DEVELOPMENT BLOCK GRANT-CV FUNDS.

WHEREAS, the City of Ashland has applied for and received funds from the United States Government under Title I of the Housing and Community Development Act of 1974, as amended;

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

SECTION 1. That Stephen E. Gilmore, Mayor of the City of Ashland, Kentucky, is hereby authorized to execute an agreement with Hillcrest Bruce Mission as the sub-recipient of \$22,000.00 to be used to prevent, prepare for, and respond to the Coronavirus, said agreement is attached hereto and made a part hereof by reference.

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

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

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

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: May 7, 2020
READOPTED BY THE BOARD OF COMMISSIONERS: May 14, 2020
PUBLISHED:

MOTION

Motion was made by Clark, seconded by Steen, to adopt Ordinance No. 56, 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 MAY 14, 2020**ORDINANCE NO. _____, 2020****SECOND READING (ITEM TABLED – SEE BELOW PRIOR TO NEW BUSINESS)****ORDINANCE NO. _____, 2020**

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE AN AGREEMENT WITH SAFE HARBOR OF NORTHEAST KENTUCKY, LLC, THE SUB-RECIPIENT OF \$12,000.00 FROM THE 2019 PROGRAM YEAR COMMUNITY DEVELOPMENT BLOCK GRANT-CV FUNDS.

WHEREAS, the City of Ashland has applied for and received funds from the United States Government under Title I of the Housing and Community Development Act of 1974, as amended;

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

SECTION 1. That Stephen E. Gilmore, Mayor of the City of Ashland, Kentucky, is hereby authorized to execute an agreement with Safe Harbor of Northeast Kentucky, LLC as the sub-recipient of \$12,000.00 to be used to prevent, prepare for, and respond to the Coronavirus, said agreement is attached hereto and made a part hereof by reference.

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

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

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

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

| | |
|--|--------------|
| ADOPTED BY THE BOARD OF COMMISSIONERS: | May 7, 2020 |
| READOPTED BY THE BOARD OF COMMISSIONERS: | May 14, 2020 |
| PUBLISHED: | |

MOTION

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

****SEE BELOW – 2ND READING RESCINDED AND ITEM TABLED INDEFINITELY****

**SPECIAL REGULAR MEETING MAY 14, 2020
ORDINANCE NO. 57, 2020 CONTINUED**

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 57, 2020

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE AN AGREEMENT WITH SHELTER OF HOPE, THE SUB-RECIPIENT OF \$12,000.00 FROM THE 2019 PROGRAM YEAR COMMUNITY DEVELOPMENT BLOCK GRANT-CV FUNDS.

WHEREAS, the City of Ashland has applied for and received funds from the United States Government under Title I of the Housing and Community Development Act of 1974, as amended;

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

SECTION 1. That Stephen E. Gilmore, Mayor of the City of Ashland, Kentucky, is hereby authorized to execute an agreement with Shelter of Hope as the sub-recipient of \$12,000.00 to be used to prevent, prepare for, and respond to the Coronavirus, said agreement is attached hereto and made a part hereof by reference.

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

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

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

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: May 7, 2020
READOPTED BY THE BOARD OF COMMISSIONERS: May 14, 2020
PUBLISHED:

MOTION

Motion was made by Clark, seconded by Steen, to adopt Ordinance No. 57, 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. 58, 2020

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE AN AGREEMENT WITH SAFE HARBOR OF NORTHEAST KENTUCKY, INC., THE SUB-RECIPIENT OF \$5,000.00 FROM THE 2019 PROGRAM YEAR COMMUNITY DEVELOPMENT BLOCK GRANT.

SPECIAL REGULAR MEETING MAY 14, 2020
ORDINANCE NO. 58, 2020 CONTINUED

* * * * *

WHEREAS, the City of Ashland has applied for and received funds from the United States Government under Title I of the Housing and Community Development Act of 1974, as amended;

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

SECTION 1. That Stephen E. Gilmore, Mayor of the City of Ashland, Kentucky, is hereby authorized to execute an agreement with Safe Harbor of Northeast Kentucky, Inc. as the sub-recipient of \$5,000.00 for the reimbursement of utilities and liability insurance from the 2019 Program Year Community Development Block Grant, said agreement is attached hereto and made a part hereof by reference.

