



**CITY COMMISSION MEETING  
AGENDA FOR JUNE 28, 2022  
5:00 PM  
CITY HALL COMMISSION CHAMBERS  
300 SOUTH FIFTH STREET**

*Any member of the public who wishes to make comments to the Board of Commissioners is asked to fill out a Public Comment Sheet and place it in the box located at the end of the Commissioner's desk on the left side of the Commission Chambers. The Mayor will call on you to speak during the **Public Comments** section of the Agenda.*

**ROLL CALL**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**ADDITIONS/DELETIONS**

**NEW EMPLOYEE INTRODUCTIONS** 911 Communications Services Manager Kimberly Clark; Telecommunicator Dalen McNeese; Telecommunicator Coby Fauver

**MAYOR'S REMARKS**

*Items on the Consent Agenda are considered to be routine by the Board of Commissioners and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Board member so requests, in which event the item will be removed from the Consent Agenda and considered separately. The City Clerk will read the items recommended for approval.*

	<b>I.</b>	<b><u>CONSENT AGENDA</u></b>	
	A.	Approve Minutes for June 14, 2022	
	B.	Receive & File Documents	
	C.	Reappointment of Dabney Haugh and Carol Vanderboegh to the Civic Beautification Board	
	D.	Personnel Actions	
	E.	Accept proposed premiums from the Kentucky League of Cities for Workers' Compensation, Liability Insurance and Property Insurance Coverage in a total amount of \$1,229,741.95 - <b>S WILCOX</b>	
	F.	Declaration and Transfer of Surplus Property to Paducah Alliance of Neighbors (517 North 14th Street) - <b>N HUTCHISON</b>	
	G.	Authorize & Direct the City Manager to Initiate an RFP for Consulting Services Related to Historical Assets & Neighborhoods - <b>D JORDAN</b>	

		H.	Authorize Renewal Application for Local Expanded Jurisdiction - <b>G CHERRY</b>
	<b>II.</b>	<b><u>MUNICIPAL ORDER(S)</u></b>	
		A.	Approve Contract For Services with Greater Paducah Economic Development Council for FY2023 in the amount of \$250,000 - <b>D JORDAN</b>
		B.	Approve Contract with Weyland Ventures Development, LLC for City Block Public Facilities in the amount of \$3,664,336.00 - <b>D JORDAN</b>
	<b>III.</b>	<b><u>ORDINANCE(S) - ADOPTION</u></b>	
		A.	Zoning Text Amendments - <b>J SOMMER</b>
		B.	Consensual Annexation of 5345 Hinkleville Road - <b>J SOMMER</b>
	<b>IV.</b>	<b><u>ORDINANCE(S) - INTRODUCTION</u></b>	
		A.	Consensual Annexation of 1630 North Friendship Road - <b>J SOMMER</b>
	<b>V.</b>	<b><u>COMMENTS</u></b>	
		A.	Comments from the City Manager
		B.	Comments from the Board of Commissioners
		C.	Comments from the Audience
	<b>VI.</b>	<b><u>EXECUTIVE SESSION</u></b>	

June 14, 2022

At a Regular Meeting of the Paducah Board of Commissioners held on Tuesday, June 14, 2022, at 5:00 p.m., in the Commission Chambers of City Hall located at 300 South 5th Street, Mayor George Bray presided. Upon call of the roll by the Assistant City Clerk, Claudia Meeks, the following answered to their names: Commissioners Gault, Guess, Henderson, Wilson and Mayor Bray (5).

**INVOCATION**

Commissioner Henderson led the invocation.

**PLEDGE OF ALLEGIANCE**

Mayor Bray led the pledge.

**NEW EMPLOYEE INTRODUCTIONS**

Assistant City Manager, Michelle Smolen, introduced Eric Stuber, the new Chief Technology Director.

**PRESENTATION**

John Hodges, Executive Director of the Joint Sewer Agency, gave an update on current projects and also discussed an upcoming 4 percent rate increase.

**MAYOR'S REMARKS**

Communications Manager, Pam Spencer, offered the following summary:

**Mayor George Bray's Opening Remarks**

- Mayor Bray reminded the public of Monday's Juneteenth holiday and its significance. City Hall will be closed on Monday. Mayor Bray invited the community to participate in the first ever community celebration. The Carson Center and the Paducah-McCracken County NAACP are partnering to hold a Juneteenth event from 6 to 8 p.m. on Monday, June 20 at the Carson Center. Tickets are \$15 which includes a program in the theatre featuring Dr. Brandon McCormack from the University of Louisville and a boxed barbecue dinner and live entertainment on the Carson Center's lawn. For tickets, call the Carson Center at 270-450-4444 or visit [Juneteenth Celebration](#). The City of Paducah is proud to sponsor the event.
- Mayor Bray discussed two priority projects: 911 radio infrastructure upgrades and the outdoor sports complex. The City and County have signed memorandums of understanding to partner on these projects. However, Mayor Bray reiterated the sense of urgency and the importance of the work underway by the 911 Communication Oversight Committee in addressing the issue of the 911 radio infrastructure that has reached its end of life along with the determination of a funding structure. The Committee has been meeting since January. At this time, the Committee is working with Federal Engineering to develop a request for proposals for the radio project. The RFP is expected to be distributed to vendors to submit proposals later this summer. Mayor Bray plans to continue discussions with the County on both projects and timelines.

**CONSENT AGENDA**

Mayor Bray asked if the Board wanted any items on the Consent Agenda removed for separate consideration. Mayor Bray asked the Assistant City Clerk to read the items on the Consent Agenda.

I(A)	Approve Minutes for May 24, 2022, Paducah Board of Commissioners Meeting
------	--------------------------------------------------------------------------

June 14, 2022

I(B)	<p>RECEIVE AND FILE DOCUMENTS:</p> <p><u>Minute File:</u></p> <ol style="list-style-type: none"><li>1. Special Called Meeting Notice of the Board of Commissioners – May 24, 2022 – change in location</li></ol> <p><u>Contract File:</u></p> <ol style="list-style-type: none"><li>1. Title Exam and Real Estate Purchase Agreement – 3179 Jackson Street – MO #2573</li><li>2. Programmatic Agreement between MARAD, KY State Historic Preservation Office, Osage Nation, USACE and the City of Paducah – BUILD Grant – MO #2580</li><li>3. Worker Supply Agreement – Wise Staffing Group – MO #2581</li><li>4. Employment Agreement – Eric Stuber – Chief Technology Director – MO #2582</li></ol> <p><u>Financials File:</u></p> <ol style="list-style-type: none"><li>1. Paducah Water Works – month ending April 30, 2022</li></ol>
I(C)	Reappointment of Susan Carr to the Paducah-McCracken County Joint Sewer Agency. Said term shall expire June 30, 2026.
I(D)	Reappointment of Thomas M. Whittemore and Kiesha Curry to the Paducah Area Transit System Board. Said terms shall expire June 30, 2026.
I(E)	Appointment of Edward Box to the Civil Service Commission to replace the late Martin Bendick. Said term shall expire May 13, 2023.
I(F)	Personnel Actions
I(G)	A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH SYSTEM SOLUTIONS OF PADUCAH, KENTUCKY IN AN AMOUNT OF \$50,283.70 FOR PROCUREMENT OF SECURITY SYSTEM SOFTWARE AND HARDWARE FOR THE PADUCAH POLICE DEPARTMENT <b>(MO # 2583; BK 12)</b>
I(H)	A MUNICIPAL ORDER ACCEPTING GRANT FUNDS THROUGH THE KENTUCKY OFFICE OF HOMELAND SECURITY (KOHS) FOR A 2021 GRANT AWARD IN THE AMOUNT OF \$93,900 FOR THE PURCHASE OF AN X-RAY MACHINE FOR THE BOMB SQUAD, AND AUTHORIZING THE MAYOR TO EXECUTE THE GRANT AGREEMENT AND ALL DOCUMENTS RELATED TO SAME <b>(MO # 2584; BK 12)</b>
I(I)	A MUNICIPAL ORDER ACCEPTING THE BID OF SCANNA MSC, INC. FOR SALE TO THE CITY OF PADUCAH ONE SCAN-SILC 1824 PORTABLE X-RAY UNIT AND ACCESSORIES IN THE AMOUNT OF \$93,864 FOR USE BY THE PADUCAH POLICE DEPARTMENT BOMB SQUAD UNIT, AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR SAME <b>(MO # 2585; BK 12)</b>
I(J)	A MUNICIPAL ORDER AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT TO TYLER TECHNOLOGIES, INC. FOR ONGOING MAINTENANCE RELATED TO THE COMPUTER AIDED DISPATCH SYSTEM FOR FISCAL YEAR 2022 AND SUBSEQUENT YEARS, AS APPROPRIATED, IN ACCORDANCE WITH THE LICENSE AND SERVICES AGREEMENT WITH TYLER TECHNOLOGIES, INC. <b>(MO # 2586; BK 12)</b>

June 14, 2022

I(K)	A MUNICIPAL ORDER APPROVING A FLEET MAINTENANCE, MOTORIZED EQUIPMENT AND EMERGENCY APPARATUS SERVICE AGREEMENT WITH THE SMITHLAND FIRE DEPARTMENT, TO PROVIDE FLEET MAINTENANCE SERVICES AT HOURLY RATES AND AUTHORIZING THE EXECUTION OF ALL DOCUMENTS RELATED TO SAME <b>(MO # 2587; BK 12)</b>
I(L)	A MUNICIPAL ORDER AUTHORIZING THE PURCHASE OF ROLL-OUT CONTAINERS, LIDS AND ADDITIONAL REPLACEMENT PARTS FROM TOTER, INC., IN AN AMOUNT NOT TO EXCEED \$140,000 FOR THE PUBLIC WORKS SOLID WASTE DIVISION <b>(MO # 2588; BK 12)</b>
I(M)	A MUNICIPAL ORDER AUTHORIZING THE ACCEPTANCE OF A CRUMB RUBBER GRANT IN THE AMOUNT OF \$22,000 FROM THE KENTUCKY DEPARTMENT OF ENVIRONMENTAL PROTECTION, FOR A POURED-IN-PLACE PLAYGROUND AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATED TO SAME <b>(MO # 2589; BK 12)</b>
I(N)	A MUNICIPAL ORDER ADOPTING THE FY2022-2023 JOB GRADE SCHEDULE FOR THE EMPLOYEES OF THE CITY OF PADUCAH, KENTUCKY <b>(MO # 2590; BK 12)</b>
I(O)	A MUNICIPAL ORDER ADOPTING THE FY2022-2023 POSITION AND PAY SCHEDULE FOR THE FULL-TIME EMPLOYEES OF THE CITY OF PADUCAH, KENTUCKY <b>(MO # 2591; BK 12)</b>

Commissioner Gault offered Motion, seconded by Commissioner Guess, that the items on the consent agenda be adopted as presented.

Adopted on call of the roll yeas, Commissioners Gault, Guess, Henderson, Wilson and Mayor Bray (5).

### **MUNICIPAL ORDERS**

#### **CONTRACT BETWEEN CITY OF PADUCAH AND PADUCAH CONVENTION & VISITORS BUREAU – SPRING 2022 QUILT SHOW**

Commissioner Guess offered Motion, seconded by Commissioner Gault, that the Board of Commissioners adopt a Municipal Order entitled, “A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH THE PADUCAH CONVENTION AND VISITORS BUREAU IN THE AMOUNT OF \$25,000 FOR SPECIFIC SERVICES RELATED TO THE AMERICAN QUILTERS SOCIETY SPRING 2022 SHOW.”

Adopted on call of the roll yeas, Commissioners Gault, Guess, Henderson, Wilson and Mayor Bray (5). **(MO #2592; BK 12)**

June 14, 2022

## **ORDINANCE ADOPTIONS**

### **PADUCAH RIVERFRONT HOTEL (HOLIDAY INN) INDUSTRIAL BUILDING REVENUE BOND SERIES 2015 INTEREST RATE RESET**

Commissioner Henderson offered motion, seconded by Commissioner Wilson that the Board of Commissioners adopt an Ordinance entitled, “AN ORDINANCE OF THE CITY OF PADUCAH, KENTUCKY AUTHORIZING THE AMENDMENT AND SUPPLEMENT OF THE BOND PURCHASE AGREEMENT DATED AS OF NOVEMBER 1, 2015, BY AND AMONG THE CITY, PADUCAH RIVERFRONT HOTEL, LP, INDEPENDENCE BANK OF KENTUCKY, AS SERVICING AGENT, AND INDEPENDENCE BANK OF KENTUCKY, AS ORIGINAL PURCHASER, FOR THE PURPOSES OF ESTABLISHING THE INTEREST RATE APPLICABLE TO THE CITY’S INDUSTRIAL BUILDING REVENUE BOND, SERIES 2015 (PADUCAH RIVERFRONT HOTEL, LP PROJECT) FOR THE PERIOD BEGINNING ON AND INCLUDING MAY 1, 2022 TO BUT EXCLUDING THE SECOND OPTIONAL TENDER DATE APPLICABLE THERETO; AND AUTHORIZING OTHER ACTIONS IN CONNECTION WITH THE AMENDMENT OF THE BOND PURCHASE AGREEMENT AND THE SERIES 2015 BOND.” This Ordinance is summarized as follows: This Ordinance amends and supplements an Ordinance 2015-8-8283 of the City previously adopted on August 25, 2015 (hereinafter titled the “Prior Ordinance”). The Prior Ordinance authorized the issuance of the City of Paducah, Kentucky, Industrial Building Revenue Bond, Series 2015 (Paducah Riverfront Hotel, LP Project) in an amount up to \$12,000,000 (the “Series 2015 Bond”) to finance the costs of the acquisition, construction, installation, and equipping of a building suitable for use as a hotel, together with all related and subordinate facilities necessary for the operation thereof, for lease to Paducah Riverfront Hotel, LP (the “Tenant”). Certain terms of the Series 2015 Bond are governed by a Bond Purchase Agreement (the “Bond Purchase Agreement”), by and among the City, the Tenant, Independence Bank of Kentucky, as Servicing Agent for the City with respect to the Series 2015 Bond thereunder (the “Servicing Agent”), and Independence Bank of Kentucky, as original purchaser of the Series 2015 Bond (the “Original Purchaser”). The Amending Ordinance authorizes the amendment of the Bond Purchase Agreement and the Series 2015 Bond to require an interest rate per annum of 4.75% to apply to the Series 2015 Bond from May 1, 2022 to April 30, 2027 and to provide for eight consecutive monthly interest-only payments beginning June 1, 2022. The Prior Ordinance provides that pursuant to Sections 103.200 through 103.285, inclusive, of the Kentucky Revised Statutes, the Series 2015 Bond will constitute a special and limited obligation of the City payable solely from receipts and security derived from the Tenant.

