

**RECESSED MEETING
FEBRUARY 26, 2016**

The Ashland Board of Commissioners met in Recessed Session in the Commissioners' Chambers, City Building, Ashland, Kentucky, on Friday, February 26, 2016, at the hour of 12:00 PM. Those present were Commissioners: Larry Brown, Amanda Clark, Kevin Gunderson, Marty Gute. Absent: Mayor Chuck D. Charles. Mayor Pro-Tem Gunderson presided. Also present were: Richard W. Martin, Interim City Manager; John F. Vincent, Corporation Counsel; Susan W. Maddix, City Clerk; Robert W. Ratliff, Chief of Police; Scott Penick, Fire Chief; Sean Murray, Director of Human Resources/Parks & Recreation; Mike Miller, Director of Planning and Community Development; Chris Pullem, Economic Development Director; Ryan Eastwood, Director of Engineering and Utilities; Tony D. Grubb, Finance Director; Michelle Veach, Assistant Finance Director; Major Todd Kelley, Ashland Police Department; and Reporters.

AGENDA

Interim City Manager Martin presented the agenda of February 26, 2016. Motion was made by Clark, seconded by Brown, to receive & file the agenda. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson and Gute. Nay - none. Motion passed.

OLD BUSINESS

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 24, 2016

AN ORDINANCE OF THE CITY OF ASHLAND,
KENTUCKY, ADJUSTING THE COMPENSATION FOR
FISCAL YEAR 2016-2017 FOR THE MAYOR AND CITY
COMMISSIONERS BY THE INCREASE IN THE
CONSUMER PRICE INDEX FOR 2015.

WHEREAS, in accordance with the provisions of KRS 83A.075(1), the City of Ashland desires to adjust the allowable annual compensation for the Mayor and Commission members;

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

SECTION 1. Effective July 1, 2016, the annual adjustment contemplated and authorized by KRS 83A.075(1) to the existing compensation for the Mayor and Commissioners shall be \$9,167.02 for the Mayor and \$7,639.17 for each Commissioner. This represents the Consumer Price Index increase of .7% as reported by the Governor's Office for Local Government based upon the U.S. Department of Labor, Bureau of Labor Statistics. (Memo attached)

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the City of Ashland and any parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.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. This ordinance is hereby authorized to be published in summary form.

/s/CHUCK D. CHARLES
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

RECESSED MEETING FEBRUARY 26, 2016
ORDINANCE NO. 24, 2016 CONTINUED

ADOPTED BY THE BOARD OF COMMISSIONERS: February 25, 2016
READOPTED BY THE BOARD OF COMMISSIONERS: February 26, 2016
PUBLISHED:

MOTION

Motion was made by Gute, seconded by Brown, to adopt Ordinance No. 24, 2016, at this its second reading. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson and Gute. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 25, 2016

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING CHUCK D. CHARLES, MAYOR, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF ASHLAND, KENTUCKY AND HANNA RESOURCE GROUP, LLC REGARDING CONSULTING SERVICES ON THE PREPARATION OF A CLASSIFICATION AND COMPENSATION STUDY FOR THE DEPARTMENT OF GENERAL GOVERNMENT, DIVISION OF HUMAN RESOURCES.

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 Master Service Agreement between the City of Ashland, Kentucky and Hanna Resource Group, LLC for consulting services on the preparation of a Classification and Compensation Plan in an amount not to exceed \$43,500.00 for the Department of General Government, Division of Human Resources. A copy of 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/CHUCK D. CHARLES
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: February 25, 2016
READOPTED BY THE BOARD OF COMMISSIONERS: February 26, 2016
PUBLISHED:

MOTION

Motion was made by Brown, seconded by Clark, to adopt Ordinance No. 25, 2016, at this its second reading. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson and Gute. Nay – none. Motion passed.

RECESSED MEETING FEBRUARY 26, 2016
ORDINANCE NO. 26, 2016

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 26, 2016

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND APPROVING CHANGE ORDER NO. 2 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. 2 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. 2

Original Contract Price	\$92,023.61
Previous Change Orders	3,250.00
Contract Price prior to this Change Order	95,273.61
Net Increase/ Decrease of this Change Order	<u>3,540.00</u>
Contract Price with all approved Change Orders	\$98,813.61

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, 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 25, 2016

READOPTED BY THE BOARD OF COMMISSIONERS: February 26, 2016

PUBLISHED:

MOTION

Motion was made by Gute, seconded by Clark, to adopt Ordinance No. 26, 2016, at this its second reading. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson and Gute. Nay – none. Motion passed.