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

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

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

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: May 7, 2020
READOPTED BY THE BOARD OF COMMISSIONERS: May 14, 2020
PUBLISHED:

MOTION

Motion was made by Gute, seconded by Steen, to adopt Ordinance No. 58, 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.

DISCUSSION ITEM

Discussion and possible action of a separate consent item entitled:

City Manager recommends the following health plan increases and benefit reductions for all City employees with the exception of Ashland Fire Department union employees. The premium increases and benefit reductions were reviewed and recommended by the Insurance Committee for approval of the Ashland Board of City Commissioners for an approximate savings of \$712,526.88. (Item Tabled from May 7, 2020 Called Meeting)

Increase employee premiums (Per Pay):

Employee Health Only - From \$25.00 to \$35.00

Employee Health & Dental - From \$27.00 to \$40.78

Employee + 1 Health Only - From \$50.00 to \$65.00

Employee + 1 Health & Dental - From \$54.00 to \$75.54

Family Health Only - From \$70.00 to \$90.00

Family Health & Dental - From \$75.00 to \$103.72

This includes any current employee, hired prior to March 1, 2018 who has a spouse that waives off their employer's plan and onto the City's plan, will increase from \$27.00 per pay to \$35.00 per pay.

Medical Deductible and Out of Pocket (OOP) for In Network and Rx Max OOP increase as follows:

SPECIAL REGULAR MEETING MAY 14, 2020
DISCUSSION ITEM CONTINUED

Medical Deductible from \$1,000 to \$1,500 individual
 Medical Deductible from \$2,000 to \$3000 family
 Medical -Max OOP from \$3000 to \$3,500 individual
 Medical-Max OOP from \$6000 to \$7000 family
 Rx Tier 2 max from \$100 to \$200 for Retail
 Rx Tier 2 max from \$200 to \$300 for Mail order
 Rx Tier 3 max from \$150 to \$250 for Retail
 Rx Tier 3 max from \$200 to \$350 for Mail order
 Rx OOP max from \$3,100 to \$4,000
 Rx OOP max from \$6,200 to \$8,000

Health Reimbursement Account contribution by City will cease for the calendar year 2021.
 Current balances will remain until exhausted.

MOTION TO TABLE

Motion was made by Gute, seconded by Perkins, to table this item to the next meeting.
 Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor
 Gilmore. Nay – none. Motion passed.

CONSENT AGENDA

RESOLUTION NO. 12, 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 MAY 14, 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, May 14, 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: May 14, 2020

MOTION

Motion was made by Gute, seconded by Steen, to adopt Resolution No. 12, 2020. Upon
 roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore.
 Nay – none. Motion passed.

SPECIAL REGULAR MEETING MAY 14, 2020
CONSENT AGENDA CONTINUED

CONSENT AGENDA ITEMS

1. City Manager recommends authorizing payment of Pay Request #1 dated April 20, 2020 in the amount of \$533,974.72 to Debcon, Inc. for the 16th Street Plaza (Judd Plaza) Renovation Project for the Department of Engineering.
2. City Manager recommends authorizing payment of Pay Request #1 dated April 14, 2020 in the amount of \$25,819.20 to Granite Inliner, LLC for the cured in place pipe lining rehabilitation project for the Department of Engineering.
3. City Manager recommends authorizing payment of Invoice #0054868 dated April 30, 2020 in the amount of \$5,220.00 to GRW Inc. for engineering services performed on the Water Treatment Plant SCADA and Instrumentation Upgrade project and backwash study for the Department of Utilities, Division of Water Production.
4. City Manager recommends authorizing payment of Invoice #293202-4 dated April 21, 2020 in the amount of \$537,380.87 to Mountain Enterprises, Inc. for paving completed in March and April 2020 pursuant to Ordinance No. 56, 2019 for the Department of Engineering.
5. City Manager recommends authorizing payment of Invoice #293202-5 dated April 22, 2020 in the amount of \$123,518.58 and Invoice #293202-6 in the amount of \$141,800.19 to Mountain Enterprises, Inc. for the paving of 6th Street and Beech Street for the Department of Engineering.
6. City Manager recommends authorizing payment of Invoice #0159187 dated April 13, 2020 in the amount of \$7,663.09 to Strand Associates, Inc. for engineering services associated with the City of Ashland Wastewater Treatment Plant Expansion and Improvement Project for the Department of Utilities, Division of Wastewater Treatment.
7. City Manager recommends awarding the bid for the purchase and delivery of filter media for the Water Treatment Plant to Carbon Enterprises, Inc. for their bid in the amount of \$133,171.00 and authorizing payment of same upon delivery and acceptance of the material for the Department of Utilities, Division of Water Production.
8. City Manager recommends authorizing the appointment of Bradley Kitts to the position of Fire Captain in the Ashland Fire Department effective May 15, 2020.

