

**RECESSED MEETING
FEBRUARY 12, 2016**

The Ashland Board of Commissioners met in Recessed Session in the Commissioners' Chambers, City Building, Ashland, Kentucky, on Friday, February 12, 2016, at the hour of 9:00 AM. Those present were Commissioners: Larry Brown, Amanda Clark, Kevin Gunderson, Marty Gute and Mayor Chuck Charles, who presided. Also present were: John F. Vincent, Corporation Counsel; Susan W. Maddix, City Clerk; Robert W. Ratliff, Chief of Police; Scott Penick, Fire Chief; Marion Russell, Director of Public Works; Mike Miller, Director of Planning and Community Development; Chris Pullem, Economic Development Director; Ryan Eastwood, Director of Engineering and Utilities; Michelle Veach, Assistant Finance Director; and Reporters.

AGENDA

The agenda of February 12, 2016 was presented. Motion was made by Clark, seconded by Gunderson, to receive & file the agenda. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay - none. Motion passed.

OLD BUSINESS

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 17, 2016

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING CHUCK D. CHARLES, MAYOR, TO SUBMIT A HIGHWAY SAFETY GRANT APPLICATION TO THE KENTUCKY TRANSPORTATION CABINET, OFFICE OF HIGHWAY SAFETY, FOR THE ASHLAND POLICE DEPARTMENT FOR THE PERIOD OCTOBER 1, 2016 THROUGH SEPTEMBER 30, 2017.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Chuck D. Charles, Mayor of the City of Ashland, Kentucky, is hereby authorized and directed to execute and submit on behalf of said City a Highway Safety grant application to the Kentucky Transportation Cabinet, Office of Highway Safety, for funds to aid the Ashland Police Department. A true copy of said grant application is attached hereto and made a part hereof by reference.

SECTION 2. That Chuck D. Charles, Mayor, is hereby authorized and directed to execute any and all other documents relating to said grant.

SECTION 3. All other ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.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/CHUCK D. CHARLES
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: February 11, 2016
READOPTED BY THE BOARD OF COMMISSIONERS: February 12, 2016
PUBLISHED:

RECESSED MEETING FEBRUARY 12, 2016
ORDINANCE NO. 17, 2016 CONTINUED

MOTION

Motion was made by Gute, seconded by Gunderson, to adopt Ordinance No. 17, 2016, at this its second reading. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 18, 2016

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING CHUCK D. CHARLES, MAYOR, TO EXECUTE TASK ORDER #20 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND STRAND ASSOCIATES, INC. REGARDING THE ANNUAL COMBINED SEWER OVERFLOW REPORT FOR THE DEPARTMENT OF ENGINEERING & UTILITIES.

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Chuck D. Charles, Mayor, be and he is hereby authorized and directed to execute Task Order #20 in the contract authorized by Ordinance No. 67, Series of 2005, between the City of Ashland, Kentucky and Strand Associates, Inc. regarding the Annual Combined Sewer Overflow Report for the City of Ashland in an amount not to exceed \$15,000.00. A copy of said Task Order is attached hereto and made a part hereof by reference.

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

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

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

/s/CHUCK D. CHARLES
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: February 11, 2016
READOPTED BY THE BOARD OF COMMISSIONERS: February 12, 2016
PUBLISHED:

MOTION

Motion was made by Brown, seconded by Clark, to adopt Ordinance No. 18, 2016, at this its second reading. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

RECESSED MEETING FEBRUARY 12, 2016
ORDINANCE NO. 19, 2016

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 19, 2016

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING CHUCK D. CHARLES, MAYOR, TO EXECUTE AMENDMENT #2 TO TASK ORDER #19 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND STRAND ASSOCIATES, INC. ADOPTED BY ORDINANCE NO. 21, SERIES OF 2015, TO INCLUDE THE HOURLY BILLING RATE FOR SENIOR PROJECT MANAGER REGARDING THE ANNUAL COMBINED SEWER OVERFLOW REPORT FOR THE DEPARTMENT OF ENGINEERING & UTILITIES.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Chuck D. Charles, Mayor, be and he is hereby authorized and directed to execute Amendment #2 to Task Order #19 to amend the hourly billing rate schedule to include the position of Senior Project Manager at the rate of \$208.00 per hour which was inadvertently omitted from Task Order #19 in the contract authorized by Ordinance No. 67, Series of 2005, between the City of Ashland, Kentucky and Strand Associates, Inc. regarding the Combined Sewer Overflow (CSO) Long-term Control Plan (LTCP) and Consent Judgment assistance in accordance with guidelines published by USEPA. A copy of said Amendment #2 to Task Order #19 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/CHUCK D. CHARLES
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: February 11, 2016
READOPTED BY THE BOARD OF COMMISSIONERS: February 12, 2016
PUBLISHED:

MOTION

Motion was made by Clark, seconded by Brown, to adopt Ordinance No. 19, 2016, at this its second reading. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

RECESSED MEETING FEBRUARY 12, 2016
ORDINANCE NO. 20, 2016

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 20, 2016

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND APPROVING CHANGE ORDER NO. 1 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND BUILDING CRAFTS, INC. FOR A CONTRACT REGARDING THE WATER TREATMENT PLANT AIR BACKWASH SYSTEM PROJECT FOR THE DEPARTMENT OF ENGINEERING AND UTILITIES.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Change Order No. 1 in the contract authorized by Ordinance No. 44, 2015 between the City of Ashland, Kentucky and Building Crafts, Inc. for the Water Treatment Plant Air Backwash System Project is hereby approved as follows:

Change Order No. 1

Original Contract Price	\$1,130,000.00
Previous Change Orders	0.00
Contract Price prior to this Change Order	1,130,000.00
Net Increase /Decrease of this Change Order	<u>67,957.00</u>
Contract Price with all approved Change Orders	\$1,197,957.00

Contract is extended to February 29, 2016.

