

**REGULAR MEETING
MAY 12, 2016**

The Ashland Board of Commissioners met in Regular Session in the Commissioners' Chambers, City Building, Ashland, Kentucky, on Thursday, May 12, 2016, at the hour of 12:00 PM. Those present were Commissioners: Larry Brown, Amanda Clark, Kevin Gunderson, Marty Gute and Mayor Chuck D. 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; Scott Penick, Fire Chief; Greg Ray, Deputy Fire Chief; Sean Murray, Human Resources/Parks and Recreation Director; Mike Miller, Director of Planning and Community Development; Ryan Eastwood, Director of Engineering and Utilities; Tony Grubb, Finance Director; Mike Adkins, Risk Manager; Michelle Veach, Assistant Finance Director; Major Todd Kelley, Ashland Police Department; and Reporters.

The invocation was given by Commissioner Clark.

The Pledge of Allegiance was conducted.

AGENDA

Interim City Manager Martin presented the agenda of May 12, 2016. Motion was made by Brown, 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 Clark, seconded by Gute, to dispense with reading and approve the minutes of the Regular Meeting held on April 27, 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

Mayor Charles introduced Tim England who was appointed as the Director of Boyd County Emergency Management on March 21. Mr. England reported that Boyd County will be switching to the AlertSense system for emergency and mass notifications. Boyd County currently uses Nixle. The change will take place on June 1. Mayor Charles noted the Commission is using iPads for the first time today. Mayor Charles reported on the progress in strategic planning for broadband in Ashland. The strategic plan should be completed by July 14.

Commissioner Clark thanked everyone for coming to the meeting. On April 28 the Ashland Board of City Commissioners was honored by the Kentucky Center for Smoke-Free Policy for the e-cigarette legislation adopted by Ashland. Commissioner Clark publicly expressed appreciation to Lyndi Lowman for organizing a neighborhood work day in Midland Heights on May 1. Approximately 20 – 25 people participated and Commissioner Clark hopes that other neighborhoods will follow the example set by Ms. Lowman and Midland Heights.

Commissioner Gunderson welcomed everyone to the meeting and wished all of the candidates luck in the upcoming primary election and reminded everyone that signs are required to be removed within 7 days after the election. Ashland in Motion will be hosting the Downtown Loft and Living Tour on Saturday, May 14. Allegiant will begin direct flights to Myrtle Beach soon. Commissioner Gunderson wished reporter Lana Bellamy well. Ms. Bellamy is leaving Ashland and Andrew Adkins will be the new reporter covering the City of Ashland.

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HEARINGS AND REPORTS CONTINUED

Commissioner Brown welcomed everyone and reported on the Northeast Kentucky Small Business Awards he attended this morning. He congratulated the winners as follows:

New Business -	SuperHero Creamery & T-Shirt Factory
Emerging Business -	All That Bloomz
Retail/Wholesale -	Carter's Auto Parts
Service -	Re/Max Real Team Realty
Professional -	Tri-State Counseling & Psychotherapy
Construction/Contracting -	Expro Services
Downtown Business -	Studio 21 Salon & Spa
Family-Owned Business -	Fast Lane Auto Repair
Young Entrepreneur -	Core Health Centers
Small Business Champion -	City National Bank

Commissioner Brown also reported that anyone looking for a job may go to Go Green Cleaners where clothes will be cleaned free of charge.

Commissioner Gute reported on a successful National Day of Prayer held on May 5. He reminded everyone of upcoming events such as First Friday tomorrow evening, June 6; Firkin Fest is scheduled for June 18; and Summer Motion is scheduled for July 1 - 4. Commissioner Gute reminded everyone this is strawberry pie week at Jim's Spaghetti House in Huntington, WV.

City Manager's Report

Interim City Manager Martin introduced Planning and Community Development Director Mike Miller who reported on the monitoring visit from the Department of Housing and Urban Development (HUD) last week on May 3 and 4. Mr. Miller reported HUD was highly complementary and the City expects no findings. Mr. Miller also reported on the upcoming Repair Affair which will take place on May 21. Two hundred have volunteered and 51 projects have been requested. Local businesses also get involved by donating supplies. This is the 16th year for Repair Affair.