Adopted on call of the roll yeas, Commissioners Gault, Guess, Henderson, Wilson and Mayor Bray (5). **(ORD 2022-06-8737; BK 36)**

### **APPROVAL – CONTRACT MODIFICATION #1 – INCREASE SCOPE IN PROFESSIONAL SERVICES CONTRACT WITH HDR, INC, FOR DREDGING PROJECT IN THE AMOUNT OF \$86,200**

Commissioner Wilson offered motion, seconded by Commissioner Henderson that the Board of Commissioners introduce an Ordinance entitled, “AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE CONTRACT MODIFICATION NO. 1 WITH HDR, INC. IN AN AMOUNT OF \$86,200 TO INCREASE THE SCOPE IN THE PROFESSIONAL

June 14, 2022

SERVICES CONTRACT TO INCLUDE ENGINEERING DRAWINGS AND SPECIFICATIONS, BIDDING ADMINISTRATION, PROJECT INSPECTION, MONITORING, ADMINISTRATION AND REPORTING.” This Ordinance is summarized as follows: The Mayor is hereby authorized to execute Contract Modification No. 1 with HDR, Inc. for the dredging project for additional services in an amount not to exceed \$86,200 and a decrease in the amount of \$25,785, for a net increase of \$60,415, and a new total contract cost of \$326,665. This expenditure shall be charged to the Dredging Project Account DT0047.

Adopted on call of the roll yeas, Commissioners Gault, Guess, Henderson, Wilson and Mayor Bray (5). **(ORD 2022-06-8738; BK 36)**

### **APPROVE INTERLOCAL COOPERATION AGREEMENT WITH THE CITY OF MAYFIELD FOR BUILDING INSPECTION SERVICES**

Commissioner Gault offered Motion, seconded by Commissioner Guess, that the Board of Commissioners adopt an Ordinance entitled, “AN ORDINANCE OF THE CITY OF PADUCAH, KENTUCKY, AUTHORIZING AND APPROVING AN INTERLOCAL AGREEMENT WITH THE CITY OF MAYFIELD, KENTUCKY, REGARDING BUILDING INSPECTION AND PLAN REVIEW SERVICES; AND AUTHORIZING THE EXECUTION OF ALL DOCUMENTS RELATED TO SAME.” This Ordinance is summarized as follows: This ordinance authorizes the Mayor to execute an Interlocal Agreement and all documents relating to same with the City of Mayfield, Kentucky, for the purpose of the City of Mayfield engaging the services of the City of Paducah to assist with building inspection and building plan review. The duration of said agreement shall be from the Effective Date of the Agreement to June 30, 2024, and may be renewed for one (1) additional three (3) year term, upon agreement of the parties at least ninety (90) days prior to expiration of the initial term with approval from the Paducah Board of Commissioners.

Adopted on call of the roll yeas, Commissioners Gault, Guess, Henderson, Wilson and Mayor Bray (5). **(ORD 2022-06-8739; BK 36)**

### **FY2023 BUDGET ORDINANCE**

Commissioner Guess offered motion, seconded by Commissioner Gault that the Board of Commissioners adopt an Ordinance entitled, “AN ORDINANCE ADOPTING THE CITY OF PADUCAH, KENTUCKY, ANNUAL OPERATING BUDGET FOR THE FISCAL YEAR JULY 1, 2022, THROUGH JUNE 30, 2023, BY ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS FOR THE OPERATION OF CITY GOVERNMENT.” This Ordinance is summarized as follows: Adopting the City of Paducah annual budget for Fiscal Year July 1, 2022, through June 30, 2023, by estimating revenues and resources and appropriating funds for the operation of City Government at \$96,749,577, and summarized by fund as follows:

June 14, 2022

	<u>FUNDS</u>	<u>APPROPRIATIONS</u>
1000	GENERAL	\$ 43,276,785
2300	MAP	1,601,280
2400	INVESTMENT	5,810,790
2600	CDBG	200,000
2000	E911	2,571,530
2700	COURT AWARDS	90,800
2800	ROOM TAX	1,840,000
3000	DEBT	3,555,320
4000	CIP	1,760,000
4200	BOND FUND	19,800,000
5000	SOLID WASTE	6,900,651
5300	TRANSIENT BOAT DOCK	129,112
5100	CIVIC CENTER	35,445
1100	RENTAL	132,210
1200	RADIO DEPR	163,860
7000	FLEET MAINTENANCE	806,964
7100	FLEET LEASE TRUST	2,013,695
7200	INSURANCE	1,364,560
7300	HEALTH INSURANCE	3,665,600
8100	PFPF	945,655
8400	OTHER TRUSTS	<u>85,320</u>
		<u>\$ 96,749,577</u>

Adopted on call of the roll yeas, Commissioners Gault, Guess, Henderson, Wilson and Mayor Bray (5). **(ORD 2022-06-8740; BK 36)**

### **ORDINANCE INTRODUCTIONS**

#### **ZONING TEXT AMENDMENTS - SECTIONS 126-73, 126-83, AND 126-108**

Commissioner Henderson offered Motion, seconded by Commissioner Wilson, that the Board of Commissioners, introduce an Ordinance entitled, “AN ORDINANCE AMENDING CHAPTER 126 OF THE CODE OF ORDINANCES OF THE CITY OF PADUCAH.” This Ordinance is summarized as follows: This ordinance amends Sections 126-73, 126-83, and 126-108 of the Paducah Code of Ordinances. This amendment allows for staff approval of certain home occupations, greater tree canopy protections for proposed new developments, revised Mobile Food Vehicles to reflect the changes adopted by the National Fire Prevention Association, and allows hotel/motel rooms, short term rental rooms and bed & breakfast rooms to be allowed above, below or in the rear one-third of the ground floor in the Downtown Business Townlift Zone (B-2-T) and the Historic Commercial Zone (h-1) to protect street character and vitality.

***PUBLIC COMMENT:*** Mayor Bray allowed Dajuan Thomas to speak regarding the Zoning Ordinance and political signage.

June 14, 2022

## **CONSENSUAL ANNEXATION OF 5345 HINKLEVILLE ROAD**

Commissioner Wilson offered Motion, seconded by Commissioner Henderson, that the Board of Commissioners, introduce an Ordinance entitled, “AN ORDINANCE EXTENDING THE BOUNDARY OF THE CITY OF PADUCAH, KENTUCKY, BY ANNEXING CERTAIN PROPERTY LYING ADJACENT TO THE CORPORATE LIMITS OF THE CITY OF PADUCAH, AND DEFINING ACCURATELY THE BOUNDARY OF SAID PROPERTY TO BE INCLUDED WITHIN THE SAID CORPORATE LIMIT.” This Ordinance is summarized as follows: The City of Paducah hereby approves the consensual annexation of certain tracts of property contiguous to the present city limits, located at 5345 Hinkleville Road, containing approximately 5.22 acres of land.

### **DISCUSSION**

Assistant City Manager Michelle Smolen gave a Commission Priorities Update. Communications Manager Pam Spencer offered the following summary:

“After a February strategic planning retreat, the Paducah Board of Commissioners adopted 10 priorities for this calendar year. Assistant City Manager Michelle Smolen updated the Board on the progress. The report can be viewed at [Commission Priorities](#). The 10 priority items are listed below in no particular order:

- 911 Radio/Tower Upgrades and Operational Funding
- Minority Inclusion
- Downtown
- Southside Enhancements
- Housing
- Beautification
- Community Growth
- Trails and Bike Paths Enhancements
- Continue Efforts to Improve Operational Efficiencies
- Protecting Key Historical and Cultural Resources

The list of City Commission Priorities also includes three continuous improvements action items: stormwater, city facilities, and the joint city/county sports complex.”

### **EXECUTIVE SESSION**

Commissioner Gault offered motion, seconded by Commissioner Guess, that the Board of Commissioners go into closed session for discussion of matters pertaining to the following topics:

- A specific proposal by a business entity where public discussion of the subject matter would jeopardize the location, retention, expansion or upgrading of a business entity, as permitted by KRS 61.810(1)(g)

Adopted on call of the roll yeas, Commissioners Gault, Guess, Henderson, Wilson and Mayor Bray (5)

### **RECONVENE IN OPEN SESSION**

Commissioner Wilson offered motion, seconded by Commissioner Henderson, that the Paducah Board of Commissioners reconvene in open session.

June 14, 2022

Adopted on call of the roll yeas, Commissioners Gault, Guess, Henderson, Wilson and Mayor Bray (5)

**ADJOURN**

Commissioner Wilson offered motion, seconded by Commissioner Guess, that the meeting be adjourned.

Adopted on call of the roll yeas, Commissioners Gault, Guess, Henderson, Wilson and Mayor Bray (5).

**TIME ADJOURNED:** 7:25 p.m.

**ADOPTED:** June 28, 2022

---

George P. Bray, Mayor

ATTEST:

---

Claudia Meeks, Assistant City Clerk

June 28, 2022

RECEIVE AND FILE DOCUMENTS:

Deed File:

1. Deed of Conveyance William G. Camp and Betty Heath Camp, Co-Executors of the Estate of D. Joan Estes, Deceased. 3179 Jackson Street MO #2573

Contract File:

1. Paducah Riverfront Hotel (Holiday Inn) – First Supplemental Bond Purchase Agreement  
ORD 2022-06-8737
2. City of Paducah Fleet Maintenance Agreement with Smithland Fire Department –  
MO #2587

Financials:

1. Paducah Water Works period ending May 31, 2022

CITY OF PADUCAH  
June 28, 2022

---

Upon the recommendation of the City Manager's Office, the Board of Commissioners of the City of Paducah order that the personnel changes on the attached list be approved.

*Michelle Smolen*

---

City Manager's Office Signature

6/23/2022

---

Date

**CITY OF PADUCAH  
PERSONNEL ACTIONS  
June 28, 2022**

**NEW HIRES - FULL-TIME (F/T)**

<b><u>FIRE - PREVENTION</u></b>	<b><u>POSITION</u></b>	<b><u>RATE OF PAY</u></b>	<b><u>NCS/CS</u></b>	<b><u>FLSA</u></b>	<b><u>EFFECTIVE DATE</u></b>
Prescott, Jeffrey L.	Deputy Electrical Inspector	\$24.26/hr	NCS	Non-Ex	June 30, 2022

**PAYROLL ADJUSTMENTS/TRANSFERS/PROMOTIONS/TEMPORARY ASSIGNMENTS (FULL-TIME)**

<b><u>HUMAN RESOURCES</u></b>	<b><u>PREVIOUS POSITION AND BASE RATE OF PAY</u></b>	<b><u>CURRENT POSITION AND BASE RATE OF PAY</u></b>	<b><u>NCS/CS</u></b>	<b><u>FLSA</u></b>	<b><u>EFFECTIVE DATE</u></b>
Throgmorton, Braden	Risk / Safety Manager \$33.84/hr	Risk / Safety Manager \$34.52/hr	NCS	Ex	July 14, 2022

<b><u>PLANNING</u></b>	<b><u>PREVIOUS POSITION AND BASE RATE OF PAY</u></b>	<b><u>CURRENT POSITION AND BASE RATE OF PAY</u></b>	<b><u>NCS/CS</u></b>	<b><u>FLSA</u></b>	<b><u>EFFECTIVE DATE</u></b>
Reason, Melanie R.	Business Development Specialist \$26.02/hr	Business Development Specialist \$26.67/hr	NCS	Ex	July 14, 2022

**TERMINATIONS - PART-TIME (P/T)**

<b><u>PARKS &amp; RECREATION</u></b>	<b><u>POSITION</u></b>	<b><u>REASON</u></b>	<b><u>EFFECTIVE DATE</u></b>
Beard, Justice T.	Lifeguard	Resignation	June 16, 2022
Peyton, Dylan W.	Lifeguard	Resignation	June 16, 2022
Wunch, Dillian R.	Lifeguard	Resignation	June 16, 2022

**TERMINATIONS - FULL-TIME (F/T)**

<b><u>POLICE</u></b>	<b><u>POSITION</u></b>	<b><u>REASON</u></b>	<b><u>EFFECTIVE DATE</u></b>
Jones, Matthew L.	Patrolman	Resignation	July 5, 2022

<b><u>PUBLIC WORKS</u></b>	<b><u>POSITION</u></b>	<b><u>REASON</u></b>	<b><u>EFFECTIVE DATE</u></b>
Carruthers, Timothy K.	Solid Waste Truck Driver	Resignation	June 17, 2022

# Agenda Action Form Paducah City Commission

Meeting Date: June 28, 2022

**Short Title:** Accept proposed premiums from the Kentucky League of Cities for Workers' Compensation, Liability Insurance and Property Insurance Coverage in a total amount of \$1,229,741.95 - **S WILCOX**

**Category:** Municipal Order

**Staff Work By:** Braden Throgmorton, Stefanie Wilcox

**Presentation By:** Stefanie Wilcox

**Background Information:** Each year the City of Paducah receives from the Kentucky League of Cities the invoices for payment of premiums to cover these areas. Total Fiscal Year 2022-2023 (FY 2023) premiums are for the following: (1) Workers' Compensation \$516,381.56, (2) Liability Insurance \$596,322.76, (3) Property Insurance Coverage \$117,037.63. The Health Department to reimburse \$2,946.32, for property expenses associated with coverage of the Health Department. Paxton Park Golf Course to reimburse \$4,330.37 for property expenses associated with the Golf Park Course.

**Does this Agenda Action Item align with a Commission Priority?** No

**If yes, please list the Commission Priority:**

**Communications Plan:**

**Funds Available:** Account Name: General Insurance Fund

Account Number: Fund 7200

**Staff Recommendation:** Recommend to continue with Kentucky League of Cities Insurance Coverage

**Attachments:**

1. MO - insurance – klc fy2023

MUNICIPAL ORDER NO. \_\_\_\_\_

A MUNICIPAL ORDER AUTHORIZING THE FINANCE DIRECTOR TO PAY KENTUCKY LEAGUE OF CITIES FOR WORKERS' COMPENSATION, LIABILITY INSURANCE, AND PROPERTY INSURANCE COVERAGE IN A TOTAL AMOUNT OF \$1,229,741.95 FOR THE CITY OF PADUCAH AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATED TO SAME

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. That the City of Paducah hereby authorizes the Finance Director to pay Kentucky League of Cities in the total amount of \$1,229,741.95 for Workers' Compensation, Liability Insurance, and Property Insurance Coverage for the City of Paducah for Fiscal Year ending June 30, 2023, for the following policies:

Workers' Compensation	\$516,381.56
Liability Insurance	\$596,322.76
Property Insurance	\$117,037.63

SECTION 2. This expenditure shall be charged to the Insurance Fund accounts. The Health Department will reimburse \$2,946.32 for property expenses associated with coverage of the Health Department. Paxton Park Golf Course will reimburse \$4,330.37 for property expenses associated with the Golf Park Course.

