

**REGULAR MEETING
APRIL 14, 2016**

The Ashland Board of Commissioners met in Regular Session in the Commissioners' Chambers, City Building, Ashland, Kentucky, on Thursday, April 14, 2016, at the hour of 12:00 PM. Those present were Commissioners: Larry Brown, Amanda Clark, Kevin Gunderson, Marty Gute and Mayor Chuck Charles, who 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; Greg Ray, Deputy Fire Chief; Sean Murray, Human Resources/Parks and Recreation Director; 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; Tony Grubb, Finance Director; Mike Adkins, Risk Manager; Michelle Veach, Assistant Finance Director; Major Mark McDowell, Ashland Police Department; and Reporters.

The invocation was given by Commissioner Brown.

The Pledge of Allegiance was conducted.

AGENDA

Interim City Manager Martin presented the agenda of April 14, 2016. Motion was made by Gute, seconded by Clark, to receive & file the agenda. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay - none. Motion passed.

MINUTES

Motion was made by Brown, seconded by Gunderson, to dispense with reading and approve the minutes of the Regular Meeting held on March 24, 2016. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay - none. Motion passed.

HEARINGS AND REPORTS

Mayor and City Commissioners' Comments

Commissioner Gute announced Opening Day for Ashland American Little League is this Saturday, April 16, at Oliverio Park. The National Day of Prayer is May 5 at the Transportation Center and the next City Commission meeting will be held on Wednesday, April 27 instead of Thursday, April 28.

Commissioner Brown welcomed everyone and noted all of the new construction and new businesses opening in Ashland. He feels very proud and blessed.

Commissioner Gunderson noted the damage caused by the weather the past two weekends. He also announced budget sessions will begin soon.

Commissioner Clark announced that on March 30 she attended the 7th annual Pinwheels for Prevention at the Boyd County Kentucky State Police Post where pinwheels represent the 621 reported cases of child abuse and neglect for the past year. She also announced that tickets are on sale for the Firkin Fest scheduled for June 18.

Mayor Charles reported on his recent trip to Washington, DC with Ashland Alliance President Tim Gibbs to testify in front of the International Trade Commission regarding the AK Steel situation.

REGULAR MEETING APRIL 14, 2016
HEARINGS AND REPORTS CONTINUED

City Manager's Report

Interim City Manager Martin introduced Animal Control Officer David Branham. Mr. Branham reviewed with the Commission a number of animal control issues affecting our community. Mr. Branham reported that last year 201 cats, 128 dogs and 157 wild animals were captured. There has been an increase in deer, coyotes, and even wild hogs. Mr. Branham noted that it would be costly for citizens to hire a professional as the closest is located in Louisa. The Commission thanked Mr. Branham for his good work.

Interim City Manager Martin asked Assistant Finance Director Michelle Veach to advise the Commission regarding costs associated with credit card, debit card and Pay Pal payments made to the City. Ms. Veach advised that while these types of payments are convenient for our citizens and customers, they result in a loss of revenue to the City. She advised that the cost to the City during calendar year 2015 was \$159,000.00. The Commission noted this is a disturbing issue that will have to be reviewed during budget sessions.

PUBLIC PARTICIPATION

Carol Allen, Executive Director of the Highlands Museum and Discovery Center at 1620 Winchester Avenue appeared before the Commission regarding upcoming events scheduled at the museum. The Victorian Tea is scheduled for May 14 where gentlemen serve the ladies. Ms. Allen also reported on the repair work to the façade of the building and the future use of the 4th floor for large events.

Whitney Lowe, Ashland in Motion, appeared before the Commission and reported that ticket sales for the Firkin Fest on June 18 may be purchased at Ashland Beverage Center, Continental Liquors and online. April 1 kicked off the First Friday events and was very successful.

OLD BUSINESS

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 43, 2016

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, PROVIDING FOR THE RULES AND REGULATIONS FOR THE USE OF CENTRAL PARK AND OTHER CITY PARKS WITHIN THE CITY OF ASHLAND, KENTUCKY, FIXING PENALTIES FOR THE VIOLATION THEREOF; ADOPTING THE FACILITY USE/RENTAL INFORMATION FORM FOR THE USE OF CITY PARK FACILITIES; AND REPEALING ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

* * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. For the purposes of this ordinance, the boundaries of Central Park shall be considered 17th to 22nd Streets, Lexington to Central Avenues, including rights-of-ways. Excluded are Crabbe Elementary School and parking lot and the Boyd County Library and parking lot.

SECTION 2. Certain conditions as enumerated herein are intended to regulate special events in which large numbers of people would be expected to attend.

- a) This ordinance is not intended to restrict or prohibit the use of City parks by individual citizens who are not required to make application for the use of City parks to the Board of City Commissioners.

REGULAR MEETING APRIL 14, 2016
ORDINANCE NO. 43, 2016 CONTINUED

- b) This ordinance shall apply to individuals, in that all individuals shall be subject to all applicable provisions of any and all ordinances on the use of all City parks.
- c) Information shall be given to each special event applicant on restrictions for the use of all City parks for such events. Applicants must receive advance permission from the Department of Parks and Recreation and the Board of City Commissioners when applicable.

