

**RECESSED MEETING
JULY 5, 2016**

The Ashland Board of Commissioners met in Recessed Session in the Commissioners' Chambers, City Building, Ashland, Kentucky, on Tuesday, July 5, 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; Todd Kelley, Acting Chief of Police; Scott Penick, Fire Chief; Sean Murray, Director of Human Resources/Parks & Recreation; Marion Russell, Director of Public Works; Mike Miller, Director of Planning and Community Development; Ryan Eastwood, Director of Engineering and Utilities; Tony Grubb, Finance Director; Michelle Veach, Assistant Finance Director; Greg Ray, Deputy Fire Chief; and Reporters.

AGENDA

Interim City Manager Martin presented the agenda of July 5, 2016. Motion was made by Clark, seconded by Brown, 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. 78, 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
31ST STREET DRAINAGE IMPROVEMENT PROJECT
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. 27, 2016 between the City of Ashland, Kentucky and Morris Contracting for the 31st Street Drainage Improvement Project is hereby approved as follows:

Change Order No. 2

Original Contract Price	\$135,070.38
Previous Change Orders	32,221.00
Contract Price prior to this Change Order	167,291.38
Net Increase/Decrease of this Change Order	<u>0.00</u>
Contract Price with all approved Change Orders	\$167,291.38

Contract time will be increased by 45 calendar days.

A true copy of Change Order No. 2 is attached hereto and made a part hereof by reference.

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the City of Ashland and any parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

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

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

/s/CHUCK D. CHARLES
MAYOR

RECESSED MEETING JULY 5, 2016
ORDINANCE NO. 78, 2016 CONTINUED

ATTEST:

/s/SUSAN MADDIX
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: June 23, 2016
READOPTED BY THE BOARD OF COMMISSIONERS: July 5, 2016
PUBLISHED:

MOTION

Motion was made by Brown, seconded by Gunderson, to adopt Ordinance No. 78, 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. 79, 2016

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING ORDINANCE NO. 55, SERIES OF 2013, WHICH FIXED THE DAYS, THE TIME AND PLACE FOR MEETINGS OF THE BOARD OF COMMISSIONERS OF SAID CITY.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Section 1 of Ordinance No. 55, series of 2013, being an ordinance entitled, "AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, FIXING THE DAYS, THE TIME AND PLACE FOR MEETINGS OF THE BOARD OF COMMISSIONERS OF SAID CITY EFFECTIVE AUGUST 1, 2013 AND CONTINUING FOR SUBSEQUENT YEARS AND REPEALING ORDINANCE NO. 145, SERIES OF 1999 AND ALL AMENDMENTS THERETO," be and said section is hereby amended as follows, such amendments shown by underscoring all newly inserted language and by a single broken line through all deleted language:

SECTION 1. That effective ~~January 28, 2016~~ July 1, 2016 and continuing throughout subsequent years unless amended, the Board of Commissioners of the City of Ashland, Kentucky, shall hold two regular meetings each month, with the exception of July, November and December. Said meetings shall convene at 12:00 PM on the second and fourth Thursday of each month in the Commissioners' Chambers located on the third floor of the City Building, Ashland, Kentucky. The one July meeting shall convene on the fourth Thursday of the month, and the one November meeting and ~~the one~~ December meeting shall convene on the second Thursday of the month.

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

RECESSED MEETING JULY 5, 2016
ORDINANCE NO. 79, 2016 CONTINUED

ADOPTED BY THE BOARD OF COMMISSIONERS: June 23, 2016
READOPTED BY THE BOARD OF COMMISSIONERS: July 5, 2016
PUBLISHED:

MOTION

Motion was made by Gute, seconded by Clark, to adopt Ordinance No. 79, 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. 80, 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 TRI-STATE FENCING TO FURNISH ALL LABOR, MATERIALS, SUPERVISION AND SAFETY TO INSTALL APPROXIMATELY 80' OF 6' GAUGE COMMERCIAL FENCING WITH AN ADDITIONAL 1' OF BARBWIRE AND COMPLETE REPAIRS OF APPROXIMATELY 400' OF EXISTING FENCING AT THE CITY OF ASHLAND WATER RESERVOIR FOR THE DEPARTMENT OF ENGINEERING AND UTILITIES, DIVISION OF WATER TREATMENT.