SECTION 3. That the City of Paducah hereby authorizes the Mayor to execute all documents related to the Kentucky League of Cities Worker's Compensation, Liability Insurance and Property Insurance Coverage for FY2023 as authorized in Section 1 above.

SECTION 4. This Order shall be in full force and effect from and after the date of its adoption.

\_\_\_\_\_  
George Bray, Mayor

ATTEST:

\_\_\_\_\_  
Lindsay Parish, City Clerk

# Agenda Action Form Paducah City Commission

Meeting Date: June 28, 2022

Short Title: Declaration and Transfer of Surplus Property to Paducah Alliance of Neighbors (517 North 14th Street) - N HUTCHISON

Category: Municipal Order

Staff Work By: Nancy Upchurch

Presentation By: Nicholas Hutchison

**Background Information:** The Paducah Alliance of Neighbors submitted a bid offering \$1 for the property. In consideration of the City transferring the property, P.A.N. proposes constructing a single-family (two-bedroom, two-bath) home for a pre-qualified buyer, Eric Hoffman. Total investment \$177,640. Funding sources include KY Housing Corporation Homebuyer Development Grant of \$84,000; Homeowner Mortgage: \$78,000; and City of Paducah Home Owner Incentive: \$15,640.

Does this Agenda Action Item align with a Commission Priority? Yes

If yes, please list the Commission Priority: [Commission Priorities List](#) Housing-New infill development

Communications Plan:

Funds Available: Account Name:  
Account Number:

**Staff Recommendation:** Transfer the property at 517 North 14th Street to Paducah Alliance of Neighbors for the purpose of constructing a single family residence for a pre-selected, qualified family.

Attachments:

1. SOA2022-0001 Staff Report 517 N 14th
2. MO - prop sale- 517 North 14th Street, Paducah, Kentucky

## APPLICATION INFORMATION

ADDRESS	517 North 14 <sup>th</sup> Street
CASE NO.	SOA2022-0001
OWNER	City of Paducah
APPLICANT	Midtown Alliance of Neighbors
AGENT	---
REQUEST	Sale of Asset
HEARING DATE	June 14, 2022

## GENERAL SITE INFORMATION

CURRENT ZONING	NSZ Neighborhood Services Zone
CURRENT LAND USE	Vacant
COMPREHENSIVE PLAN	Neighborhood Plan 1
CURRENT IMPROVEMENTS	None
FLOODPLAIN	No
PUBLIC UTILITIES	Power, gas, water
PUBLIC SERVICES	Paducah Fire, Paducah Police

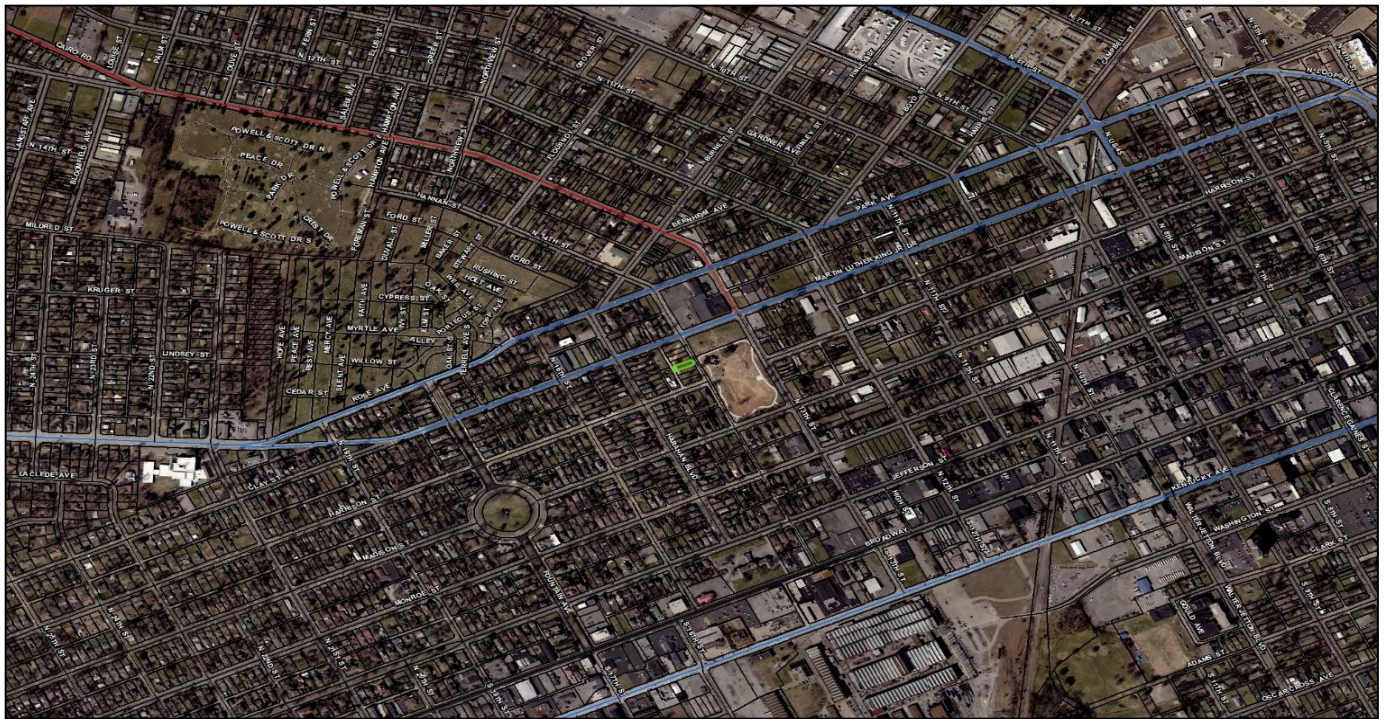
## SURROUNDING AREA INFORMATION

	SURROUNDING ZONING	SURROUNDING LAND USE
NORTH	NSZ	Single-family
SOUTH	NSZ	Single-family
EAST	NSZ	North 14 <sup>th</sup> Street/ Recreation
WEST	NSZ	Single-family

## GENERAL INFORMATION

The disposition of surplus or excess property is governed by City Code Section 2-668; which references KRS 82.083.

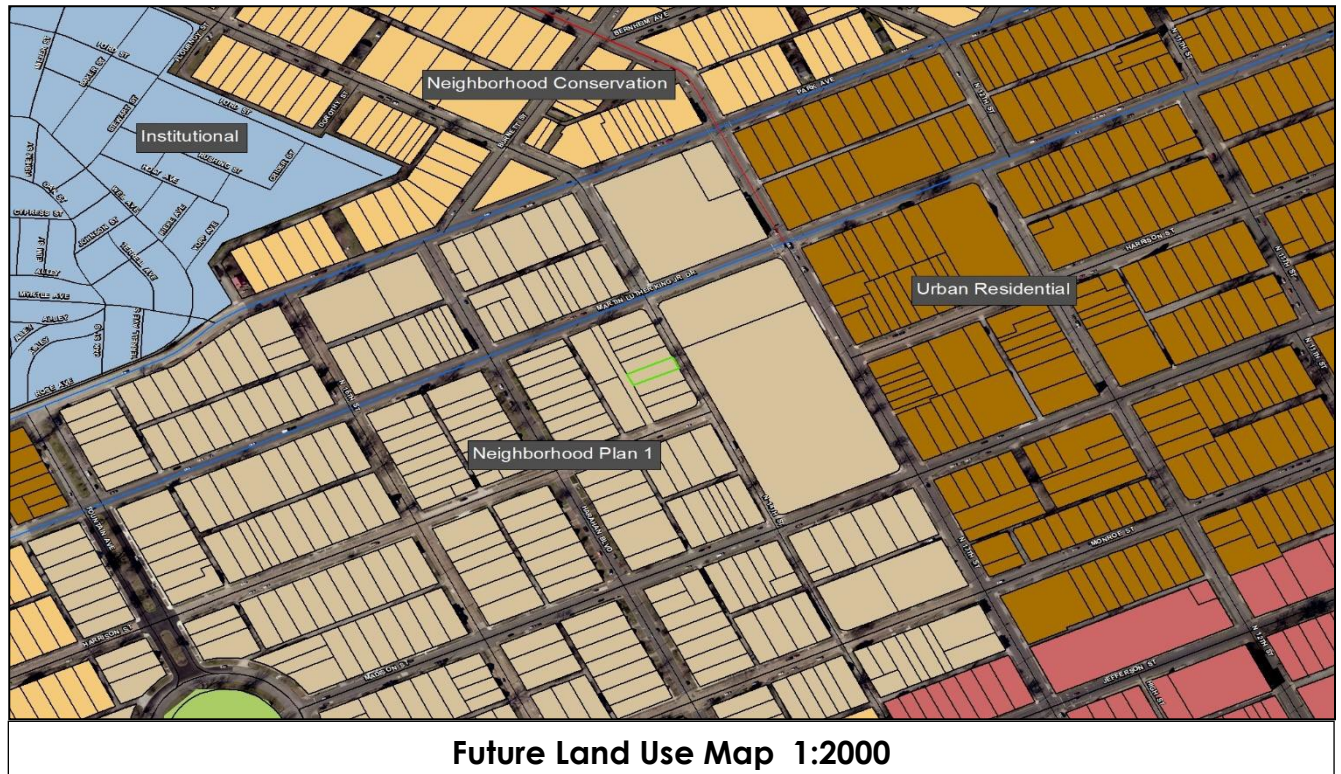
The disposition of any property requires a written determination that includes: a description of the property; its intended use at the time of acquisition; the reason why it is in the best interest of the city to dispose of the item; and the method of disposition to be used.



Vicinity Map 1:5000



Zone Map 1:2000



**Future Land Use Map 1:2000**

#### ACQUISITION OF THE PROPERTY

The Urban Renewal and Community Development Agency acquired this property in May 2012 with the intention of using the lot in the Fountain Avenue Revitalization Program. The building on the property was demolished several years ago.

#### DISPOSITION OF THE PROPERTY

Typically, it is in the best interest of the City to transfer ownership of underutilized parcels to a responsible citizen, thereby placing the property back on the tax rolls and eliminating the maintenance and liability costs. This lot is located in an established, recently revitalized residential neighborhood. The Comprehensive Plan recommends Neighborhood Plan 1, in which residential development should be designed and configured to complement the existing neighborhood.

#### BID INFORMATION

This property was advertised on the City website and in the Paducah Sun on April 30, 2022. Deadline to bid was 4 PM, May 25, 2022. The bids were opened at 9 AM on Thursday, May 26, 2022. The Paducah Alliance of Neighbors has submitted the only bid received for this property.

BID # 1	Paducah Alliance of Neighbors	Bid Amount: \$1
<p>The Paducah Alliance of Neighbors submitted a proposal to construct a single-family (two-bedroom, two-bath) home for pre-qualified buyer Eric Hoffman. Total investment \$177,640. Funding sources include KY Housing Corporation Homebuyer Development Grant of \$84,000; Homeowner Mortgage: \$78,000; and City of Paducah Home Owner Incentive: \$15,640.</p>		

#### STAFF RECOMMENDATION

---

The lot is located within the Neighborhood Services Zone, which requires Historic Architecture Review Commission (HARC) review and approval of the plans and design for new construction or exterior changes in this zone.

Therefore, it is recommended to determine that the property is surplus and accept the request of the Paducah Alliance of Neighbors to transfer the property for \$1, subject to the standard clause applied in the Fountain Avenue Revitalization Area stating that the property would revert back to the City if the owner fails to comply with the submitted proposal and fails to substantially complete the project within two years.

\*\*\*

MUNICIPAL ORDER NO. \_\_\_\_\_

A MUNICIPAL ORDER DECLARING THE REAL PROPERTY LOCATED AT 517 NORTH 14TH STREET, PADUCAH, KENTUCKY TO BE SURPLUS PROPERTY, ACCEPTING THE BID OF PADUCAH ALLIANCE OF NEIGHBORS IN THE AMOUNT OF ONE DOLLAR (\$1.00) AND AUTHORIZING THE MAYOR TO EXECUTE THE DEED AND ALL DOCUMENTS RELATED TO SAME

WHEREAS, pursuant to KRS 82.083 a written determination has been made that the City does not have any use at this time or in the future for property located at 517 North 14th Street, Paducah, Kentucky, which constitutes surplus real estate; and

WHEREAS, the City advertised for bids on April 30, 2022, and one bid was received and opened on May 26, 2022; and

WHEREAS, the City desires to accept the bid of Paducah Alliance of Neighbors, in the amount of One Dollar (\$1.00), who proposes to construct a single-family dwelling for pre-qualified buyer, Eric Hoffman; and

WHEREAS, the Paducah Alliance of Neighbors proposes a total investment of \$177,640 including the following funding sources: KY Housing Corporation Homebuyer Development Grant in the amount of \$84,000, Homeowner Mortgage in the amount of \$78,000 and City of Paducah Home Owner Incentive in the amount of \$15,640.

NOW THEREFORE, BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. The Board of Commissioners hereby declares the property located at 517 North 14th Street, Paducah, Kentucky to be surplus property as it relates to the operations of the City. Further, the Board of Commissioners hereby accepts the bid of Paducah Alliance of Neighbors in the amount of One Dollar (\$1.00) for the purchase of real property located at 517 North 14th Street, Paducah, Kentucky.

SECTION 2. The Mayor is hereby authorized to execute a deed and any necessary documents relating to same to complete the sale of the real property approved in Section 1 above.

SECTION 3. This Order shall be in full force and effect from and after the date of its adoption.

\_\_\_\_\_  
Mayor

ATTEST:

---

Lindsay Parish, City Clerk

Adopted by the Board of Commissioners, June 14, 2022

Recorded by Lindsay Parish, City Clerk, June 14, 2022

\mo\prop sale- 517 North 14th Street, Paducah, Kentucky

# Agenda Action Form

## Paducah City Commission

Meeting Date: June 28, 2022

Short Title: Authorize & Direct the City Manager to Initiate an RFP for Consulting Services Related to Historical Assets & Neighborhoods - **D JORDAN**

Category: Motion

Staff Work By: Daron Jordan, Lindsay Parish

Presentation By: Daron Jordan

**Background Information:** The City of Paducah has certain historical and cultural assets within the City which it wishes to preserve. The City Commission identified "Protecting Key Historical and Cultural Resources" as a 2022 Commission Priority. The next step related to this priority is to seek out the services of a consultant to provide consultation, advice, and recommendations for the preservation and stewardship of identified cultural assets and neighborhoods. This Municipal Order authorizes and directs the City Manager to prepare and initiate a Request for Proposals for the purpose of soliciting consulting services related to preservation assessment and stewardship of certain historic assets and neighborhoods.