SECTION 3. The Board of City Commissioners of the City of Ashland, in the interest of public safety and welfare, hereby declare the following activities to be prohibited within the confines of all City parks:

- a) No driver shall stop his vehicle in the roadway or in any way block or impede the flow of traffic on said roadway; nor shall any pedestrian impede the flow of traffic on said roadway;
- b) No vehicle shall be parked upon the roadway running in an easterly and westerly direction within CENTRAL PARK except off the traveled portion of the road and within the parking spaces provided for said purpose.
- c) No person shall possess alcoholic beverages in an open container or a container with the seal or cap broken in any city park.
- d) Vendors, who have been approved by the Board of City Commissioners, to set up and sell within the confines of City parks shall be restricted to the roadway, or other areas as designated by direction of the Board of City Commissioners or Director of Parks and Recreation or designees. In no event, shall any vendor be permitted to park or leave standing his vehicle or concession stand upon any grassy area of City parks.
- e) No individual or entity, not on City business, shall be permitted to park or remain standing a vehicle, trailer, camping trailer/tent, or similar structure upon any grassy area of all City parks.
- f) Motor vehicles, including all terrain (ATV), golf carts, go carts and motorcycles, shall be confined to the paved roadway in all City parks and designated parking areas. Power assisted wheelchairs for the handicapped shall not be considered as motor vehicles under the terms of this ordinance.
- g) No person shall ride a bicycle on the sidewalk around Central Park as follows: north side of Lexington Avenue between 17th & 22nd Streets; east side of 17th Street between Lexington & Central Avenues; south side of Central Avenue between 17th & 22nd Streets; and the west side of 22nd Street between Lexington & Central Avenues.

Bicycles with training wheels or tricycles ridden by young children who are accompanied by an adult are exempt from this restriction.
- h) All motor vehicles, not on city business, shall park in designated parking areas, which shall be limited to paved or graveled surfaces.

REGULAR MEETING APRIL 14, 2016
ORDINANCE NO. 43, 2016 CONTINUED

- i) Any person, group, or organization, who has received Board of City Commission approval to drive or pull a vehicle onto any grassy area of the park, for the purpose of loading or unloading, shall without delay, remove the vehicle to a designated parking area. For enforcement purposes, it shall be a violation of this ordinance if no loading or unloading continues for more than thirty minutes.
- j) Public safety and service vehicles, when on necessary city business shall have access to all areas of all City parks, but shall limit movement on grassy areas of the parks to bona fide use, including public safety calls for service, and park maintenance, and wherever possible, shall avoid driving over or parking upon grassy areas, if the task to be performed can be accomplished without the use of a motor vehicle.
- k) Any person(s), group or organization who applies to the Board of City Commissioners for permission to use City Parks, shall in no way have the authority to delegate to other individuals or groups any privileges greater than that approved by the Board of City Commissioners.
- l) Parking within City parks shall be limited to those persons using the parks. Parking by persons working outside the parks shall be prohibited.
- m) No person(s), group or organization shall engage in any activity for which fees or charges are made within the park, whether the moneys are collected at the park or other location. This prohibition shall not include any recognized community-wide activity, charitable fundraising activity or sale for which prior Board of Commissioners approval shall be required with reasonable advance request made by the organization involved. This prohibition shall not include work performed for or at the direction of the City.
- n) All automobiles and other vehicles entering City parks shall confine themselves strictly to the regular roadway through the parks and shall not in any case drive on the paths, grass, or regular walkways of the parks.
- o) No vehicle shall be operated in any City park at a speed in excess of ten (10) miles per hour.
- p) It shall be unlawful for any person to deface or unnecessarily injure any bench, swing, structure, or other physical property of any kind in any City park.
- q) It shall be unlawful for any person to throw, scatter or discard any paper, filth, garbage, or other waste matter at any place in any City park except in the receptacles therein placed for such purpose.
- r) It shall be unlawful for any person, firm or corporation to smoke inside or around any playground located at any City park. The Director of Parks and Recreation is hereby authorized to install appropriate signs and/or markings to properly carry the provisions of this section into effect.

REGULAR MEETING APRIL 14, 2016
ORDINANCE NO. 43, 2016 CONTINUED

- s) No person(s) shall dive, swim or enter for any reason the pond located in CENTRAL PARK. This prohibition shall not include work performed for or at the direction of the City.
- t) It is prohibited to camp or otherwise temporarily reside in the Port of Ashland, Riverfront Park, without prior written approval relating to a special event.

SECTION 4. Closing hours for Central Park, Dawson Park, Oliverio Park and all other City parks are hereby fixed at 11:00 PM each night and such parks shall remain closed from the hour indicated until 7:00 AM the following day.

SECTION 5. The cost of admission to the Dawson Park swimming pool shall be as follows:

Adult	\$3.00
Children 18 and under	\$2.00

SECTION 6. Regarding the use of ballfields and lights:

Lights shall be turned off by 10:30 PM on all baseball diamonds, softball diamonds, and tennis courts.

SECTION 7. Civic or other non-profit special interest groups may request an extension of such hours from the Parks and Recreation Director. The Parks and Recreation Director shall consult with the Park Board and forward any recommendation to the City Manager. No extension shall exist until such time it is approved by the Ashland Board of City Commissioners.

SECTION 8. During the hours such parks are closed, no person shall remain in or enter the premises except City maintenance employees, officials of the City of Ashland, and law enforcement officers, who shall have the right to enter upon such premises for purposes of patrolling, enforcing the law, or other appropriate administrative purposes.

SECTION 9. It shall be unlawful for any person to lead livestock through or within any City park. All dogs taken to City parks for the purpose of exercise shall be at all times while in City parks restricted upon a leash. No dogs shall be permitted within the boundaries of Central Park. Dogs shall be permitted outside the perimeter of Central Park as defined by the area between the sidewalk and the curb. City employees and all police officers are directed to strictly enforce this section.

It shall be unlawful for any person to kill, injure, or unnecessarily frighten any wildlife within any City park.