****REGARDING OLD BUSINESS ITEM J ABOVE****

ORDINANCE NO. _____, 2020

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE AN AGREEMENT WITH SAFE HARBOR OF NORTHEAST KENTUCKY, LLC, THE SUB-RECIPIENT OF \$12,000.00 FROM THE 2019 PROGRAM YEAR COMMUNITY DEVELOPMENT BLOCK GRANT-CV FUNDS.

Corporation Counsel Moore advised the Board that the City is awaiting approval on a conflict of interest waiver from the Department of Housing and Urban Development (HUD) and this item should be tabled until approval has been received.

SPECIAL REGULAR MEETING MAY 14, 2020
ORDINANCE NO. _____, 2020 CONTINUED

MOTION TO RESCIND 2ND READING AND TABLE INDEFINITELY

Motion was made by Gute, seconded by Steen, to rescind the second reading given above and table Ordinance No. _____, 2020, at this its second reading until such time as approval is received from HUD. Upon roll call, voting aye were Commissioners Clark, Gute, Steen and Mayor Gilmore. Nay – none. Abstain – Commissioner Perkins. Motion passed.

NEW BUSINESS
FIRST READING AND ADOPTION ONLY

ORDINANCE NO. _____, 2020

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE AN AMENDMENT OF THE SCOPE OF SERVICES TO TASK ORDER 2018-02 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND HDR ENGINEERING, INC. REGARDING THE PHASE 2 STORMWATER MS4 COMPLIANCE REPORT PREPARATION AND SUBMISSION TO THE KENTUCKY DIVISION OF WATER.

MOTION

Motion was made by Gute, seconded by Clark, 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 APPROVING CHANGE ORDER NO. 3 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND DEBCON, INC. INCREASING THE CONTRACT AMOUNT BY \$13,683.00 REGARDING THE 16TH STREET PLAZA (JUDD PLAZA) RENOVATION PROJECT FOR THE DEPARTMENT OF ENGINEERING.

MOTION

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

DISCUSSION

Commissioner Clark clarified for the public that the City is currently under contract for this project. If the City stopped the project now, the cost to the City would be much more than currently allocated. Commissioner Perkins also noted the additional effect on the businesses in the area already affected by the construction. Corporation Counsel Moore noted the project was bid and awarded prior to any mention of a pandemic.

VOTE

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

SPECIAL REGULAR MEETING MAY 14, 2020
ORDINANCE NO. _____, 2020

FIRST READING AND ADOPTION ONLY

ORDINANCE NO. _____, 2020

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING PART V. COMPENSATION PLAN; G. IMPLICATIONS OF PERSONNEL ACTIONS AND I. SALARY INCREASES OF THE "POLICIES AND PROCEDURES, COMPENSATION PLAN AND CLASSIFICATION PLAN" AS ADOPTED BY ORDINANCE NO. 51, SERIES OF 2017, AS PREVIOUSLY AMENDED.

MOTION

Motion was made by Perkins, 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 OF MUNICIPAL ORDER

MUNICIPAL ORDER NO. _____, 2020

A MUNICIPAL ORDER OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING USE OF CITY RIGHTS- OF-WAY FOR THE PURPOSE OF OUTDOOR DINING OR THE OUTDOOR DISPLAY AND SALE OF MERCHANDISE THROUGH AND INCLUDING JULY 4, 2020.