Does this Agenda Action Item align with a Commission Priority? Yes

If yes, please list the Commission Priority: Protecting Key Historical and Cultural Resources.

**Communications Plan:** If approved, the RFP will be issued to known consultants, advertised in the local newspaper, and on the City's website.

Funds Available: Account Name: Cultural Assets

Account Number: MR0088

Staff Recommendation: Approve.

Attachments:

1. MO RFP – Cultural & Historic Asset Services

MUNICIPAL ORDER NO. \_\_\_\_\_

A MUNICIPAL ORDER AUTHORIZING THE CITY MANAGER TO INITIATE A REQUEST FOR PROPOSALS FOR CONSULTING SERVICES FOR PRESERVATION ASSESSMENT AND STEWARDSHIP OF CERTAIN HISTORIC ASSETS AND NEIGHBORHOODS

WHEREAS, the City of Paducah has certain historical and cultural assets within the City which it wishes to preserve; and

WHEREAS, the City Commission identified Protecting Key Historical and Cultural Resources as a 2022 Commission Priority; and

WHEREAS, the City of Paducah wishes to seek out a consultant to provide consultation, advice, and recommendations for the preservation and stewardship of identified cultural assets and neighborhoods; and

WHEREAS, the City Commission now wishes to direct the City Manager to prepare and initiate a Request for Proposals for the purpose of soliciting consulting services related to preservation assessment and stewardship of certain historic assets and neighborhoods.

NOW THEREFORE, BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. That the City Manager is hereby authorized and directed to create and initiate a Request for Proposals for the purpose of soliciting consulting services related to preservation assessment and stewardship of certain historic assets and neighborhoods.

SECTION 2. This Order will be in full force and effect from and after the date of its adoption.

\_\_\_\_\_  
George Bray, Mayor

ATTEST:

\_\_\_\_\_  
Lindsay Parish, City Clerk

Adopted by the Board of Commissioners, \_\_\_\_\_  
Recorded by Lindsay Parish, City Clerk, \_\_\_\_\_  
MO\RFP – Cultural & Historic Asset Services

# **Agenda Action Form**

## **Paducah City Commission**

Meeting Date: June 28, 2022

Short Title: Authorize Renewal Application for Local Expanded Jurisdiction - **G CHERRY**

Category: Municipal Order

Staff Work By: Greg Cherry

Presentation By: Greg Cherry

**Background Information:** The City of Paducah adopted Ordinance 2017-1-8465 on January 17, 2017 authorizing an agreement between the City of Paducah and the Commonwealth of Kentucky, Department of Housing, Buildings and Construction for additional plan review and inspection responsibilities within the City of Paducah. The agreement was for a term of three years.

In order to renew the agreement, the City must comply with 815 KAR 7:110 by submitting a Renewal Application for Local Building Expanded Jurisdiction to the Department of Housing, Buildings and Construction. This Municipal Order authorizes the Mayor to sign the application.

Does this Agenda Action Item align with a Commission Priority? No

If yes, please list the Commission Priority:

Communications Plan:

Funds Available: Account Name:  
Account Number:

**Staff Recommendation:** To approve the expanded jurisdiction to better serve the contractors and business owners in the City and to authorize the Mayor's signature on the renewal application.

**Attachments:**

1. MO - Renewal Application Local Expanded Jurisdiction 2022
2. Renewal Application

MUNICIPAL ORDER NO. \_\_\_\_\_

A MUNICIPAL ORDER AUTHORIZING THE EXECUTION OF A RENEWAL APPLICATION TO THE COMMONWEALTH OF KENTUCKY, DEPARTMENT OF HOUSING, BUILDINGS AND CONSTRUCTION FOR LOCAL EXPANDED JURISDICTION FOR THE FIRE PREVENTION DIVISION AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATING TO SAME  
BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. The Mayor is hereby authorized to execute a renewal application and all documents relating to same, to the Commonwealth of Kentucky, Department of Housing, Buildings and Construction for Local Expanded Jurisdiction for the Fire Prevention Division.

SECTION 2. This order will be in full force and effect from and after the date of its adoption.

\_\_\_\_\_  
George Bray, Mayor

ATTEST:

\_\_\_\_\_  
Lindsay Parish, City Clerk

Adopted by the Board of Commissioners, June 28, 2022  
Recorded by Lindsay Parish, City Clerk, June 28, 2022  
\\mo\Renewal Application Local Expanded Jurisdiction 2022

# Agenda Action Form

## Paducah City Commission

Meeting Date: June 28, 2022

Short Title: Approve Contract For Services with Greater Paducah Economic Development Council for FY2023 in the amount of \$250,000 - **D JORDAN**

Category: Motion

Staff Work By: Daron Jordan, Claudia Meeks

Presentation By: D JORDAN

### Background Information:

As part of the Investment Fund Decision Items for FY2023, the Commission approved appropriation of funding for Greater Paducah Economic Development Council (GPEDC) in the amount of \$250,000, to be paid in quarterly installments.

When the City provides funds to any organization, we prepare a simple Contract For Services agreement that describes the public services the organization will provide as a result of receiving the city funding.

Does this Agenda Action Item align with a Commission Priority? No

If yes, please list the Commission Priority:

Communications Plan:

Funds Available: Account Name: Investment Fund

Account Number: 24000401-580800

Staff Recommendation: Approve Contract For Services and authorize the Mayor to execute said Contract.

### Attachments:

1. MO - contract-GPEDC FY23
2. GPEDC Contract FY23

MUNICIPAL ORDER NO. \_\_\_\_\_

A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR SERVICES WITH THE GREATER PADUCAH ECONOMIC DEVELOPMENT COUNCIL IN AN AMOUNT OF \$250,000 FOR SPECIFIC SERVICES  
BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. That the Mayor is hereby authorized to execute a contract with Greater Paducah Economic Development Council in the amount of \$250,000, to be paid in equal quarterly allocations of \$62,500, for performance of services as outlined in said Contract. This contract shall become effective July 1, 2022 and expire June 30, 2023.

SECTION 2. This expenditure will be charged to the Investment Fund, Account Number 24000401-580800.

SECTION 3. This Municipal Order shall be effective from and after the date of its adoption.

\_\_\_\_\_  
George Bray, Mayor

ATTEST:

\_\_\_\_\_  
Lindsay Parish, City Clerk

Adopted by the Board of Commissioners, June 28, 2022  
Recorded by Lindsay Parish, City Clerk, June 28, 2022  
\\mo\contract-GPEDC FY23

## CONTRACT FOR SERVICES

This Contract for Services, effective this \_\_\_\_\_ day of \_\_\_\_\_, 2022, by and between the **CITY OF PADUCAH** ("City") and **GPEDC, Inc.**, d/b/a **GREATER PADUCAH ECONOMIC DEVELOPMENT COUNCIL (GPEDC)**, a Kentucky not-for-profit corporation.

### WITNESSETH:

**WHEREAS**, GPEDC is a non-profit organization charged with the economic development of Paducah and McCracken County.

**WHEREAS**, the services of GPEDC as described herein are for the direct benefit of the citizens of the City of Paducah, and

**WHEREAS**, promoting investment and economic development in the Paducah area as well as supporting entrepreneurs and business development in the community serves a valid public purpose; and

**WHEREAS**, the City of Paducah desires to contract with GPEDC for the services to be described herein under the terms and conditions set forth in this Contract for Services.

NOW THEREFORE, in consideration of the foregoing premises and the mutual covenants as herein set forth, the parties do covenant and agree as follows:

**SECTION 1: TERM** The term of this contract for services shall be from the effective date of July 1, 2022 through June 30, 2023.

**SECTION 2: TERMINATION** Either party may terminate this Contract for Services upon failure of any party to comply with any provision of this agreement provided any such party notifies the other in writing of such failure and the breaching party fails to correct the breach within thirty (30) calendar days of the notice.

### **SECTION 3: OPERATIONS PAYMENT**

- A. In consideration of the operating costs and debt service necessary to carry out the objectives and services of GPEDC for services described herein, the City shall pay GPEDC Two Hundred Fifty Thousand Dollars (\$250,000) to be paid in equal quarterly allocations of Sixty-Two Thousand Five Hundred Dollars \$62,500 each by the end of each quarter. A quarterly invoice will be provided by GPEDC prior to payment.
- B. First Quarter Payment shall be made after ratification of this agreement by both parties. The first quarterly payment shall be made by September 30, 2022, and subsequent payments shall be made by December 31, 2022, March 31, 2023 and June 30, 2023.
- C. In the event this Contract for Services is terminated, the City shall not be obligated to make any further quarterly allocation payments.

**SECTION 4: CHECK PRESENTATION** – The City of Paducah and GPEDC, Inc. will coordinate a check presentation celebrating this monetary assistance at a mutually convenient time and place.

**SECTION 5: OBJECTIVES AND SERVICES** GPEDC shall perform the following services for and on behalf of the city in consideration for the allocation payments described above:

- Market the greater Paducah area and promote economic development through capital investment, job creation, and business start-up and retention.
- Act as local liaison to the Kentucky Cabinet for Economic Development and other local and regional economic development organizations.
- Provide staff support to the Paducah-McCracken Industrial Development Authority.
- Incur costs and expenses related to data compilation and maintenance required by companies making site decisions. This includes conducting, analyzing, and maintaining ongoing information including: competitive studies, the local labor market area, land availability, market trends, and such other data for the promotion of economic development.
- Monitor compliance with incentive agreements for the City and County and provide periodic written reports of such to the City Manager
- Partner with the City in the creation and implementation of an effective local business retention and expansion program.

**SECTION 6: INCENTIVES** GPEDC shall provide recommendations for incentives for the City Manager, and staff to review, in accordance and in compliance with City of Paducah Municipal Order No. 1714, "Guidelines for Providing Economic Incentives", as amended.

**SECTION 7: ACCOUNTING**

- (A) GPEDC shall conduct all accounting, payroll, financial management, and shall make regular reports of GPEDC's expenditures to ensure such expenditures are proper.
- (B) City shall have the right to inspect the operations of GPEDC, including reviewing its books, records, ledgers, or other documents, without prior notice of said inspection.
- (C) GPEDC shall supply an annual financial audit to the City within two (2) weeks of its completion.

**SECTION 8: ENTIRE AGREEMENT** This contract for services embodies the entire agreement between the parties and all prior negotiations and agreements are merged in this agreement. This agreement shall completely and fully supersede all other prior agreements, both written and oral, between the parties.

**SECTION 9: WITHDRAWAL OF FUNDS** Notwithstanding any other provision in this Contract for Services, in the event it is determined that any funds provided GPEDC are used for some purpose other than in furtherance of the services described herein, the City shall have the right to immediately withdraw any and all further funding and shall immediately have the right to terminate this Contract for Services without advance notice and shall have the right to all remedies provided in the law to seek reimbursement for all monies not properly accounted.

Witness the signature of the parties as of the year and date first written above.

**CITY OF PADUCAH**

By \_\_\_\_\_  
GEORGE BRAY, Mayor

GREATER PADUCAH ECONOMIC DEVELOPMENT COUNCIL (GPEDC)

By  \_\_\_\_\_

Title BRUCE WILCOX, PRESIDENT/CEO

# Agenda Action Form

## Paducah City Commission

Meeting Date: June 28, 2022

Short Title: Approve Contract with Weyland Ventures Development, LLC for City Block Public Facilities in the amount of \$3,664,336.00 - **D JORDAN**

Category: Municipal Order

Staff Work By: Nicholas Hutchison, Jonathan Perkins

Presentation By: Daron Jordan

**Background Information:** On June 23, 2021 the Board of Commissioners approved the City's intent to reimburse itself for the cost of capital expenditures from the proceeds of tax-exempt obligations in the reasonably anticipated amount of up to \$3,000,000.00; for the purpose of capital expenditures for the City Block project that may occur before the issuance of reimbursement bonds. On Tuesday, April 5th, 2022, sealed bids were opened for the City Block Public Facilities. One (1) responsive and responsible bid was received, with Ray Black & Son, INC, submitting the bid in the amount of \$3,444,336.00. This bid was 13.79% above the engineer's construction cost estimate. This bid amount includes an \$80,000.00 contingency, and the staff's recommendation is to increase the contingency by \$220,000.00 for a total contingency amount of \$300,000.00. The total project cost with the \$300,000.00 contingency is \$3,664,336.00.

Based on the updated construction cost, the City must authorize an updated letter of commitment with Weyland Ventures Development, authorize the use of Capital Improvement Fund fund balances, and declare the City's intent to reimburse itself for the cost of the capital expenditures from the proceeds of tax-exempt obligations.

Does this Agenda Action Item align with a Commission Priority? Yes

If yes, please list the Commission Priority: Downtown

Communications Plan:

Funds Available: Account Name: Capital Improvement Fund fund balances

Account Number:

Staff Recommendation: Approval.