SECTION 10. DISORDERLY CONDUCT

It shall be unlawful for any person to conduct himself in a disorderly or indecorous manner within any City park. Pursuant to Kentucky Revised Statute 525.060:

- (1) A person is guilty of disorderly conduct in the second degree when in a public place and with intent to cause public inconvenience, annoyance, or alarm, or wantonly creating a risk thereof, he:
 - (a) Engages in fighting or in violent, tumultuous, or threatening behavior;
 - (b) Makes unreasonable noise;
 - (c) Refuses to obey an official order to disperse issued to maintain public safety in dangerous proximity to a fire, hazard, or other emergency; or
 - (d) Creates a hazardous or physically offensive condition by any act that serves no legitimate purpose.

REGULAR MEETING APRIL 14, 2016
ORDINANCE NO. 43, 2016 CONTINUED

SECTION 11. That any person, group or organization which seeks to use any amplifiers or amplification equipment for the purpose of amplifying music or the human voice in any City park shall before such utilization seek and obtain the recommendation from the Director of Parks and Recreation. The recommendation may then be forwarded to the Board of City Commissioners for final action and approval of the use of amplification equipment in any City park.

This ordinance does not apply to personal radios utilized to receive commercially broadcast radio signals and personal equipment for the playing of recorded music and utilized for person listening pleasure only.

SECTION 12. The Board of Commissioners hereby adopts the following rules and regulations for the use of the Pavilion located in Central Park.

- (a) Events held September 16 through April 14, Monday through Saturday, must end by 9:00 PM and on Sunday by 6:00 PM. Programs held April 15 through September 15, Monday through Saturday, must end by 10:00 PM and on Sunday by 6:00 PM.
- (b) Each individual or group will be responsible for the condition and clean-up of the facility.
- (c) No solicitation without permission will be permitted on or around the Pavilion.
- (d) Amplification will be held to a minimum for the enjoyment of the audience located around the Pavilion.
- (e) Each individual must furnish his own sound system and chairs.
- (f) The City will provide electric power if requested.
- (g) A returnable damage deposit of \$100 is required of all private uses.
- (h) No alcoholic beverages will be permitted on or around the Pavilion.
- (i) No food or drinks will be permitted on the Pavilion.
- (j) No profanity or lewd behavior will be permitted on the Pavilion.
- (k) Proper attire for all performers will be required on the Pavilion.
- (l) Smoking or tobacco use of any kind is prohibited on the Pavilion.
- (m) Open flames are prohibited on the Pavilion.
- (n) The use of the Pavilion is intended for performing arts. Religious services or political functions must be approved in advance at the discretion of the Board of City Commissioners.
- (o) Any infringement of these rules will result in the individual(s) being asked to leave the Pavilion, and may result in future denial of use and/or forfeiture of the \$100 deposit.
- (p) Any individual or group using the Pavilion will be required to fill out an application for its use and sign an agreement to compensate the City for any damages which might result from its use.

REGULAR MEETING APRIL 14, 2016
ORDINANCE NO. 43, 2016 CONTINUED

SECTION 13. That the Rules, Regulations and Fees governing the use of the Activity Room located in Central Park are hereby adopted in full by the Board of City Commissioners, said Rules, Regulations and Fees are attached hereto and made a part hereof by reference.

SECTION 14. The use of inflatable playgrounds in Central Park shall require approval from the Department of Parks and Recreation. The rules, regulations and fees governing such use of inflatable playgrounds in Central Park shall be as follows:

- (a) Any person, group or organization which seeks to utilize inflatable playgrounds for the purpose of a recreation event at Central Park shall before such utilization seek and obtain the approval of the Department of Parks and Recreation.
- (b) Inflatable playgrounds will be limited to the Pavilion area of Central Park and scheduled on a first/come first/serve basis.
- (c) There will be a \$35 utilization fee. There will be an additional \$15 electrical service fee for those persons, groups or organizations utilizing City power.
- (d) All associated fees and releases/waivers must be paid and signed at least 48 hours prior to the scheduled event. A receipt of the approved event permit must be present for the duration of the event.
- (e) Any group utilizing a third party vendor to supply inflatable playgrounds must provide a copy of injury/liability insurance from the third party vendor providing a minimum \$1,000,000 of coverage.
- (f) City sponsored events can be exempted from this Ordinance provided prior approval from the Ashland Board of City Commissioners has been obtained.

SECTION 15. These prohibitions in abbreviated format along with other regulations appearing in Chapter 96 of the City Code may be posted at all City park entrances along with fines for the violation of such regulations.

SECTION 16.

a) During the hours such parks are closed, it shall be unlawful for any person, firm or corporation to park and leave standing any vehicle inside the park. Any person, firm or corporation violating these terms who choose to prepay the administrative penalty, the rate shall not be less than Ten Dollars (\$10.00). All administrative penalties derived from the enforcement of this ordinance shall be paid into the general fund of the City for the purpose of defraying the cost of general government.

b) If violation of these terms results in a uniform citation being issued, any person, firm or corporation who shall violate these provisions shall be deemed guilty of a violation and shall be punished by a fine not less than Ten Dollars (\$10.00) nor more than any stated amount provided in KRS 534.040 for a violation offense, except as stated in (c) below

c) If violation of these terms results in a uniform citation being issued, any person, firm or corporation violating the terms of Section 3(d) and/or Section 3 (e) of this ordinance shall be deemed guilty of a violation and shall be fined in any sum not less than fifty (\$50.00) dollars nor more than any stated amount provided in KRS 534.040 for a violation offense.

SECTION 17. That Ordinance No. 36, Series of 2011, as amended by Ordinance No. 57, Series of 2012, and Ordinance No. 96, Series of 2013, are hereby repealed in their entirety. That Ordinance 45, Series of 2014, is hereby repealed in its entirety. All other ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, also are hereby repealed.