RECESSED MEETING FEBRUARY 26, 2016
ORDINANCE NO. 27, 2016

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 27, 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, AND MORRIS CONTRACTING FOR THE 31ST STREET DRAINAGE IMPROVEMENT PROJECT FUNDED IN PART BY THE CITY OF ASHLAND DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT THROUGH A COMMUNITY DEVELOPMENT BLOCK GRANT 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, and Morris Contracting for the 31st Street Drainage Project for the Department of Planning and Community Development funded in part by a Community Development Block Grant 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 25, 2016

READOPTED BY THE BOARD OF COMMISSIONERS: February 26, 2016

PUBLISHED:

MOTION

Motion was made by Clark, seconded by Brown, to adopt Ordinance No. 27, 2016, at this its second reading. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson and Gute. Nay – none. Motion passed.

RECESSED MEETING FEBRUARY 26, 2016
ORDINANCE NO. 28, 2016

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 28, 2016

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING SECTION 2.9 POLLUTANT DISCHARGE LIMITS OF THE RULES AND REGULATIONS OUTLINING THE PERMISSIBLE USE OF THE ASHLAND SEWER SYSTEM AS ADOPTED BY ORDINANCE NO. 62, SERIES OF 2012 AND AMENDED BY ORDINANCE NO. 46, SERIES OF 2013 AND ORDINANCE NO. 30, SERIES OF 2015.

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Section 2.9 Pollutant Discharge Limits of the Rules and Regulations outlining the permissible use of the Ashland Sewer System as adopted by Ordinance No. 62, Series of 2012, and amended by Ordinance No. 46, Series of 2013, and Ordinance No. 30, Series of 2015, which is commonly known and referred to as the "Sewer Use Regulations" of the City of Ashland, be and said section thereof is hereby amended, such amendment shown by a single broken line through all deleted language and by underscoring all newly inserted language. A copy of such amendment is attached hereto and made a part hereof as if set out in full.

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 25, 2016
READOPTED BY THE BOARD OF COMMISSIONERS: February 26, 2016
PUBLISHED:

MOTION

Motion was made by Gute, seconded by Brown, to adopt Ordinance No. 28, 2016, at this its second reading. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson and Gute. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 29, 2016

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ADOPTING THE AMENDED FIVE-YEAR CONSOLIDATED PLAN FOR THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT IN ORDER TO ADD A MINORITY BUSINESS LOAN PROJECT TO THE 2015 ACTION PLAN PROGRAM YEAR.

RECESSED MEETING FEBRUARY 26, 2016
ORDINANCE NO. 29, 2016 CONTINUED

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 amended five-year Consolidated Plan (2015 – 2019) for the Department of Planning and Community Development originally adopted by Ordinance No. 42, Series of 2015, in order to include a minority business loan project to the 2015 Action Plan Program Year. Said amended Five-Year Consolidated Plan (2015 – 2019) 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 25, 2016
READOPTED BY THE BOARD OF COMMISSIONERS: February 26, 2016
PUBLISHED:

MOTION

Motion was made by Clark, seconded by Brown, to adopt Ordinance No. 29, 2016, at this its second reading. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson and Gute. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 30, 2016

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING CHUCK D. CHARLES, MAYOR, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF ASHLAND, KENTUCKY AND AN EMPLOYEE OF THE CITY OF ASHLAND.

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 an Agreement between the City of Ashland, Kentucky and an employee of the City of Ashland. A copy of 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.

RECESSED MEETING FEBRUARY 26, 2016
ORDINANCE NO. 30, 2016 CONTINUED

/s/CHUCK D. CHARLES
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: February 25, 2016
READOPTED BY THE BOARD OF COMMISSIONERS: February 26, 2016
PUBLISHED:

MOTION

Motion was made by Brown, seconded by Clark, to adopt Ordinance No. 30, 2016, at this its second reading. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson and Gute. Nay – none. Motion passed.

MOTION

Motion was made by Brown, seconded by Clark, to accept the resignation of Benjamin Bitter as City Manager. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson and Gute. Nay – none. Motion passed.

ADJOURN

Mayor Pro-Tem Gunderson declared the meeting adjourned at 12:06 PM.

L. KEVIN GUNDERSON
MAYOR PRO-TEM

ATTEST:

SUSAN MADDIX
CITY CLERK