Attachments:

1. MO - City Block Public Facilities Project Funding & Reimbursement 6-2022
2. NOTICE TO PROCEED WITH CONSTRUCTION
3. Development Agreement between City of Paducah and Weyland Ventures Development LLC ORD 2020-08-8650

**MUNICIPAL ORDER NO. \_\_\_\_\_**

**A MUNICIPAL ORDER DECLARING THE CITY’S INTENT TO REIMBURSE ITSELF FOR THE COST OF CAPITAL EXPENDITURES FROM THE PROCEEDS OF TAX-EXEMPT OBLIGATIONS, AUTHORIZING A NOTICE TO PROCEED WITH CONSTRUCTION AND UPDATED LETTER OF COMMITMENT WITH WEYLAND VENTURES DEVELOPMENT, LLC, AUTHORIZING THE USE OF CAPITAL IMPROVEMENT FUND BALANCES UNTIL SUCH TIME AS REIMBURSEMENT IS REALIZED, AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATED TO SAME**

**WHEREAS**, on August 12, 2020, the City of Paducah (hereinafter the “City”) entered into a Development Agreement (hereinafter the “Agreement”) with Weyland Ventures Development, LLC, (hereinafter “Developer”) as authorized by Ordinance No 2020-08-8650; and

**WHEREAS**, the Agreement authorizes and governs certain Public Facilities, which include all of the facilities that are to be constructed by the Developer on property retained in fee simple ownership by the City, including the parking facility, Greenspace Park and urban park (collectively, the “City Block Public Facilities Project”); and

**WHEREAS**, the Agreement authorizes the reimbursement to the Developer of the actual total costs that the Developer incurs in the development and construction of the Public Facilities and provides that the City shall provide the Developer with a not-to-exceed budget for the public facilities no later than the midpoint of the design plan; and

**WHEREAS**, the City Commission adopted a Resolution on June 22, 2021 declaring the City’s intent to reimburse itself with the proceeds of Reimbursement Bonds in the reasonably anticipated amount of up to \$3,000,000 for the purpose of Capital Expenditures for the City Block Public Facilities Project that may occur before the issuance of Reimbursement Bonds; and

**WHEREAS**, on June 23, 2021, a letter of commitment was issued to the Developer stating that the City would fund up to \$3 million for eligible expenses related to the development and construction of the Public Facilities; and

**WHEREAS**, on Tuesday, April 5, 2022, sealed bids were opened for the City Block Public Facilities; and

**WHEREAS**, one (1) responsive and responsible bid was received from Ray Black & Son, Inc. in the amount of \$3,444,336 which was 13.79% above the engineer’s construction cost estimate and includes an \$80,000 contingency; and

**WHEREAS**, City of Paducah staff recommend to increase said contingency by \$220,000 for a total contingency amount of \$300,000 and a total project cost of \$3,664,336; and

**WHEREAS**, Code Section 150 and the Reimbursement Regulations permit the City to issue Tax-Exempt Obligations and to use the proceeds thereof to reimburse the City for its prior payment of Capital Expenditures provided, among other things, (i) the City makes a Declaration of Official Intent within sixty days after payment of such Capital Expenditures, (ii) the City makes a Reimbursement Allocation within eighteen months after the date a Capital Expenditure was paid or the date the property acquired with the Capital Expenditure was placed in service, and in any event no later than three years after the Capital Expenditure was paid; and

**WHEREAS**, the City desires to make a Declaration of Intent pursuant to the Reimbursement Regulations related to the payment of Capital Expenditures for the City Block Public Facilities Project in the new amount of \$3.5 million; and

**WHEREAS**, the City expects to expend existing Capital Improvement Fund fund balances to pay Capital Expenditures for the City Block Public Facilities Project until such time as the City is able to reimburse itself with the proceeds of Reimbursement Bonds; and

**WHEREAS**, the City desires to authorize an updated Letter of Commitment and a Notice to Proceed with Construction between the City and the Developer.

**NOW THEREFORE, BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:**

**SECTION 1. Affirmation of Preamble.** It is hereby found, determined, and declared that the facts, recitals, and definitions set forth in the recitals of this Municipal Order are true and correct and are hereby affirmed, and all acts described in the recitals of this Municipal Order are hereby ratified. Such facts, recitals, and definitions are hereby adopted and incorporated as a part of this Municipal Order.

**SECTION 2. Definitions.**

“Allocation” means written evidence that proceeds of Tax-Exempt Obligations issued after the payment of a Capital Expenditure are to reimburse the City for such payment.

“Capital Expenditure” means any expense related to the City Block Public Facilities Project for an item that is properly depreciable or amortizable or is otherwise treated as a capital expenditure for purposes of the Code, as well as any costs of issuing Reimbursement Bonds.

“Code” means the Internal Revenue Code of 1986, as amended.

“Declaration of Official Intent” means a written declaration, including this Resolution, which the City intends to fund Capital Expenditures with an issue of Reimbursement Bonds and reasonably expects to reimburse the City from the proceeds of such an issue.

“Reimbursement” means the restoration to the City of money temporarily advanced from other funds, including moneys borrowed from other sources, by the City to pay for Capital Expenditures before the issuance of Reimbursement Bonds intended to fund such Capital Expenditures. “To reimburse” means to make such a restoration.

“Reimbursement Bonds” means Tax-Exempt Obligations that are issued to reimburse the City for Capital Expenditures, and for certain other expenses permitted by the Reimbursement Regulations, previously paid by or for the City.

“Reimbursement Regulations” means Treasury Regulation §1.150-2 and any amendments thereto or superseding regulations, whether in proposed, temporary, or final form, as applicable, prescribing conditions under which the proceeds of Tax-Exempt Obligations may be allocated to reimburse the City for Capital Expenditures and certain other expenses paid before the issuance of the Tax-Exempt Obligations so that the proceeds of such Tax-Exempt Obligations will be treated as “spent” for purposes of Code Sections 103 and 141 to 150.

“Tax-Exempt Obligations” means tax-exempt bonds, notes, certificates, or other obligations included in the meaning of “bonds” under Code Section 150.

**SECTION 3. Declaration of Official Intent.** That the City hereby declares, pursuant to the Reimbursement Regulations, its official intent to reimburse itself with the proceeds of Reimbursement Bonds in the reasonably anticipated amount of up to \$3,500,000 for the purpose of Capital Expenditures for the City Block Public Facilities Project that may occur before the issuance of Reimbursement Bonds.

**SECTION 4. Authorization of Notice to Proceed.** That the Mayor of the City of Paducah, Kentucky, is hereby authorized and directed to execute the Notice to Proceed with Construction between the City and Weyland Ventures Development, LLC.

**SECTION 5. Authorization for Updated Letter of Commitment.** That the Mayor of the City of Paducah, Kentucky, is hereby authorized and directed to issue an updated Letter of Commitment to Weyland Ventures Development, LLC, to commit a not-to-exceed amount of \$3,664,336 for eligible expenses related to the development and construction of the City Block Public Facilities Project.

**SECTION 6. Authorization for Use of Fund Balances.** That the City hereby authorizes the use of existing Capital Improvement Fund fund balances to fund reimbursement to Weyland Ventures Development, LLC, for the City Block Public Facilities Project in an amount not to exceed \$3,664,336 until such time as the City may reimburse itself with the proceeds of reimbursement bonds as referenced herein.

**SECTION 7. Severability.** That if any section, paragraph or provision of this Municipal Order shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Municipal Order.

**SECTION 8. Conflicts.** That all resolutions, orders or parts thereof in conflict with the provisions of this Municipal Order are, to the extent of such conflict, hereby repealed and the provisions of this Municipal Order shall prevail and be given effect.

**SECTION 9. Effective Date.** That this Order shall be in full force and effect from and after the date of its adoption.

---

George Bray, Mayor

ATTEST:

\_\_\_\_\_  
Lindsay Parish, City Clerk

Adopted by the Board of Commissioners, \_\_\_\_\_  
Recorded by Lindsay Parish, City Clerk, \_\_\_\_\_  
\\mo\City Block Public Facilities Project Funding & Reimbursement 6-2022

CERTIFICATION

I, the undersigned, do hereby certify that I am the duly qualified and acting City Clerk of City of Paducah, Kentucky, and as such City Clerk, I further certify that the foregoing is a true, correct, and complete copy of Municipal Order \_\_\_\_\_ duly enacted by the Board of Commissioners of the City at a duly convened meeting held on \_\_\_\_\_, on the same occasion signed by the Mayor as evidence of his approval, and now in full force and effect, all as appears from the official records of the City in my possession and under my control.

Witness my hand as City Clerk of the City as of \_\_\_\_\_.

\_\_\_\_\_  
Lindsay Parish  
City Clerk

NOTICE TO PROCEED WITH CONSTRUCTION

June 28, 2022

Project: City Block Public Facilities

You are hereby notified to execute contract with Ray Black & Son, INC. in the amount of \$3,444,336.00 on behalf of the City of Paducah to commence work in accordance with the Development Agreement dated August 12, 2020 within ninety (90) days of transfer of property from the City of Paducah. You are to complete the work within an eighteen (18) month period from August 1<sup>st</sup>, 2022. The date of completion of all work is therefore January 31, 2024.

A notice of Start of Construction and all required pre-construction documents must be submitted to the City of Paducah no later than four (4) weeks prior to construction of work.

Sincerely,

\_\_\_\_\_

George P. Bray

Title: \_\_\_\_\_

ACCEPTANCE OF NOTICE

Acknowledged by:

\_\_\_\_\_

Weyland Ventures Development, LLC.

BY: \_\_\_\_\_

Signature

\_\_\_\_\_

Title

\_\_\_\_\_

Date

# Agenda Action Form

## Paducah City Commission

Meeting Date: June 28, 2022

Short Title: Zoning Text Amendments - **J SOMMER**

Category: Ordinance

Staff Work By: Nicholas Hutchison, Josh Sommer

Presentation By: Josh Sommer

**Background Information:** On May 5, 2022; the Paducah Planning Commission forwarded a favorable recommendation to change the zoning text of several sections of the Paducah Zoning Ordinance as contained herein.

Does this Agenda Action Item align with a Commission Priority? Yes

If yes, please list the Commission Priority: Beautification; Community Growth; Improve Operational Efficiencies; Downtown; Protecting Key Historical & Cultural Resources

**Communications Plan:** Public hearing held May 5, 2022. Was duly advertised in accordance with Kentucky State Law.

Funds Available: Account Name:  
Account Number:

**Staff Recommendation:** Staff recommends approval

**Attachments:**

1. ORD 126 Zoning Text Amendment – Landscape, Mobile Food, Zoning 2022
2. Signed Resolution (9)



**TEXT AMENDMENT  
PADUCAH CITY COMMISSION**

CASE NO.	TXT2022-0002
TITLES	126-73 Home occupations, 126-83 Landscape regulations, 126-87 Mobile Food Vehicles and Food Tents; 126-108 Downtown Business Townlift Zone, B-2-T; 126-115 Historical Zones, H-1 and H-2
DESCRIPTION	<p>Text change to provide for:</p> <ul style="list-style-type: none"> <li>• Staff approval of certain home occupations.</li> <li>• Greater tree canopy protections for proposed new developments.</li> <li>• Revise Mobile Food Vehicles to reflect changes adopted by the National Fire Prevention Association. The Fire Prevention Department requested this change.</li> <li>• Allow hotel/ motels rooms, short term rental rooms and bed &amp; breakfast rooms to be allowed above, below or in the rear 1/3 of the ground floor in the Downtown Business Townlift Zone (B-2-T) to protect street character and vitality.</li> <li>• Allow hotel/ motels rooms, short term rental rooms and bed &amp; breakfast rooms to be allowed above, below or in the rear 1/3 of the ground floor in the Historic Commercial Zone (H-1) to protect street character and vitality.</li> </ul>

PROCEDURAL NOTE

Zoning text amendments are first heard before the Paducah Planning Commission at a public hearing, pursuant to KRS 100.211 (2). The Planning Commission has forwarded a positive recommendation to the City Commission for the adoption of the following text amendments on May 5, 2022.

CONSIDERATIONS

Frequently Planning staff receives inquiries from residents who would like to operate a home occupation that does not require signage or customers that come to the residence. The City of Hopkinsville has adopted staff approval for certain home occupations that meet certain parameters. Staff would like to replicate parameters for staff approval, listed in subsection (4). This would save a petitioner at least three weeks in application processing and make it easier to obtain a business license. The parameters proposed would not change the character of the residential use.

The current landscaping regulations state existing trees should be preserved where possible on proposed new sites to be developed. However, it does not describe a tree protection zone that should be established. The proposed new text amendment defines how to protect trees, how they should be inventoried and revises the size trees should be when planted, depending on if they are shade trees, ornamental trees or multi-stemmed trees. Further, a screen shall be required between business or industrial uses placed next to residential land uses, irrespective of zone, in order to protect view-sheds and property values.

A revision is proposed to mobile food vehicles to follow all aspects of the National Fire Protection Association (NFPA) as amended. The Fire Prevention Department requested this revision.

As currently written, the Downtown Business Townlift Zone does not list hotels, motels and bed & breakfasts as principal uses. This proposed text amendment would allow them specifically. Further, in order to maintain an active streetscape, staff is proposing hotel & motel rooms, short-term rental unit rooms and bed & breakfasts rooms to be located above, below or in the rear 1/3 of the ground floor. Lobbies, workout areas, associated restaurants and other commercial uses associated with these type of land uses would still be permitted on the ground floor. However, rooms in themselves do not generate an active street life, which is historically typical of the B-2-T Zone.

In order to maintain an active streetscape in the H-1 Historic Commercial Zone, primarily around the Market House, staff is proposing hotel & motel rooms, short-term rental unit rooms and bed & breakfasts rooms to be located above, below or in the rear 1/3 of the ground floor. Lobbies, workout areas, associated restaurants and other commercial uses associated with these type of land uses would still be permitted on the ground floor. However, rooms in themselves do not generate an active street life, which is historically typical of the H-1 Zone.

#### TEXT AMENDMENT

---

The proposed amendments are as follows:

#### **Sec. 126-73. Home occupations.**

Home occupations are conditionally permitted uses and shall be approved in compliance with the following regulations.

- (1) *Nature of use.* Home occupations may include the office or studio in the residence of the following:
  - a. Doctor;
  - b. Dentist;
  - c. Artist;
  - d. Lawyer;
  - e. Engineer;
  - f. ~~Antique-shop~~ **Tailor**;
  - g. Teacher (with musical instruction limited to one (1) pupil at a time);
  - h. Realtor;
  - i. Insurance agent;
  - j. ~~Dressmaker~~;
  - ~~k.~~ Other similar uses except a barbershop, beauty shop, tearoom, or animal hospital (see definition of home occupation, section 126-3).
  
- (2) *Use restrictions.* The following restrictions shall be placed on the above home occupations:
  - a. Must be conducted exclusively by the resident and no more than one (1) employee.
  - b. Not more than one-fourth (1/4) of one (1) floor of the residence shall be used.
  - c. Alterations and construction shall be allowed, provided that the external character and appearance of the building remains unchanged and the requirements of this article are met.
  - d. An indirectly lighted sign of not over one (1) square foot shall be permitted and shall be attached flat against the dwelling.

(3) *Conditions.* The Board of Adjustment may attach conditions to its approval which are necessary to preserve the character of the district in which the proposed use will be located.

(4) *Staff approval.* Staff may approve home occupations when the proposed home occupation meets the following provisions:

- a. No employees who do not reside at the residence.
- b. No storage of stock or goods.
- c. No customers may come to the residence.
- d. No signage on the property.
- e. Home occupation must be clearly incidental and subordinate to the residential use.
- f. Property owner must register their name and address with the Department of Planning.
- g. Business owner must obtain a business license.