REGULAR MEETING APRIL 14, 2016
ORDINANCE NO. 43, 2016 CONTINUED

SECTION 18. SEVERABILITY CLAUSE.

If any part or section of this Ordinance shall be held invalid, such part shall be deemed severable and the validity thereof shall not affect the remaining parts of the Ordinance.

SECTION 19. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

/s/CHUCK D. CHARLES
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: March 24, 2016
READOPTED BY THE BOARD OF COMMISSIONERS: April 14, 2016
PUBLISHED:

MOTION

Motion was made by Gute, seconded by Brown, to adopt Ordinance No. 43, 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. 44, 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 AND PMAM CORPORATION FOR DELIVERY AND MAINTENANCE OF ACCREDITATION SOFTWARE FOR THE ASHLAND POLICE DEPARTMENT.

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Chuck D. Charles, Mayor of the City of Ashland, Kentucky, be and is hereby authorized to execute an Agreement between the City of Ashland, Kentucky, and PMAM Corporation for delivery and maintenance of accreditation software for the Ashland Police Department at a cost of \$1,000.00 per year. A copy of said agreement 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

REGULAR MEETING APRIL 14, 2016
ORDINANCE NO. 44, 2016 CONTINUED

ADOPTED BY THE BOARD OF COMMISSIONERS: March 24, 2016
READOPTED BY THE BOARD OF COMMISSIONERS: April 14, 2016
PUBLISHED:

MOTION

Motion was made by Brown, seconded by Gute, to adopt Ordinance No. 44, 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. 45, 2016

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND APPROVING CHANGE ORDER NO. 1 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND DANNY SULLIVAN EXCAVATING, LLC FOR A CONTRACT REGARDING THE EXISTING WATER PUMPING STATIONS IMPROVEMENT 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. 5, 2016 between the City of Ashland, Kentucky and Danny Sullivan Excavating, LLC for the existing water pumping stations improvement project is hereby approved as follows:

Change Order No. 1

Original Contract Price	\$218,149.00
Previous Change Orders	0.00
Contract Price prior to this Change Order	218,149.00
Net Increase /Decrease of this Change Order	<u>9,898.75</u>
Contract Price with all approved Change Orders	\$228,047.75

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: March 24, 2016
READOPTED BY THE BOARD OF COMMISSIONERS: April 14, 2016
PUBLISHED:

REGULAR MEETING APRIL 14, 2016
ORDINANCE NO. 45, 2016 CONTINUED

MOTION

Motion was made by Clark, seconded by Gunderson, to adopt Ordinance No. 45, 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. 46, 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 AND BADGER METER, INC. FOR THE PURCHASE OF VARIOUS COMPOUND WATER METERS AND STRAINERS WITH NICOR CONNECTORS AND 25' WIRE TO CONNECT TO BEACON UNITS FOR THE DEPARTMENT OF ENGINEERING AND 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 a contract between the City of Ashland, Kentucky and Badger Meter, Inc., 4545 W. Brown Deer Road, Milwaukee, Wisconsin, for the purchase of 3", 4" and 6" compound water meters and strainers with Nicor connectors and 25' wire to connect to Beacon units for the measurement of cold water for the Department of Engineering and Utilities in accordance with the bid of the company in an amount not to exceed those set forth in the attached contract. 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, reoption 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: March 24, 2016
READOPTED BY THE BOARD OF COMMISSIONERS: April 14, 2016
PUBLISHED:

MOTION

Motion was made by Gunderson, seconded by Brown, to adopt Ordinance No. 46, 2016, at this its second reading. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

REGULAR MEETING APRIL 14, 2016
ORDINANCE NO. 47, 2016

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 47, 2016

AN ORDINANCE OF THE CITY OF ASHLAND,
KENTUCKY, SETTING POLICY REGARDING THE
SUBMISSION OF GRANT APPLICATIONS.

* * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. It shall be the policy of the City of Ashland that any and all grant applications to private or governmental agencies submitted on behalf of the City of Ashland shall be approved by the Ashland Board of City Commissioners prior to submission.

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

SECTION 3. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 4. This ordinance shall be in full force and effect from and after its adoption, re-adoption and publication, as required by law.

SECTION 5. It is hereby authorized that publication of this ordinance be in summary form.

/s/CHUCK D. CHARLES
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: March 24, 2016
READOPTED BY THE BOARD OF COMMISSIONERS: April 14, 2016
PUBLISHED:

MOTION

Motion was made by Brown, seconded by Gute, to adopt Ordinance No. 47, 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. 48, 2016

AN ORDINANCE OF THE CITY OF ASHLAND,
KENTUCKY, AUTHORIZING CHUCK D. CHARLES,
MAYOR, TO EXECUTE A DEED OF CONVEYANCE
BETWEEN THE CITY OF ASHLAND, KENTUCKY,
AND CRESCENT MOON PROPERTIES, LLC FOR THE
SALE OF PROPERTY LOCATED AT 1525
WINCHESTER AVENUE.

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

REGULAR MEETING APRIL 14, 2016
ORDINANCE NO. 48, 2016 CONTINUED

SECTION 1. That Chuck D. Charles, Mayor, is hereby authorized and directed to execute on behalf of said City a Deed of Conveyance between the City of Ashland, Kentucky and Crescent Moon Properties, LLC for the sale of property located at 1525 Winchester Avenue (formerly Nobil Shoes) by the City of Ashland. Said Deed of Conveyance is attached hereto and made a part hereof by reference.