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 Tri-State Fencing to furnish all labor, materials, supervision and safety to install approximately 80' of 6' gauge commercial fencing with an additional 1' of barbwire and complete repairs of approximately 400' of existing fence at the City of Ashland Water Reservoir for the Department of Engineering and Utilities, Division of Water Treatment, 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, 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: June 23, 2016
READOPTED BY THE BOARD OF COMMISSIONERS: July 5, 2016
PUBLISHED:

RECESSED MEETING JULY 5, 2016
ORDINANCE NO. 80, 2016 CONTINUED

MOTION

Motion was made by Gunderson, seconded by Brown, to adopt Ordinance No. 80, 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. 81, 2016

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING CHUCK D. CHARLES, MAYOR, TO EXECUTE A WATER LINE EXTENSION AGREEMENT BETWEEN THE CITY OF ASHLAND, KENTUCKY AND THE KENTUCKY COMMUNITY AND TECHNICAL COLLEGE SYSTEM REGARDING CONSTRUCTION OF A WATER LINE AT ASHLAND COMMUNITY & TECHNICAL COLLEGE.

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 Water Line Extension Agreement between the City of Ashland, Kentucky and the Kentucky Community & Technical College System on behalf of Ashland Community & Technical College at 1400 College Drive regarding construction of approximately 990 LF of 10-inch of PVC water line as established pursuant to plans and specifications dated April 7, 2016 by Palmer Engineering for the Commonwealth of Kentucky Finance and Administration Cabinet, Department for Facilities and Support Services as set out in the Approval Letter from the Energy and Environment Cabinet, Division of Water, dated June 14, 2016. 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: June 23, 2016
READOPTED BY THE BOARD OF COMMISSIONERS: July 5, 2016
PUBLISHED:

MOTION

Motion was made by Clark, seconded by Gute, to adopt Ordinance No. 81, 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 JULY 5, 2016

CONSENT AGENDA

RESOLUTION NO. 22, 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 **JULY 5, 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, **July 5, 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: July 5, 2016

MOTION

Motion was made by Brown, seconded by Gute, to adopt Resolution No. 22, 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 approval for payment of Invoice #180936 dated June 13, 2016 in the amount of \$37,973.00 to American Bus and Accessories for the purchase of a Paratransit Bus.
2. City Manager recommends approval for payment of invoice dated June 13, 2016 in the amount of \$54,870.72 to Central States Bus Sales for the purchase of a 2016 12x2 Cut-a-Way bus.
3. City Manager recommends approval for payment of Invoice No. HS-5915-1 in the amount of \$440,110.56 to Sutphen Corporation for a fire truck for the Ashland Fire Department.
4. City Manager recommends approval for a Battalion Chief to attend the U.S. Fire Administration Leadership I for Fire and EMS Class in Emmitsburg, Maryland on July 16-17, 2016.
5. City Manager recommends the appointment of a Facilities Manager, Grade 34, General Government Department, City Manager Division, effective Monday, July 11, 2016.

RECESSED MEETING JULY 5, 2016
CONSENT AGENDA ITEMS CONTINUED

6. City Manager recommends approval for the Greenup Baptist Association Vacation Bible School team to conduct a Spanish-speaking Vacation Bible School at the bandstand in Central Park from July 31 to August 5, time to be determined.
7. Other Consent Items.

FIRST READING AND ADOPTION ONLY

ORDINANCE NO. _____, 2016

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, FIXING THE AD VALOREM TAX LEVY FOR THE YEAR 2016, PAYABLE IN THE YEAR 2016, ON REAL ESTATE, PERSONAL PROPERTY, AND FRANCHISES IN THE CITY OF ASHLAND FOR THE CITY REVENUE PURPOSES, PROVIDING FOR A DISCOUNT OF ONE PERCENT (1%) ON AD VALOREM TAXES ONLY WHICH ARE PAID ON OR BEFORE THE 15TH DAY FOLLOWING THE BILL DATE AND PROVIDING FOR A PENALTY OF TEN PERCENT (10%) AND SIX PERCENT (6%) INTEREST PER ANNUM FOR ANY TAXES WHICH ARE PAID AFTER THE DUE DATE, SAID DUE DATE BEING 30 DAYS FOLLOWING THE BILL DATE.

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 Clark, Gunderson, Gute and Mayor Charles. Nay – Commissioner Brown. Motion passed.

RECESS

Mayor Charles declared the meeting recessed at 12:05 PM until Wednesday, July 6, 2016 at 12:00 PM.

CHUCK D. CHARLES
MAYOR

ATTEST:

SUSAN MADDIX
CITY CLERK