### **Sec. 126-83 Landscape regulations.**

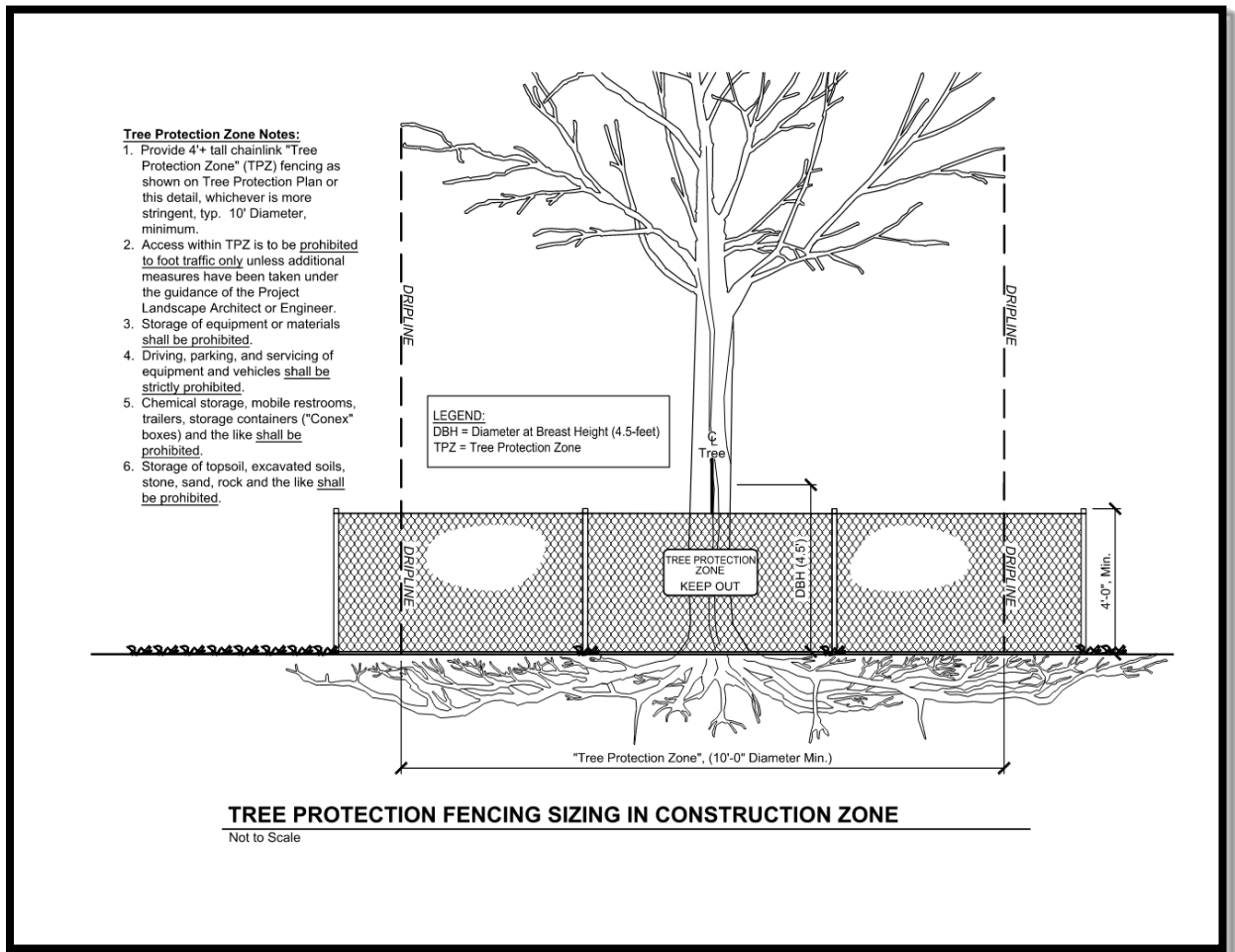
(A) *Purpose.*

(B) *Landscape review procedure.*

(C) *General requirements.*

1. All landscaping materials shall be installed in a sound manner, and according to accepted good construction and planting procedures. Any landscape material, which fails to meet the minimum requirements of this article at the time of installation, shall be removed and replaced with acceptable materials. ~~The person in charge of, or in control of, the property whether as~~ owner, lessee, tenant, ~~or~~ occupant ~~or otherwise,~~ shall be responsible for the continued proper maintenance of all landscaping materials and shall keep them in a proper, neat, and orderly appearance free from refuse, debris, noxious weeds and unwanted grass at all times. All unhealthy or dead plant material shall be replaced within four (4) months or by the next fall or spring planting season, whichever comes first; ~~while other~~ . Other defective landscape material shall be replaced or repaired within two (2) months. Plant material shall not be severely pruned such that the natural growth pattern or characteristic form is significantly altered. Topping or heading back trees, as defined by the International Society of Arboriculture, is prohibited. The severe cutting of limbs to stubs larger than three (3) inches in diameter is prohibited. Utility companies are exempt from this requirement.
2. Paducah, Kentucky is located within the USDA Plant Hardiness Zone #6 7a.
3. Existing trees shall be: ~~preserved where possible.~~
  - a. Preserved where possible as determined by the Zoning Administrator or designee.
  - b. Inventoried on properties proposed for new development to include:
    1. All trees greater than or equal to four (4) inches in diameter at breast height (dbh),
    2. Trees growing immediately adjacent to and/ or over the property from adjacent properties,
    3. Trees in public Rights-of-way immediately adjacent to the property,
    4. Tree dripline/extent of tree canopy shall be shown on site plans,
    5. Tree protection zone (TPZ) shall be established, at a minimum, to the extent of the drip line of trees to be preserved.
4. Surfaces denuded of vegetation shall be seeded or sodded to prevent soil erosion.

5. Sight triangles: See section 126-66 126-65.
6. Trees larger in diameter (dbh) than fifteen (15) inches shall be considered "Significant" and shall be preserved intact without damage, unless approval is given for removal by the Zoning Administrator or designee.
  - a. A TPZ shall be determined and remain undisturbed throughout the extent of construction.
  - b. Trees larger than thirty (30) inches in diameter (dbh) shall be considered "Historic" and shall be labeled as such on submitted site plans.
7. Tree protection fencing shall be established around the limits of the TPZ, typically the extent of the tree dripline.
8. Proposed trees shall be selected from a list of approved trees. Deviations from the approved list shall be submitted to the Department of Planning for approval prior to acceptance.
9. Trees or other plant materials identified on a list of Unacceptable Trees & Plant Materials shall not be selected or installed on any development.
10. Trees and understory vegetation shall only be approved as selected from the approved list of trees for utility trees.



(D) *Landscaping.*

1. All parking lots of more than four (4) parking spaces shall include planted trees in accordance with schedule 1, below:

Schedule 1

1 to 4 spaces	No trees required
5 to 30 spaces	1 tree for each 6 spaces or fraction thereof up to 30 spaces
31 to 100 spaces	5 trees for the first 30 spaces, plus 1 tree for each additional 7 spaces or fraction thereof
101 to 196 spaces	15 trees for the first 100 spaces, plus 1 tree for each additional 8 spaces or fraction thereof
197 to 304 spaces	27 trees for the first 196 spaces, plus 1 tree for each additional 9 spaces or fraction thereof
305 to 504 spaces	39 trees for the first 305 spaces, plus 1 tree for each additional 10 spaces or fraction thereof
505 or more spaces	59 trees for the first 505 spaces, plus 1 tree for each additional 11 spaces or fraction thereof

2. ~~Shade/ canopy trees~~ Frees shall be at least ~~one~~ two and one-half inches (~~1-1/2"~~) (2 1/2") in diameter at a point ~~six~~ twelve inches (~~6"~~) (12") above the ground when planted, ornamental/ understory trees shall be at least one and three-fourths inches (1 3/4") in diameter at the point twelve inches (12") above ground when planted and approved multi-stemmed trees shall be a minimum of seven feet (7') tall. ~~tree type shall be approved by the Zoning Administrator and~~ All trees shall be protected from potential damage by vehicles. Thirty (30) percent of required trees shall be placed within the perimeter of the actual parking surface area in those parking lots of over twenty (20) spaces, spaced not closer together than twenty (20) feet.
3. Interior landscaping for vehicular use areas (VUAs). Landscaping shall include trees, shrubs, flowers or other living matter and shall be provided for vehicular use areas in accordance with the following standards:
  - i. A minimum of five (5) percent of the total VUA shall be landscaped and the landscaping shall be dispersed throughout the paved area. The VUA landscaping shall only be required for uses that have more than twenty (20) parking spaces. ~~This section shall not apply to parking lots that are used for the sole purpose of selling vehicles.~~
  - ii. The VUA landscaping shall contain a variety of trees and be dispersed in the form of planting islands or peninsulas throughout the VUA. ~~The minimum size of planting areas shall be eighty (80) square feet.~~ The minimum size of a planting island or peninsula

containing a tree(s) within the VUA shall be two hundred (200) square feet with minimum dimensions of ten feet (10') by twenty feet (20') or a minimum of eighty (80) square feet if a tree is not proposed.

- iii. No more than one (1) tree shall be planted per two hundred (200) square feet of islands or peninsulas.
- iv. Planting islands within the VUA shall be required at the end of every other parking row, when parking rows are provided in the interior portions of the parking lot. (Illustration #1)

#### Illustration #1

1. All planting islands shall be planted with grass, low ground cover, shrubs, flowers, or any combination of these. Hard surfaces or gravel are not permitted in lieu of plant materials.
  2. All planting islands shall have a minimum of six (6) inch curbs installed to protect the planting area from vehicular traffic.
  3. All plant material (other than grass, or ground cover) located within landscape islands where vehicle overhangs are needed shall be setback a minimum of two (2) feet, six (6) inches from the edge of pavement or the face of the curb.
  4. Sign landscaping. Landscaping shall be located around the base of freestanding signs. The landscaping shall be ornamental in nature with shrubs, flowers and other ornamental plant materials. Sign landscaping is not required for freestanding signs permitted before the adoption of this article. The amount of landscape area required shall be one (1) square foot of landscape area per one (1) square foot of sign area. At least fifty (50) percent of the required landscaping area shall be planted with trees and/or shrubs.
  5. Building landscaping. Any blank façade, or portion of a façade, of a building that is not used for outdoor display, storage or loading/unloading shall be required to provide the following landscaping if the wall is visible from a public right-of-way. Blank facades shall be classified defined as any wall that does not have windows used for display or entry doors for employees or the general public. Buildings, which are ten thousand (10,000) square feet or smaller, shall be exempt, from from the requirements of this section.
    - i. Trees shall be provided on an average of at least one (1) tree per forty (40) linear feet of blank façade as defined above and shrubs shall be provided on an average of at least one (1) shrub per ten (10) linear feet of blank façade. This landscaping is not required to be placed in a linear design, but shall be required to be dispersed throughout the length of the building façade.
    - ii. Façades that abut VUAs shall have a minimum eight (8) feet wide planting area. This planting area can be reduced by four (4) feet if sidewalks are installed.
- (E) *Screening requirements.* The necessity of screening and the type of screening required varies greatly with each particular situation. Therefore, it is the intent of this section to provide a

discretionary measure in deciding the appropriate height, width and type of screening necessary, with the following provisions:

~~(1) Required screening; height limits. Screening shall be required and adequately maintained in the following situations:~~

- ~~a. 1.~~ Where a business zone abuts a City or County residential zone, a screen ~~will~~ shall be required along the boundary of the business property adjacent to the residential property.
- ~~b. 2.~~ Where an industrial zone abuts a City of County residential zone, a screen ~~will~~ shall be required along the boundary of the industrial property adjacent to the residential property.
- ~~c. Where a business or industrial zone abuts a county residential zone, a screen will be required along the boundary of the adjacent residential zone.~~
- ~~1. 3.~~ Where on any lot, or portion thereof, automobiles, appliances and their component parts are under repair or reduction, a screen shall be required.
- ~~2. 4.~~ Off-street parking lots shall be screened when located adjacent to or in a residential zone.
- ~~3. 5.~~ Mobile home parks shall provide a screen along their property lines as required by section ~~62-60 (5) (b)~~ 126-69 (5).
- ~~4. 6.~~ Commercial or industrial businesses shall provide a screen between the commercial or industrial business and any residential use located adjacent to it, irrespective of zone.
- ~~5. 7.~~ Fences in a residential zone, which may be placed along a boundary for the purpose of providing privacy or security to the resident, shall follow the following height limitations: (Illustration #2)
  - i. Front yard: Four (4) feet. Fences shall be of a decorative design; ~~(chainlink chain-link~~, barbed wire, stock wire, chicken wire and similar type fences are not permitted in the front yard).
  - ii. Side yard: Six (6) feet.
  - iii. Rear yard: Eight (8) feet.
- ~~(2) a.~~ For the purpose of this section, the term "fence" shall be interpreted to include any type of fence, wall, trellis or structure placed for the purpose of this section.
- ~~(3) b.~~ All fences shall be constructed of durable materials and shall be installed to withstand the elements. Fences shall be maintained in good repair at all times.
- ~~(4) c.~~ Uses specified above as requiring screening shall provide a visual obstruction from adjacent properties in conformance with the following standards:
  - (1) The screen may be composed of view-obscuring vegetation, wall, fence, or berm.

- (2) The items may be used individually or in combination. Fences constructed of ~~chainlink~~ chain-link, barbed wire, stock wire, chicken wire or other similar type fences are not permitted when used for screening.
- (3) The result shall be a semi-opaque eighty (80) percent screen, which obscures views from the ground to a height of the object being screened; however, the screen is not required to exceed eight (8) feet.
- (4) Plant materials shall be at least two (2) feet tall at the time of installation and reach the desired height within three (3) to five (5) years.
- (5) When a combination of features is proposed, one-fourth (1/4) of the surface area of a walls, fences or berms that face off-site must be covered with plant material within three (3) to five (5) years.
- (6) ~~Additionally, screen~~ Screening areas shall be sufficient to allow for the mature growth of plant materials when used.
- (7) ~~Plan approval. The procedure to determine screening height, type and width is as follows: The~~ 8. A developer shall submit ~~the developer's plat~~ a site plan to the Planning and Zoning Administrator ~~and City Engineer~~ and shall show the proposed type of screening to be located along the boundary of the developer's property.

(F) *Enforcement.*

1. Inspections will be conducted by the ~~City planning office~~ Department of Planning after the installation of landscaping to ensure compliance with the submitted and approved site plan.
2. The removal or destruction of landscape material previously approved by the City shall constitute a violation of this chapter. Replacement of landscape material shall be of like size as that which was removed or destroyed.
3. Violation of this article shall be grounds for the refusal of a certificate of occupancy, require replacement of landscape material, and/or will subject those in violation to the established fines and penalties of this chapter.

(G) *Waiver of requirements.* The Planning Commission shall have the authority to grant a waiver of any of the requirements in this section upon written request, which outlines the rationale for the waiver. The Planning Commission shall review each written request and grant a waiver only:

- a. under unusual or extreme circumstances which cause an unreasonable hardship such as the size of the lot; ~~or;~~
- b. when an innovative or alternative approach can be made which still meets the intent and purpose of this section.