SECTION 2. That Chuck D. Charles, Mayor, is hereby authorized and directed to execute on behalf of said City any and all other documents related to this transaction.

SECTION 3. All ordinances of the City of Ashland 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: March 24, 2016
READOPTED BY THE BOARD OF COMMISSIONERS: April 14, 2016
PUBLISHED:

MOTION

Motion was made by Clark, seconded by Gunderson, to adopt Ordinance No. 48, 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. 49, 2016

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING CHUCK D. CHARLES, MAYOR, TO SUBMIT THE FY 2016 GRANT APPLICATION TO THE FEDERAL TRANSIT ADMINISTRATION ON BEHALF OF THE ASHLAND BUS SYSTEM FOR OPERATING COSTS, PREVENTATIVE MAINTENANCE, PARA TRANSIT SERVICE, AND MAINTENANCE PAYROLL AND CAPITAL EXPENDITURES; AND FURTHER AUTHORIZING AND DIRECTING CHUCK D. CHARLES, MAYOR, TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY FOR THE IMPLEMENTATION OF THIS GRANT.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Chuck D. Charles, Mayor of the City of Ashland, be and he is hereby authorized and directed to submit the FY 2016 grant application to the Federal Transit Administration on behalf of the Ashland Bus System for operating costs, preventative maintenance, paratransit service, maintenance payroll and capital expenditures. Said grant application is to be filed electronically pursuant to the guidelines of the Federal Transit Administration.

SECTION 2. That Chuck D. Charles, 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.

REGULAR MEETING APRIL 14, 2016
ORDINANCE NO. 49, 2016 CONTINUED

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/CHUCK D. CHARLES
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: March 24, 2016
READOPTED BY THE BOARD OF COMMISSIONERS: April 14, 2016
PUBLISHED:

MOTION

Motion was made by Gute, seconded by Clark, to adopt Ordinance No. 49, 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. 50, 2016

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ADOPTING THE HOUSING CHOICE VOUCHER PROGRAM 2016 ANNUAL PLAN FOR THE CITY OF ASHLAND, DEPARTMENT OF FINANCE, DIVISION OF ASSISTED HOUSING (SECTION 8).

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That the City of Ashland, Department of Finance, Division of Assisted Housing (Section 8) 2016 Housing Choice Voucher Program Annual Plan is hereby adopted by the Board of Commissioners of the City of Ashland, Kentucky. Said 2016 Annual Plan is attached hereto and made a part hereof by reference.

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

SECTION 3. SEVERABILITY CLAUSE. It shall be considered that it is the intent of the City of Ashland, in enacting this ordinance, that if any part of it be held unconstitutional the remaining parts shall remain in force, unless the ordinance provides otherwise, or unless the remaining parts are so essentially and inseparably connected with and dependent upon the unconstitutional part that it is apparent that the City would not have enacted the remaining parts without the unconstitutional part, or unless the remaining parts, standing alone, are incomplete and incapable of being executed in accordance with the intent of the City of Ashland.

SECTION 4. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 5. It is hereby authorized that publication of this ordinance be in summary form.

REGULAR MEETING APRIL 14, 2016
ORDINANCE NO. 50, 2016 CONTINUED

/s/CHUCK D. CHARLES
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: March 24, 2016
READOPTED BY THE BOARD OF COMMISSIONERS: April 14, 2016
PUBLISHED:

MOTION

Motion was made by Brown, seconded by Clark, to adopt Ordinance No. 50, 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. 51, 2016

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING THE “POLICIES AND PROCEDURES, COMPENSATION PLAN AND CLASSIFICATION PLAN” FOR THE CITY OF ASHLAND AS ADOPTED BY ORDINANCE NO. 91, SERIES OF 2011, AS PREVIOUSLY AMENDED, BY ADOPTING PART V: COMPENSATION PLAN, L. VEHICLE ALLOWANCE; AND AMENDING APPENDIX L, TRAVEL REGULATIONS.

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Ordinance No. 91, series of 2011, as previously amended, being an ordinance entitled, “AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, UPDATING POLICIES AND PROCEDURES, COMPENSATION PLAN AND CLASSIFICATION PLAN FOR THE CITY OF ASHLAND, KENTUCKY AND REPEALING ORDINANCE NO. 77, SERIES OF 2003, AND ALL AMENDMENTS THERETO” is hereby amended. PART V: COMPENSATION PLAN, L. Vehicle Allowance is hereby adopted and Appendix L, Travel Regulations is hereby amended. A true and correct copy of each is attached hereto and made a part hereof by reference.

SECTION 2. All other 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 and readoption and shall later be published as required by law.

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

/s/CHUCK D. CHARLES
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

REGULAR MEETING APRIL 14, 2016
ORDINANCE NO. 51, 2016 CONTINUED

ADOPTED BY THE BOARD OF COMMISSIONERS: March 24, 2016
READOPTED BY THE BOARD OF COMMISSIONERS: April 14, 2016
PUBLISHED:

MOTION

Motion was made by Gunderson, seconded by Brown, to adopt Ordinance No. 51, 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. 52, 2016

AN ORDINANCE OF THE CITY OF ASHLAND,
KENTUCKY, DESIGNATING THE AREAS FOR THE
ENFORCEMENT OF TWO HOUR PARKING LIMITS
WITHIN THE CITY OF ASHLAND.

* * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. The Ashland Board of City Commissioners hereby designates the following areas be limited to two-hour parking intervals:

LYING GENERALLY FROM THE EAST SIDE OF 13TH STREET TO,
BUT NOT INCLUDING, 18TH STREET AND FROM THE NORTH
SIDE OF GREENUP AVENUE TO, AND INCLUDING, THE NORTH
SIDE OF CENTRAL AVENUE

WEST SIDE OF EIGHTEENTH STREET IN THE 300 BLOCK FROM
WINCHESTER AVENUE TO CARTER AVENUE

SECTION 2. That from and after the effective date of this ordinance, said enforcement shall be between the hours of 9:00 AM and 5:00 PM, Monday through Friday, except on New Year's Day, Martin Luther King, Jr. Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day and Christmas Day.

SECTION 3. Exempted from this ordinance are the Municipal Parking Lot in the 1500 block of Greenup Avenue and the Municipal Parking Lot located at the corner of 14th Street and Winchester Avenue as they are governed by Ordinance No. 122, Series of 2004, as amended by Ordinance No. 69, Series of 2011.

Also exempted from this ordinance is Mayo Plaza from the east side of 13th Street to 17th Street.

SECTION 4. PENALTY FOR EXCEEDING THE TWO-HOUR TIME
LIMIT.

Any person, firm or corporation who shall violate the provisions of this ordinance shall be deemed guilty of a misdemeanor and shall be punished by a fine as follows:

- (A) First Offense if paid within fifteen (15) days shall be \$10.00;
- (B) Second Offense if paid within fifteen (15) days shall be \$20.00;
- (C) Third Offense if paid within fifteen (15) days shall be \$30.00

All fines shall be increased by \$10.00 if paid after the fifteen days.

REGULAR MEETING APRIL 14, 2016
ORDINANCE NO. 52, 2016 CONTINUED

SECTION 5. ENFORCEMENT.

Citations, violation notices and/or tickets for overtime parking shall be issued by authorized Public Service Officers.

SECTION 6. SEVERABILITY OF PROVISIONS.

Should any section, subsection, sentence, clause, or phrase of this ordinance be held to be unconstitutional or otherwise invalid by a court of competent jurisdiction, such decision shall not affect any other portion of this ordinance, it being the intention of the Board of Commissioners to enact this ordinance section by section, subsection by subsection, and all sentences, clauses or phrases hereof independently of any other section, subsection, sentence, clause or phrase.

SECTION 7. REPEAL OF CONFLICTING OR SUPERSEDED ORDINANCES.

That the following ordinances are repealed in their entirety:

Ordinance No. 155, Series of 1984
Ordinance No. 110, Series of 1989
Ordinance No. 152, Series of 1990
Ordinance No. 10, Series of 1991
Ordinance No. 18, Series of 1991
Ordinance No. 34, Series of 1992
Ordinance No. 80, Series of 1994
Ordinance No. 39, Series of 1996
Ordinance No. 140, Series of 2000
Ordinance No. 21, Series of 2003
Ordinance No. 102, Series of 2006
Ordinance No. 45, Series of 2008
Ordinance No. 58, Series of 2008
Ordinance No. 108, Series of 2015

and all other ordinances or parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 8. EFFECTIVE DATE.

This ordinance shall be in full force and effect after it has been adopted, readopted and published, as required by law, and after the appropriate signs and street markings, if required, have been installed as herein provided.

/s/CHUCK D. CHARLES
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: March 24, 2016
READOPTED BY THE BOARD OF COMMISSIONERS: April 14, 2016
PUBLISHED:

MOTION

Motion was made by Clark, seconded by Gute, to adopt Ordinance No. 52, 2016, at this its second reading. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

REGULAR MEETING APRIL 14, 2016
ORDINANCE NO. 53, 2016

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 53, 2016

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, CHANGING THE REGULARLY SCHEDULED MEETING OF THE ASHLAND BOARD OF CITY COMMISSIONERS SET BY ORDINANCE NO. 55, SERIES OF 2013, FROM THURSDAY, APRIL 28, 2016 TO WEDNESDAY, APRIL 27, 2016 AT 12:00 NOON.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That the regularly scheduled meeting for the Ashland Board of City Commissioners for April 28, 2016 set by Ordinance No. 55, Series of 2013, is hereby changed to Wednesday, April 27, 2016 at 12:00 NOON.

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

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

/s/CHUCK D. CHARLES
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: March 24, 2016
READOPTED BY THE BOARD OF COMMISSIONERS: April 14, 2016
PUBLISHED:

MOTION

Motion was made by Brown, seconded by Clark, to adopt Ordinance No. 53, 2016, at this its second reading. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

CONSENT AGENDA

RESOLUTION NO. 11, 2016

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 MEETING OF THE BOARD OF CITY COMMISSIONERS OF **APRIL 14, 2016**.

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 meeting, **April 14, 2016**, attached hereto and incorporated herein, as if set out in full, is a copy of the “Consent Agenda” hereby adopted, authorized and approved.

REGULAR MEETING APRIL 14, 2016
CONSENT AGENDA CONTINUED

SECTION 2. This resolution shall be in full force and effect from and after its adoption, as required by law.