Interim City Manager Martin asked Director of Engineering and Utilities Ryan Eastwood to report on the request from the Ashland Community and Technical College. Mr. Eastwood advised the Board a new waterline is required for the fire suppression system for the original building on College Drive. ACTC has requested a waiver of fees due to the lack of funding from the State of Kentucky. The amount of the waiver is approximately \$6,600.00. Motion was made by Gute, seconded by Brown, authorizing the waiver of fees for the installation of the water line to ACTC. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed. Interim City Manager Martin advised the Board that the item will be placed on the Consent Agenda at the next meeting in order to have a formal record of the waiver of fees.

PUBLIC PARTICIPATION

Dana "Blinky" Angalet of 3020 Winchester Avenue, Unit 222, appeared before the Commission offering his services to help the City of Ashland in the collection of delinquent property taxes. Mr. Angalet formerly worked for the Internal Revenue Service. Corporation Counsel Vincent advised Mr. Angalet that most of the properties are ready for the litigation phase but that the City will be glad to keep a copy of his official personnel file for future reference.

Brewer Brothers Investment Company representatives of 117 Mt. Savage Drive appeared before the Commission regarding an issue with a water bill. Finance Director Tony Grubb offered to meet with the representatives at that time in another office.

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OLD BUSINESS

SECOND READING

ORDINANCE NO. _____, 2016

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ACCEPTING THE PROPOSAL OF COMMONWEALTH ECONOMICS PARTNERS, LLC TO PROVIDE CONSULTING SERVICES TO THE CITY OF ASHLAND FOR THE PROPOSED DOWNTOWN REDEVELOPMENT PROJECT AS IT RELATES TO BOTH THE STATE TAX INCREMENT FINANCING (TIF) AND TOURISM DEVELOPMENT ACT (TDA) FOR THE DEPARTMENT OF ECONOMIC DEVELOPMENT.

Ordinance died for lack of a motion.

CONSENT AGENDA

RESOLUTION NO. 15, 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 **MAY 12, 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, **May 12, 2016**, 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/CHUCK D. CHARLES
MAYOR

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: May 12, 2016

MOTION

Motion was made by Gute, seconded by Clark, to adopt Resolution No. 15, 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 Request #3 in the amount of \$8,804.70 to Mark Morris Contracting for work performed for the 31st Street Drainage Improvements Project.

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CONSENT AGENDA CONTINUED

2. City Manager recommends authorizing payment in the amount of \$31,516.91 to Mike Enyart & Sons for work completed on the Miscellaneous Concrete and Asphalt Repair Work Project.
3. City Manager recommends awarding the bid in the amount of \$134,212.50 for the purchase of labor and materials for the placement and replacement of sidewalks, curbs, gutters and other related work for a period not to exceed one year to Mike Enyart & Sons, Inc.
4. City Manager recommends awarding the bid in the amount of \$918,100 for the placement and replacement of bituminous asphalt material for the 2016/2017 Street Paving program to Mountain Enterprises, Inc.
5. City Manager recommends approval to award the bid in the amount of \$42,945.00 for the purchase and replacement of two Vertical Turbine Pumps, two Breakers, and two Variable Frequency Drives at the Roberts Drive Water Booster Station to OTP Industrial Solutions.
6. City Manager recommends authorizing one Ashland Police officer to attend Basic SWAT Training on July 11 - 22, 2016 in Greenville, KY.
7. City Manager recommends authorizing the request by Poage Landing Days to conduct the City of Ashland's Founding and Homecoming Festival, September 15 - 18, 2016 in Downtown Ashland.
8. City Manager recommends authorizing the Mayor to sign a Certification of Local Approval for Non-Profit Organizations for projects proposed by CARES, applying with Kentucky Housing Corporation for Emergency Solutions Grant Funds from the Department of Housing and Urban Development.
9. City Manager recommends authorizing the Mayor to sign a Certification of Local Approval for Non-Profit Organizations for projects proposed by Safe Harbor of Northeast Kentucky, Inc., applying with Kentucky Housing Corporation for Emergency Solutions Grant Funds from the Department of Housing and Urban Development.
10. City Manager recommends the appointment of Paul D. Counts to the position of Relief Bus Driver, Grade 26, Public Works Department, Mass Transit Division, effective May 16, 2016.
11. City Manager recommends the rescission of the appointment of Jonathan R. Miles to the position of Police Officer (Trainee) which was approved by the Commission on March 10, 2016.
12. Other Consent Items.