**Sec. 126-87. Mobile Food Vehicles and Food Tents.**

- (a) *Purpose and intent.*
- (b) *Definitions.*
- (c) *Exemptions.*

- (d) *Zoning locations.*
- (e) *Location and hours.*
- (f) *Self-contained units and appurtenances.*
- (g) *Garbage disposal.*
- (h) *Serving articles and alcoholic beverages.*
- (i) *Special events.* Mobile Food Vehicles are prohibited from vending two thousand, five hundred (2,500) feet from special event permitted areas; including, but not limited to, Barbeque on the River and Quilt Week unless the Mobile Food Vehicle is permitted by the City; the City Parks Services Department and/or the permit holder responsible for the special event. ~~The “Safety Guidelines for Special Events and Mobile Food Vehicles” must be obtained from the Paducah Fire Prevention Division and followed thereto.~~ Mobile Food Vehicles shall comply with all aspects of applicable provisions of the National Fire Protection Association (NFPA) Code 1 (2018 Edition), Chapter 50 (Commercial Cooking), and any future amendments thereto adopted by the NFPA, unless specifically omitted by amendment to this article.
- (j) *Noise.*
- (k) *Application and permitting.*
- (l) *Food Tents.*

### **Sec. 126-108. Downtown Business Townlift Zone, B-2-T.**

The purpose of this zone is to encourage the development, redevelopment and the preservation of the City's Townlift area.

- (1) *Principal permitted uses.*
  - a. Trade, business and vocational schools;
  - b. Places of amusement, assembly and recreation;
  - c. Assembly buildings of fraternal, professional and labor organizations;
  - d. Commercial parking lots and garages;
  - e. Newspapers and printing establishments;
  - f. Radio and TV stations;
  - g. Residential dwelling units;
  - h. Restaurant/bakery/pub (no drive through permitted);
  - i. Retail;
  - j. Short-term rentals (includes special event short-term rentals);
  - k. Hotels/ motels
  - l. Bed & breakfasts
  - k m. Any other similar use which, in the Commission's opinion, would not impair the business character of the downtown area.
- (2) *Minimum area and yard requirements.* None.
- (3) *Maximum building height.* None.
- (4) *Parking requirements.*
- (5) *Minimum sight distance.*

- (6) *Ground floor use.* The ground floor of all structures in the B-2-T Zone shall be a permitted use as defined in subsection (1) except that residential uses, hotel/ motel rooms, short-term rental rooms or bed & breakfast rooms may be permitted on any floor above or below the ground floor. Residential uses, hotel/ motel rooms, short-term rental rooms or bed & breakfast rooms may also be ~~located~~ permitted in the rear one-third (1/3) of the ground floor.

**Sec. 126-115. Historical Zones, H-1 and H-2.**

- (a) *Use provisions for the Historic Commercial Zone, H-1.* The purpose of the H-1 Zone is to encourage the development, redevelopment and the preservation of the City's historic commercial area.
- (1) *Principal permitted uses.*
  - (2) *Minimum yard requirements.*
  - (3) *Minimum area requirements.*
  - (4) *Maximum building height.*
  - (5) *Parking requirements.*
- (6) *Ground floor use.* The ground floor of all structures in the H-1 Zone shall be a permitted use as defined in subsection (1) except that residential uses, hotel/ motel rooms, short-term rental rooms or bed & breakfast rooms may be permitted on any floor above or below the ground floor. Residential uses, hotel/ motel rooms, short-term rental rooms or bed & breakfast rooms may also be ~~located~~ permitted in the rear one-third (1/3) of the ground floor.

STAFF RECOMMENDATION

---

Based upon the positive recommendation from the Planning Commission, staff recommends the City Commission adopt the zoning text amendments contained herein.

**ORDINANCE NO. 2022-\_\_\_\_ - \_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 126  
OF THE CODE OF ORDINANCES OF THE CITY OF PADUCAH**

**WHEREAS**, any change to the text of the zoning code must be referred to the Paducah Planning Commission before adoption and considered in accordance with KRS 100.211; and

**WHEREAS**, a public hearing was held on May 5, 2022 by the Planning Commission after advertisement pursuant to law; and

**WHEREAS**, the Paducah Planning Commission duly considered said proposal and has heard and considered the objections and suggestions of all interested parties who appeared at said hearing; and

**WHEREAS**, the Planning Commission adopted a proposal to change the text of Chapter 126 of the City of Paducah zoning ordinance; and

**WHEREAS**, the City desires to amend certain sections of the Paducah Code of Ordinances to reflect the changes.

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

SECTION 1. That the City of Paducah, Kentucky hereby amends the following sections of the Paducah Code of Ordinances as follows:

**Sec. 126-73. Home occupations.**

Home occupations are conditionally permitted uses and shall be approved in compliance with the following regulations.

- (1) *Nature of use.* Home occupations may include the office or studio in the residence of the following:
  - a. Doctor;
  - b. Dentist;
  - c. Artist;
  - d. Lawyer;
  - e. Engineer;
  - f. [~~Antique shop~~] Tailor;
  - g. Teacher (with musical instruction limited to one (1) pupil at a time);
  - h. Realtor;
  - i. Insurance agent;
  - j. [~~Dressmaker~~];

~~k.~~ Other similar uses except a barbershop, beauty shop, tearoom, or animal hospital (see definition of home occupation, section 126-3).

(2) *Use restrictions.* The following restrictions shall be placed on the above home occupations:

- a. Must be conducted exclusively by the resident and no more than one (1) employee.
- b. Not more than one-fourth (1/4) of one (1) floor of the residence shall be used.
- c. Alterations and construction shall be allowed, provided that the external character and appearance of the building remains unchanged and the requirements of this article are met.
- d. An indirectly lighted sign of not over one (1) square foot shall be permitted and shall be attached flat against the dwelling.

(3) *Conditions.* The Board of Adjustment may attach conditions to its approval which are necessary to preserve the character of the district in which the proposed use will be located.

(4) *Staff approval.* Staff may approve home occupations when the proposed home occupation meets the following provisions:

- a. No employees who do not reside at the residence.
- b. No storage of stock or goods.
- c. No customers may come to the residence.
- d. No signage on the property.
- e. Home occupation must be clearly incidental and subordinate to the residential use.
- f. Property owner must register their name and address with the Department of Planning.
- g. Business owner must obtain a business license.

## **Sec. 126-83            Landscape regulations.**

(A) *Purpose.*

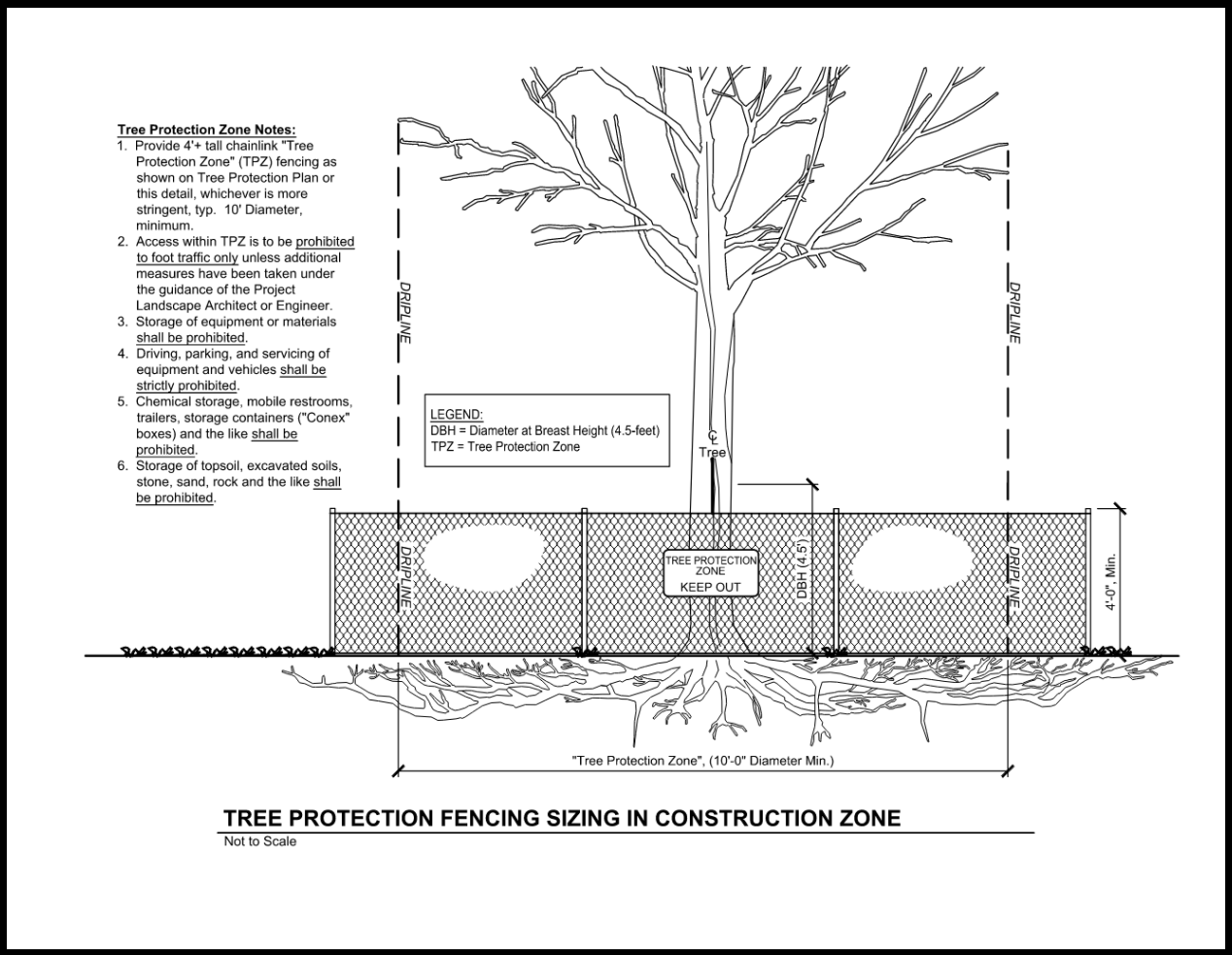
(B) *Landscape review procedure.*

(C) *General requirements.*

1. All landscaping materials shall be installed in a sound manner, and according to accepted good construction and planting procedures. Any landscape material, which fails to meet the minimum requirements of this article at the time of installation, shall be removed and replaced with acceptable materials. The ~~[person in charge of, or in control of, the property whether as]~~ owner, lessee, tenant[, ] or occupant ~~[or otherwise,]~~ shall be responsible for the continued proper maintenance of all landscaping materials and shall keep them in a proper, neat, and orderly appearance free from refuse, debris, noxious weeds and unwanted grass at all times. All unhealthy or dead plant material shall be replaced within four (4) months or by the next fall or spring planting season, whichever comes first~~[- while other]~~ . Other defective landscape material shall be replaced or repaired within two (2) months. Plant material shall not be severely pruned such that the natural growth pattern or characteristic form

is significantly altered. Topping or heading back trees, as defined by the International Society of Arboriculture, is prohibited. The severe cutting of limbs to stubs larger than three (3) inches in diameter is prohibited. Utility companies are exempt from this requirement.

2. Paducah, Kentucky is located within the USDA Plant Hardiness Zone [~~#6~~] 7a.
3. Existing trees shall be: [~~preserved where possible.~~ ]
  - a. Preserved where possible as determined by the Zoning Administrator or designee.
  - b. Inventoried on properties proposed for new development to include:
    1. All trees greater than or equal to four (4) inches in diameter at breast height (dbh),
    2. Trees growing immediately adjacent to and/ or over the property from adjacent properties,
    3. Trees in public Rights-of-way immediately adjacent to the property,
    4. Tree dripline/extent of tree canopy shall be shown on site plans,
    5. Tree protection zone (TPZ) shall be established, at a minimum, to the extent of the drip line of trees to be preserved.
4. Surfaces denuded of vegetation shall be seeded or sodded to prevent soil erosion.
5. Sight triangles: See section [~~126-66~~] 126-65.
6. Trees larger in diameter (dbh) than fifteen (15) inches shall be considered “Significant” and shall be preserved intact without damage, unless approval is given for removal by the Zoning Administrator or designee.
  - a. A TPZ shall be determined and remain undisturbed throughout the extent of construction.
  - b. Trees larger than thirty (30) inches in diameter (dbh) shall be considered “Historic” and shall be labeled as such on submitted site plans.
7. Tree protection fencing shall be established around the limits of the TPZ, typically the extent of the tree dripline.
8. Proposed trees shall be selected from a list of approved trees. Deviations from the approved list shall be submitted to the Department of Planning for approval prior to acceptance.
9. Trees or other plant materials identified on a list of Unacceptable Trees & Plant Materials shall not be selected or installed on any development.
10. Trees and understory vegetation shall only be approved as selected from the approved list of trees for utility trees.