/s/CHUCK D. CHARLES
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: April 14, 2016

MOTION

Motion was made by Brown, seconded by Gute, to adopt Resolution No. 11, 2016. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

CONSENT AGENDA ITEMS

1. City Manager recommends authorizing payment of Pension Spiking Invoice Numbers 184803 and 184800 dated 10/26/2015 totaling \$36,788.98 to Kentucky Retirement Systems.
2. City Manager recommends authorizing payment of Standard Sick Leave Invoice Numbers 19688, 196850, 196775 and 196770 dated 03/24/16 totaling \$40,129.30 to Kentucky Retirement Systems.
3. City Manager recommends authorizing Payment Request #1 in the amount of \$11,864.70 to Mark Morris Contracting for work on the 31st Street Drainage Improvements Project.
4. City Manager recommends authorizing Payment Request #1 in the amount of \$116,941.36 to Danny Sullivan Excavating, LLC for work completed on the Existing Water Pump Station Improvements.
5. City Manager recommends authorizing the Mayor to submit the Statement of Charges to the Kentucky Transportation Cabinet, Department of Highways, and authorize payment to E.L. Robinson in the amount of \$2,215.14, for the planning and design work completed on the water line relocation for the safety upgrades and construction of turn lanes on US 23 at 12th Street.
6. City Manager recommends approval to purchase one Low Floor Ramp Equipped Front Wheel Drive Paratransit Van at a cost of \$37,973.00 from American Bus through a State approved bid of The Kentucky Public Transit Association.
7. City Manager recommends approval to award the bid for the purchase and installation of four Sand Pumps at the Water Treatment Plant to Service Pump & Supply, Inc.
8. City Manager recommends authorizing the Fire Marshal to attend the International Code Council 2016 Committee Action Hearings on April 17 – 19, 2016 in Louisville, KY.
9. City Manager recommends approval of the request by Boyd County Republican Women's Club to conduct a National Day of Prayer Event on May 5, 2016 from 4:30 – 6:30 p.m. at the Ashland Central Park Bandstand.

REGULAR MEETING APRIL 14, 2016
CONSENT AGENDA CONTINUED

10. City Manager recommends approval of the request by Ashland in Motion to conduct the Night Moves 5K Race on August 5, 2016 at 7:00 p.m. in Downtown Ashland.
11. City Manager recommends approval of the request by Super Hero Creamery to conduct a Block Party on 15th Street between Winchester and Greenup Avenues. The event will be held from 8:00 a.m. – 9:00 p.m., on either May 14, 2016 or August 13, 2016, dependent upon sponsor's contract with event entertainment. 14th Street will be converted to a two-way street for hotel traffic during the event.
12. City Manager recommends approval of the request by King's Daughters Medical Center and Our Lady of Bellefonte Hospital to conduct the National Day of Prayer Breakfast on May 5, 2016 at 8:00 a.m. at the Ashland Transportation Center.
13. City Manager recommends approval of the request by King's Daughters Medical Center to conduct an Employee Family Fun Day at the Ashland Riverfront Park on Sunday, May 15, 2016 from 10:00 a.m. to 5:00 p.m.
14. City Manager recommends approval of the request by For Jamie's Sake and SAFI to place blue ribbons around lamp posts on Winchester Ave. from 13th to 18th Streets beginning May 2, 2016 through June 1, 2016 for Foster Care Awareness Month.
15. City Manager recommends approval for the Ashland Cemetery to conduct their Annual Spring Sale, discounting ground and mausoleum property, for the months of April and May 2016.
16. City Manager recommends approval of the request by Commissioner Brown for stickers, at no cost to the City, to be placed on Police and Fire Department vehicle bumpers that state "In God We Trust".
17. City Manager recommends authorizing the rescission of the appointment of Selma Logan as Relief Bus Driver approved by the Commission on March 24, 2016.
18. City Manager recommends the appointment of Lee Hanners to the position of Fire Inspector I, Grade 28, Ashland Fire Department, contingent upon satisfactory completion of a physical examination.
19. City Manager recommends the appointment of Kevin L. Hill to the position of Engineering Assistant/Storm Water Inspector, Grade 31, Engineering & Utilities Department, Engineering Division, contingent upon satisfactory completion of a physical examination.
20. Other Consent Items.

REGULAR MEETING APRIL 14, 2016
ORDINANCE NO. _____, 2016

NEW BUSINESS
FIRST READING AND ADOPTION ONLY

ORDINANCE NO. _____, 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 AND SERVICE PUMP & SUPPLY, INC. FOR THE PURCHASE AND INSTALLATION OF FOUR SAND PUMPS AT THE WATER TREATMENT PLANT FOR THE DEPARTMENT OF ENGINEERING AND UTILITIES, DIVISION OF WATER TREATMENT.

MOTION

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

FIRST READING AND ADOPTION ONLY

ORDINANCE NO. _____, 2016

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND APPROVING CHANGE ORDER NO. 2 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND MORRIS CONTRACTING FOR A CONTRACT REGARDING THE ASHLAND CHILD DEVELOPMENT CENTER HANDICAP ACCESSIBILITY IMPROVEMENT PROJECT FOR THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT.

MOTION

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

FIRST READING

ORDINANCE NO. _____, 2016

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING THE “POLICIES AND PROCEDURES, COMPENSATION PLAN AND CLASSIFICATION PLAN” FOR THE CITY OF ASHLAND AS ADOPTED BY ORDINANCE NO. 91, SERIES OF 2011, AS PREVIOUSLY AMENDED, BY ADOPTING APPENDIX O, A POLICY REGARDING SOCIAL NETWORKING.

MOTION

Motion was made by Gute to adopt Ordinance No. _____, 2016, at this its first reading. Motion died for lack of a second.

REGULAR MEETING APRIL 14, 2016
ORDINANCE NO. _____, 2016

FIRST READING AND ADOPTION ONLY

ORDINANCE NO. _____, 2016

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING CHUCK D. CHARLES, MAYOR, TO SUBMIT THE 2016-2017 ACTION PLAN FOR A COMMUNITY DEVELOPMENT BLOCK GRANT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD), 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.