MOTION

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

DISCUSSION

Commissioner Steen requested extending use of the rights-of-way past the date of July 4, 2020. The Board had no objection to extending the date.

MOTION TO EXTEND DATE

Motion was made by Steen, seconded by Clark, to extend the date for use of City rights-of-way for outdoor dining and display and sale of merchandise through September 1, 2020. Upon roll call, voting aye were Commissioners Clark, Gute, Perkins, Steen and Mayor Gilmore. Nay – none. Motion passed.

READING AND ADOPTION

MUNICIPAL ORDER NO. 8, 2020

A MUNICIPAL ORDER OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING USE OF CITY RIGHTS- OF-WAY FOR THE PURPOSE OF OUTDOOR DINING OR THE OUTDOOR DISPLAY AND SALE OF MERCHANDISE THROUGH AND INCLUDING SEPTEMBER 1, 2020.

**SPECIAL REGULAR MEETING MAY 14, 2020
MUNICIPAL ORDER NO. 8, 2020 CONTINUED**

WHEREAS, the Governor has established certain conditions for the reopening of sections of the economy which were closed due to COVID-19, and

WHEREAS, each entity reopening must meet certain minimum requirements in addition to industry specific regulations, and

WHEREAS, it is anticipated that restaurants shall be allowed to reopen on or about May 22, 2020 and retail establishments on or about May 20, 2020, and

WHEREAS, it is anticipated that restaurants shall be limited to 33% of their seating capacity plus available outdoor seating and retail establishments shall be limited to occupancy of 33% of their otherwise permitted occupancy of their facilities, and

WHEREAS, various ordinances of the City of Ashland prohibit or restrict the use of City right-of-way by restaurants for dining and retail for sidewalk display and sale of goods except under special and limited circumstances, and

WHEREAS, it is the intention of the City of Ashland to allow the use of its public rights-of-way by restaurants and retail merchants for the periods of time and on the terms and conditions as hereinafter set forth to assist these businesses in reopening;

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

SECTION 1. Enforcement by City of Ashland employees of all ordinances and regulations of the City of Ashland limiting or prohibiting the use of public rights-of-way adjacent to or adjoining the premises of any restaurant or retail establishment for outdoor dining or the outdoor display and sale of merchandise be and hereby is suspended effective immediately through September 1, 2020 upon the following terms and conditions.

SECTION 2. The provisions of this municipal order shall apply to all restaurants and retail establishments operating within the City of Ashland in possession of a valid business license.

SECTION 3. All businesses operating on City of Ashland rights-of-way shall otherwise comply in all respects with all Healthy-at-Work requirements established by the Governor for restaurant and retail sales businesses and all other standards established by the Commonwealth of Kentucky or the federal government related to the COVID-19 crisis.

SECTION 4. All restaurants or businesses operating upon City right-of-way shall do so in a manner in compliance with the federal American with Disabilities Act and all applicable fire and building codes.

SECTION 5. By operating on City right-of-way pursuant hereto, all such businesses agree to indemnify and hold harmless the City of Ashland from any and all liability rising out of the operation of said businesses on City right-of-way.

SECTION 6. No alcoholic beverages may be served by any licensed facility outside of its originally licensed premises. Nothing contained herein shall be deemed to allow any business or retail business to operate on any City street or alley or to supersede or prohibit the enforcement of any state or federal regulations relating to the operation of such businesses specifically including, without limitation, the regulation of the sale of alcoholic beverages, or the enforcement thereof by state or federal officials.

INTRODUCED, PUBLICLY READ AND FINALLY APPROVED

ON ONE READING, this the 14th day of May, 2020.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/SUSAN W. MADDIX
CITY CLERK

SPECIAL REGULAR MEETING MAY 14, 2020
MUNICIPAL ORDER NO. 8, 2020 CONTINUED

MOTION

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

COMMISSIONER GUTE COMMENTS

Commissioner Gute thanked everyone for their thoughts and prayers.

ADJOURNMENT

Mayor Gilmore declared the meeting adjourned at 12:58 PM.


STEPHEN E. GILMORE
MAYOR

ATTEST:


SUSAN W. MADDIX
CITY CLERK

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