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

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

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

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

/s/CHUCK D. CHARLES
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: February 11, 2016
READOPTED BY THE BOARD OF COMMISSIONERS: February 12, 2016
PUBLISHED:

MOTION

Motion was made by Gute, seconded by Brown, to adopt Ordinance No. 20, 2016, at this its second reading. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

RECESSED MEETING FEBRUARY 12, 2016
ORDINANCE NO. 21, 2016

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 21, 2016

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND APPROVING CHANGE ORDER NO. 1 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND LAYNE INLINER, LLC FOR A CONTRACT REGARDING THE 15TH AND 17TH STREETS COMBINED SEWER REHABILITATION PROJECT FOR THE DEPARTMENT OF ENGINEERING AND UTILITIES.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Change Order No. 1 in the contract authorized by Ordinance No. 111, 2015 between the City of Ashland, Kentucky and Layne Inliner, LLC for the 15th and 17th Streets Combined Sewer Rehabilitation Project is hereby approved as follows:

Change Order No. 1

Original Contract Price	\$239,390.00
Previous Change Orders	0.00
Contract Price prior to this Change Order	239,390.00
Net Increase /Decrease of this Change Order	<u>5,805.00</u>
Contract Price with all approved Change Orders	\$245,195.00

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

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

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

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

/s/CHUCK D. CHARLES
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: February 11, 2016
READOPTED BY THE BOARD OF COMMISSIONERS: February 12, 2016
PUBLISHED:

MOTION

Motion was made by Clark, seconded by Gunderson, to adopt Ordinance No. 21, 2016, at this its second reading. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

RECESSED MEETING FEBRUARY 12, 2016
ORDINANCE NO. 22, 2016

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 22, 2016

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING CHUCK D. CHARLES, MAYOR, TO EXECUTE A CONTRACT BETWEEN THE CITY OF ASHLAND, KENTUCKY, ASHLAND CHILD DEVELOPMENT CENTER AND MORRIS CONTRACTING FOR ALL LABOR AND MATERIAL FOR HANDICAP ACCESSIBILITY IMPROVEMENTS PROJECT FOR THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT TO BE FUNDED IN PART BY COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR PROGRAM YEAR 2015.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Chuck D. Charles, Mayor, be and he is hereby authorized and directed to execute a contract between the City of Ashland, Kentucky, Ashland Child Development Center and Morris Contracting for the handicap accessibility improvements project for the Department of Planning and Community Development to be funded in part by Community Development Block Grant (CDBG) funds for Program Year 2015. A copy of said contract 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/CHUCK D. CHARLES
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: February 11, 2016
READOPTED BY THE BOARD OF COMMISSIONERS: February 12, 2016
PUBLISHED:

MOTION

Motion was made by Brown, seconded by Gute, to adopt Ordinance No. 22, 2016, at this its second reading. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

RECESSED MEETING FEBRUARY 12, 2016
ORDINANCE NO. 23, 2016 CONTINUED

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 23, 2016

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND APPROVING CHANGE ORDER NO. 1 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND GUY'S FLOOR COVERING, LLC FOR A CONTRACT REGARDING THE KING'S DAUGHTERS' AND SONS' HOME REHABILITATION PROJECT (PHASE II) FOR THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Change Order No. 1 in the contract authorized by Ordinance No. 96, 2015 between the City of Ashland, Kentucky and Guy's Floor Covering, LLC for the King's Daughters' and Sons' Home Rehabilitation Project (Phase II) is hereby approved as follows:

Change Order No. 1

Original Contract Price	\$92,023.61
Previous Change Orders	0.00
Contract Price prior to this Change Order	92,023.61
Net Increase /Decrease of this Change Order	<u>3,250.00</u>
Contract Price with all approved Change Orders	\$95,273.61

The Contract Time will be increased by 60 calendar days.

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

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

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

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

/s/CHUCK D. CHARLES
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: February 11, 2016
READOPTED BY THE BOARD OF COMMISSIONERS: February 12, 2016
PUBLISHED:

MOTION

Motion was made by Gunderson, seconded by Clark, to adopt Ordinance No. 23, 2016, at this its second reading. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

RECESSED MEETING FEBRUARY 12, 2016
EXECUTIVE SESSION

EXECUTIVE SESSION

Motion was made by Gunderson, seconded by Clark, to go into Executive Session at 9:05 AM to discuss an individual personnel matter. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

RECONVENED

The meeting reconvened at 9:15 PM and Mayor Charles announced the only item discussed was an individual personnel matter with no final action taken.

MOTION

Motion was made by Gunderson, seconded by Brown, that the City purchase Lifelock Identity Theft Projection for a period of one (1) year for two retired Ashland firefighters, David Stump and Steve Hall. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

MOTION

Motion was made by Brown, seconded by Gunderson, appointing Richard W. “Sonny” Martin as Interim City Manager at the same salary as the most recent City Manager. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

MOTION

Motion was made by Gute, seconded by Clark, authorizing the Legal Department to prepare a Resolution supporting a needle exchange program in the City of Ashland. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

ADJOURN

Mayor Charles declared the meeting adjourned at 9:20 AM.

CHUCK D. CHARLES
MAYOR

ATTEST:

SUSAN MADDIX
CITY CLERK