MOTION

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

FIRST READING AND ADOPTION ONLY

ORDINANCE NO. _____, 2016

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING SECTION 2 OF ORDINANCE NO. 63, SERIES OF 2015, PREVIOUSLY AMENDED BY ORDINANCE NO. 81, SERIES OF 2015, ORDINANCE NO. 104, SERIES OF 2015, AND ORDINANCE NO. 110, SERIES OF 2015, WHICH IS COMMONLY KNOWN AND REFERRED TO AS THE “BUDGET ORDINANCE” OF THE CITY OF ASHLAND.

MOTION

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

READING AND ADOPTION

RESOLUTION NO. 12, 2016

A RESOLUTION OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING THE MAYOR OR HIS DESIGNEE TO FILE APPLICATIONS WITH THE FEDERAL TRANSIT ADMINISTRATION.

REGULAR MEETING APRIL 14, 2016
RESOLUTION NO. 12, 2016 CONTINUED

WHEREAS, the Federal Transportation Administration has been delegated authority to award Federal financial assistance for a transportation project, and

WHEREAS, the grant or cooperative agreement for Federal Financial assistance will impose certain obligations upon the Applicant, and may require the Applicant to provide the local share of the project costs, and

WHEREAS, the Applicant has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project;

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

SECTION 1. That the Mayor or his designee is authorized to execute and file applications for Federal assistance on behalf of the Ashland Bus System with the Federal Transit Administration for Federal Assistance authorized by 49 U.S.C., Chapter 53, Title 23, United States Code, or other Federal statutes authorizing a project administered by the Federal Transit Administration (if the Applicant is requesting Urbanized Area Formula Project assistance authorized by 49 U.S.C., §5307, either alone or in addition to other Federal assistance administered by the Federal Transit Administration). The Applicant is the Designated Recipient as defined by 49 U.S.C. §5307 (A.)(2).

SECTION 2. That the Mayor or his designee is authorized to execute and file with its application the annual certification and assurances and other document the Federal Transportation Administration requires before awarding a Federal assistance grant or cooperative agreement.

SECTION 3. That the Mayor or his designee is authorized to execute grant and cooperative agreements with the Federal Transit Administration on behalf of the City of Ashland, Ashland Bus System.

SECTION 4. This resolution shall be in full force and effect from and after its adoption, as required by law.

/s/CHUCK D. CHARLES
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: April 14, 2016

MOTION

Motion was made by Gunderson, seconded by Clark, to adopt Resolution No. 12, 2016. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

READING AND ADOPTION

RESOLUTION NO. 13, 2016

A RESOLUTION OF THE CITY OF ASHLAND,
KENTUCKY, AUTHORIZING THE CITY ATTORNEY
OR HIS DESIGNEE TO FILE APPLICATIONS WITH
THE FEDERAL TRANSIT ADMINISTRATION.

REGULAR MEETING APRIL 14, 2016
RESOLUTION NO. 13, 2016 CONTINUED

WHEREAS, the Federal Transportation Administration has been delegated authority to award Federal financial assistance for a transportation project, and

WHEREAS, the grant or cooperative agreement for Federal Financial assistance will impose certain obligations upon the Applicant, and may require the Applicant to provide the local share of the project costs, and

WHEREAS, the Applicant has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project;

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

SECTION 1. That the City Attorney or his designee is authorized to execute and file applications for Federal assistance on behalf of the Ashland Bus System with the Federal Transit Administration for Federal Assistance authorized by 49 U.S.C., Chapter 53, Title 23, United States Code, or other Federal statutes authorizing a project administered by the Federal Transit Administration (if the Applicant is requesting Urbanized Area Formula Project assistance authorized by 49 U.S.C., §5307, either alone or in addition to other Federal assistance administered by the Federal Transit Administration). The Applicant is the Designated Recipient as defined by 49 U.S.C. §5307 (A.)(2).

SECTION 2. That the City Attorney or his designee is authorized to execute and file with its application the annual certification and assurances and other document the Federal Transportation Administration requires before awarding a Federal assistance grant or cooperative agreement.

SECTION 3. That the City Attorney or his designee is authorized to execute grant and cooperative agreements with the Federal Transit Administration on behalf of the City of Ashland, Ashland Bus System.

SECTION 4. This resolution shall be in full force and effect from and after its adoption, as required by law.

/s/CHUCK D. CHARLES
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: April 14, 2016

MOTION

Motion was made by Brown, seconded by Clark, to adopt Resolution No. 13, 2016. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

DISCUSSION ITEM

Request for limited use of public right-of-way by BJRC at 1916 Carter Avenue for a sign – Planning and Community Development Director Miller appeared before the Commission to answer questions regarding this request. Motion was made by Gunderson, seconded by Clark, authorizing the Legal Department to prepare an ordinance authorizing use of the public right-of-way. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

REGULAR MEETING APRIL 14, 2016

APPOINTMENTS

Motion was made by Gute, seconded by Clark, approving the Mayor's appointment of the following to the Ashland Tennis Commission:

Clayton Hill – Expires 10/10/2019 (Fill unexpired term of Lucy Davis)

Preston Freeman – Expires 10/01/2017 (Fill unexpired term of Sharla Freeman)

Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

CHIEF OF POLICE VACANCY

Mayor Charles announced that Chief of Police Robert W. Ratliff will be retiring this year on August 1. Interim City Manager Martin asked for direction regarding the hiring process. Commissioners Gunderson and Gute and Mayor Charles prefer to promote from within the Department. Commissioner Brown thought to go external and internal. Motion was made by Gute, seconded by Brown, directing the City Manager to begin the selection process for Chief of Police internally. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

ADJOURNMENT

Mayor Charles declared the meeting adjourned at 12:42 PM.

CHUCK D. CHARLES
MAYOR

ATTEST:

SUSAN MADDIX
CITY CLERK