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 WITH MIKE ENYART & SONS, INC. FOR THE CONCRETE IMPROVEMENT PROGRAM FOR THE CITY OF ASHLAND, DEPARTMENT OF ENGINEERING AND UTILITIES, AT THE PRICES SPECIFIED IN THEIR BID.

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ORDINANCE NO. _____, 2016 CONTINUED

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 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 MOUNTAIN ENTERPRISES, INC. FOR THE PLACEMENT AND REPLACEMENT OF BITUMINOUS ASPHALT MATERIAL FOR THE 2016 – 2017 STREET PAVING PROGRAM FOR THE CITY OF ASHLAND, DEPARTMENT OF ENGINEERING & UTILITIES.

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. 1 BETWEEN THE CITY OF ASHLAND, KENTUCKY AND MORRIS CONTRACTING FOR A CONTRACT REGARDING THE 31ST STREET DRAINAGE 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.

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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 EXECUTE A CONTRACT BETWEEN THE CITY OF ASHLAND AND OTP INDUSTRIAL SOLUTIONS FOR THE PURCHASE AND REPLACEMENT OF TWO VERTICAL TURBINE PUMPS, TWO BREAKERS AND TWO VARIABLE FREQUENCY DRIVES FOR THE ROBERTS DRIVE WATER BOOSTER STATION INCLUDING THE REPLACEMENT OF PIPING, VALVES AND OTHER APPURTENANCES FOR THE DEPARTMENT OF ENGINEERING AND UTILITIES, DIVISION OF WATER DISTRIBUTION.

MOTION

Motion was made by Gunderson, 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.

FIRST READING AND ADOPTION ONLY

ORDINANCE NO. _____, 2016

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, ACCEPTING THE PROPOSAL OF COMMONWEALTH ECONOMICS PARTNERS, LLC TO PROVIDE CONSULTING SERVICES TO THE CITY OF ASHLAND FOR THE PROPOSED DOWNTOWN REDEVELOPMENT PROJECT AS IT RELATES TO BOTH THE STATE TAX INCREMENT FINANCING (TIF) AND TOURISM DEVELOPMENT ACT (TDA) FOR THE DEPARTMENT OF ECONOMIC DEVELOPMENT TO BE PAID FOR BY THE CITY OF ASHLAND WITH MATCHING FUNDS FROM THE WOODLANDS FOUNDATION.

MOTION

Motion was made by Brown, 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.

DISCUSSION ITEM

Request for limited use of public right-of-way by Bill Cole Holdings LLC at 2500 Winchester Avenue for a retaining wall – Planning and Community Development Director Miller appeared before the Commission present the request and answer any questions. Motion was made by Clark, seconded by Gunderson, authorizing the Legal Department to prepare an ordinance. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

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APPOINTMENT

Motion was made by Brown, seconded by Gute, approving the Mayor's appointment of David Stroth to the Code Enforcement Board for the term March 1, 2015 thru March 1, 2018. Upon roll call, voting aye were Commissioners Brown, Clark, Gunderson, Gute and Mayor Charles. Nay – none. Motion passed.

RECESS

Mayor Charles declared the meeting recessed at 12:35 PM until Wednesday, May 18, 2016 at 11:00 AM. The meeting was recessed in memory of Judy Martin Ford, sister of former Corporation Counsel and current Interim City Manager Richard W. Martin.

CHUCK D. CHARLES
MAYOR

ATTEST:

SUSAN MADDIX
CITY CLERK