(D) *Landscaping.*

1. All parking lots of more than four (4) parking spaces shall include planted trees in accordance with schedule 1, below:

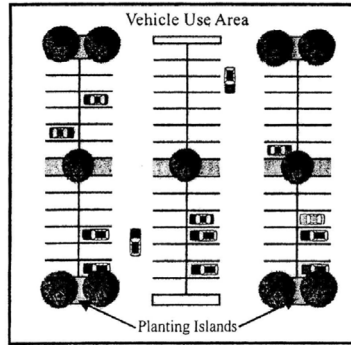
Schedule 1

1 to 4 spaces	No trees required
5 to 30 spaces	1 tree for each 6 spaces or fraction thereof up to 30 spaces
31 to 100 spaces	5 trees for the first 30 spaces, plus 1 tree for each additional 7 spaces or fraction thereof
101 to 196 spaces	15 trees for the first 100 spaces, plus 1 tree for each additional 8 spaces or fraction thereof

197 to 304 spaces	27 trees for the first 196 spaces, plus 1 tree for each additional 9 spaces or fraction thereof
305 to 504 spaces	39 trees for the first 305 spaces, plus 1 tree for each additional 10 spaces or fraction thereof
505 or more spaces	59 trees for the first 505 spaces, plus 1 tree for each additional 11 spaces or fraction thereof

2. Shade/ canopy trees [~~Trees~~] shall be at least [~~one~~] two and one-half inches [(1-1/2")] (2 1/2") in diameter at a point [~~six~~] twelve inches [(6")] (12") above the ground when planted, ornamental/ understory trees shall be at least one and three-fourths inches (1 3/4") in diameter at the point twelve inches (12") above ground when planted and approved multi-stemmed trees shall be a minimum of seven feet (7') tall. [~~tree type shall be approved by the Zoning Administrator and~~] All trees shall be protected from potential damage by vehicles. Thirty (30) percent of required trees shall be placed within the perimeter of the actual parking surface area in those parking lots of over twenty (20) spaces, spaced not closer together than twenty (20) feet.
3. Interior landscaping for vehicular use areas (VUAs). Landscaping shall include trees, shrubs, flowers or other living matter and shall be provided for vehicular use areas in accordance with the following standards:
  - i. A minimum of five (5) percent of the total VUA shall be landscaped and the landscaping shall be dispersed throughout the paved area. The VUA landscaping shall only be required for uses that have more than twenty (20) parking spaces. [~~This section shall not apply to parking lots that are used for the sole purpose of selling vehicles.~~]
  - ii. The VUA landscaping shall contain a variety of trees and be dispersed in the form of planting islands or peninsulas throughout the VUA. [~~The minimum size of planting areas shall be eighty (80) square feet.~~] The minimum size of a planting island or peninsula containing a tree(s) within the VUA shall be two hundred (200) square feet with minimum dimensions of ten feet (10') by twenty feet (20') or a minimum of eighty (80) square feet if a tree is not proposed.
  - iii. No more than one (1) tree shall be planted per two hundred (200) square feet of islands or peninsulas.
  - iv. Planting islands within the VUA shall be required at the end of every other parking row, when parking rows are provided in the interior portions of the parking lot. (Illustration #1)

Illustration #1



1. All planting islands shall be planted with grass, low ground cover, shrubs, flowers[,] or any combination of these. Hard surfaces or gravel are not permitted in lieu of plant materials.
2. All planting islands shall have a minimum of six (6) inch curbs installed to protect the planting area from vehicular traffic.
3. All plant material (other than grass, or ground cover) located within landscape islands where vehicle overhangs are needed shall be setback a minimum of two (2) feet, six (6) inches from the edge of pavement or the face of the curb.
4. Sign landscaping. Landscaping shall be located around the base of freestanding signs. The landscaping shall be ornamental in nature with shrubs, flowers and other ornamental plant materials. Sign landscaping is not required for freestanding signs permitted before the adoption of this article. The amount of landscape area required shall be one (1) square foot of landscape area per one (1) square foot of sign area. At least fifty (50) percent of the required landscaping area shall be planted with trees and/or shrubs.
5. Building landscaping. Any blank façade, or portion of a façade, of a building that is not used for outdoor display, storage or loading/unloading shall be required to provide the following landscaping if the wall is visible from a public right-of-way. Blank facades shall be ~~[classified]~~ defined as any wall that does not have windows used for display or entry doors for employees or the general public. Buildings, which are ten thousand (10,000) square feet or smaller, shall be exempt~~[, form]~~ from the requirements of this section.
  - i. Trees shall be provided on an average of at least one (1) tree per forty (40) linear feet of blank façade as defined above and shrubs shall be provided on an average of at least one (1) shrub per ten (10) linear feet of blank façade. This landscaping is not required to be placed in a linear design, but shall be required to be dispersed throughout the length of the building façade.

- ii. Façades that abut VUAs shall have a minimum eight (8) feet wide planting area. This planting area can be reduced by four (4) feet if sidewalks are installed.

(E) *Screening requirements.* The necessity [of screening] and [the] type of screening required varies greatly with each particular situation. Therefore, it is the intent of this section to provide a discretionary measure in deciding the appropriate height, width and type of screening necessary, with the following provisions:

(1) [~~Required screening; height limits. Screening shall be required and adequately maintained in the following situations: ]~~ ]

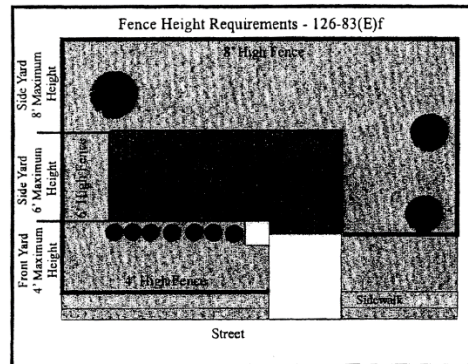
- a. ~~1.~~ 1. Where a business zone abuts a City or County residential zone, a screen [will] shall be required along the boundary of the business property adjacent to the residential property.
- b. ~~2.~~ 2. Where an industrial zone abuts a City of County residential zone, a screen [will] shall be required along the boundary of the industrial property adjacent to the residential property.
- c. [~~Where a business or industrial zone abuts a county residential zone, a screen will be required along the boundary of the adjacent residential zone.~~ ]
  - ~~1.~~ 3. Where on any lot, or portion thereof, automobiles, appliances and their component parts are under repair or reduction, a screen shall be required.
  - ~~2.~~ 4. Off-street parking lots shall be screened when located adjacent to or in a residential zone.
  - ~~3.~~ 5. Mobile home parks shall provide a screen along their property lines as required by section [~~62-60 (5) (b)~~] 126-69 (5).
  - ~~4.~~ 6. Commercial or industrial businesses shall provide a screen between the commercial or industrial business and any residential use located adjacent to it, irrespective of zone.
  - ~~5.~~ 7. Fences in a residential zone, which may be placed along a boundary for the purpose of providing privacy or security to the resident, shall follow the following height limitations: (Illustration #2)

- i. Front yard: Four (4) feet. Fences shall be of a decorative design[;] (~~chainlink~~] chain-link, barbed wire, stock wire, chicken wire and similar type fences are not permitted in the front yard).

- ii. Side yard: Six (6) feet.

iii. Rear yard: Eight (8) feet.

Illustration #2



- (2) a. For the purpose of this section, the term "fence" shall be interpreted to include any type of fence, wall, trellis or structure placed for the purpose of this section.
- (3) b. All fences shall be constructed of durable materials and shall be installed to withstand the elements. Fences shall be maintained in good repair at all times.
- (4) c. Uses specified above as requiring screening shall provide a visual obstruction from adjacent properties in conformance with the following standards:
- (1) The screen may be composed of view-obscuring vegetation, wall, fence[, ] or berm.
  - (2) The items may be used individually or in combination. Fences constructed of [~~chainlink~~] chain-link, barbed wire, stock wire, chicken wire or other similar type fences are not permitted when used for screening.
  - (3) The result shall be a semi-opaque eighty (80) percent screen, which obscures views from the ground to a height of the object being screened; however, the screen is not required to exceed eight (8) feet.
  - (4) Plant materials shall be at least two (2) feet tall at the time of installation and reach the desired height within three (3) to five (5) years.
  - (5) When a combination of features is proposed, one-fourth (1/4) of the surface area of a walls, fences or berms that face off-site must be covered with plant material within three (3) to five (5) years.
  - (6) [~~Additionally, screen~~] Screening areas shall be sufficient to allow for the mature growth of plant materials when used.
  - (7) [~~Plan approval. The procedure to determine screening height, type and width is as follows: The~~] 8. A developer shall submit [~~the developer's plat~~] a site plan to the Planning and Zoning Administrator [~~and City Engineer~~] and shall show the proposed type of screening to be located along the boundary of the developer's property.

(F) *Enforcement.*

1. Inspections will be conducted by the [~~City planning office~~] Department of Planning after the installation of landscaping to ensure compliance with the submitted and approved site plan.
2. The removal or destruction of landscape material previously approved by the City shall constitute a violation of this chapter. Replacement of landscape material shall be of like size as that which was removed or destroyed.
3. Violation of this article shall be grounds for the refusal of a certificate of occupancy, require replacement of landscape material, and/or will subject those in violation to the established fines and penalties of this chapter.

(G) *Waiver of requirements.* The Planning Commission shall have the authority to grant a waiver of any of the requirements in this section upon written request, which outlines the rationale for the waiver. The Planning Commission shall review each written request and grant a waiver only:

- a. under unusual or extreme circumstances which cause an unreasonable hardship such as the size of the lot. [~~;~~ ~~or~~ ]
- b. when an innovative or alternative approach can be made which still meets the intent and purpose of this section.

## **Sec. 126-87. Mobile Food Vehicles and Food Tents.**

- (a) *Purpose and intent.*
- (b) *Definitions.*
- (c) *Exemptions.*
- (d) *Zoning locations.*
- (e) *Location and hours.*
- (f) *Self-contained units and appurtenances.*
- (g) *Garbage disposal.*
- (h) *Serving articles and alcoholic beverages.*
- (i) *Special events.* Mobile Food Vehicles are prohibited from vending two thousand, five hundred (2,500) feet from special event permitted areas; including, but not limited to, Barbeque on the River and Quilt Week unless the Mobile Food Vehicle is permitted by the City; the City Parks Services Department and/or the permit holder responsible for the special event. [~~The “Safety Guidelines for Special Events and Mobile Food Vehicles” must be obtained from the Paducah Fire Prevention Division and followed thereto.~~] Mobile Food Vehicles shall comply with all aspects of applicable provisions of the National Fire Protection Association (NFPA) Code 1 (2018 Edition), Chapter 50 (Commercial Cooking), and any future amendments thereto adopted by the NFPA, unless specifically omitted by amendment to this article.
- (j) *Noise.*

(k) *Application and permitting.*

(l) *Food Tents.*

**Sec. 126-108. Downtown Business Townlift Zone, B-2-T.**

The purpose of this zone is to encourage the development, redevelopment and the preservation of the City's Townlift area.

(1) *Principal permitted uses.*

- a. Trade, business and vocational schools;
- b. Places of amusement, assembly and recreation;
- c. Assembly buildings of fraternal, professional and labor organizations;
- d. Commercial parking lots and garages;
- e. Newspapers and printing establishments;
- f. Radio and TV stations;
- g. Residential dwelling units;
- h. Restaurant/bakery/pub (no drive through permitted);
- i. Retail;
- j. Short-term rentals (includes special event short-term rentals);
- k. Hotels/ motels
- l. Bed & breakfasts

k m. Any other similar use which, in the Commission's opinion, would not impair the business character of the downtown area.

(2) *Minimum area and yard requirements.* None.

(3) *Maximum building height.* None.

(4) *Parking requirements.*

(5) *Minimum sight distance.*

(6) *Ground floor use.* The ground floor of all structures in the B-2-T Zone shall be a permitted use as defined in subsection (1) except that residential uses, hotel/ motel rooms, short-term rental rooms or bed & breakfast rooms may be permitted on any floor above or below the ground floor. Residential uses, hotel/ motel rooms, short-term rental rooms or bed & breakfast rooms may also be [~~located~~] permitted in the rear one-third (1/3) of the ground floor.

**Sec. 126-115. Historical Zones, H-1 and H-2.**

(a) *Use provisions for the Historic Commercial Zone, H-1.* The purpose of the H-1 Zone is to encourage the development, redevelopment and the preservation of the City's historic commercial area.

(1) *Principal permitted uses.*

(2) *Minimum yard requirements.*

(3) *Minimum area requirements.*

(4) *Maximum building height.*

(5) *Parking requirements.*

- (6) *Ground floor use.* The ground floor of all structures in the H-1 Zone shall be a permitted use as defined in subsection (1) except that residential uses, hotel/ motel rooms, short-term rental rooms or bed & breakfast rooms may be permitted on any floor above or below the ground floor. Residential uses, hotel/ motel rooms, short-term rental rooms or bed & breakfast rooms may also be [~~located~~] permitted in the rear one-third (1/3) of the ground floor.

SECTION 2. Severability. If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 3. Compliance with Open Meetings Laws. The City Commission hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of this City Commission, and that all deliberations of this City Commission and of its committees, if any, which resulted in formal action, were in meetings open to the public, in full compliance with applicable legal requirements.

SECTION 4. Conflicts. All ordinances, resolutions, orders or parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed and the provisions of this Ordinance shall prevail and be given effect.

SECTION 5. Effective Date. This Ordinance shall be read on two separate days and will become effective upon summary publication pursuant to KRS Chapter 424.

\_\_\_\_\_  
George Bray, Mayor

ATTEST:

\_\_\_\_\_  
Lindsay Parish, City Clerk

Introduced by the Board of Commissioners, \_\_\_\_\_

Adopted by the Board of Commissioners, \_\_\_\_\_

Recorded by the City Clerk, \_\_\_\_\_

Published by *The Paducah Sun*, \_\_\_\_\_

ord\Plan\126 Zoning Text Amendment – Landscape, Mobile Food, Zoning 2022

A RESOLUTION CONSTITUTING THE FINAL REPORT OF THE PADUCAH PLANNING COMMISSION ON THE PROPOSED ZONING TEXT AMENDMENT OF SECTION 126-73 *HOME OCCUPATIONS*; SECTION 126-83 *LANDSCAPE REGULATIONS*; SECTION 126-87 *MOBILE FOOD VEHICLES AND FOOD TENTS*; SECTION 126-108 *DOWNTOWN BUSINESS TOWNLIFT ZONE, B-2-T* AND SECTION 126-115 *HISTORICAL ZONES, H-1 AND H-2* OF THE PADUCAH ZONING ORDINANCE.

WHEREAS, any change to the text of the zoning code must be referred to the Paducah Planning Commission before adoption and considered in accordance with KRS 100.211, and

WHEREAS, a public hearing was held on May 5, 2022 by the Planning Commission after advertisement pursuant to law, and

WHEREAS, this Commission has duly considered said proposal and has heard and considered the objections and suggestions of all interested parties who appeared at said hearing, and

WHEREAS, this Commission adopted a proposal to change the text of various sections of the City of Paducah zoning ordinance as included herein.

NOW THEREFORE, BE IT RESOLVED BY THE PADUCAH PLANNING COMMISSION:

SECTION 1. That this Commission recommend to the Mayor and the Board of Commissioners of the City of Paducah to revise the Paducah Zoning Ordinance as follows:

**Sec. 126-73. Home occupations.**

Home occupations are conditionally permitted uses and shall be approved in compliance with the following regulations.

(1) *Nature of use.* Home occupations may include the office or studio in the residence of the following:

- a. Doctor;
- b. Dentist;
- c. Artist;
- d. Lawyer;
- e. Engineer;
- f. ~~Antique-shop~~ **Tailor**;
- g. Teacher (with musical instruction limited to one (1) pupil at a time);
- h. Realtor;
- i. Insurance agent;
- j. ~~Dressmaker~~;
- k. Other similar uses except a barbershop, beauty shop, tearoom, or animal hospital (see definition of home occupation, section 126-3).

(2) *Use restrictions.* The following restrictions shall be placed on the above home occupations:

- a. Must be conducted exclusively by the resident and no more than one (1) employee.
- b. Not more than one-fourth (1/4) of one (1) floor of the residence shall be used.
- c. Alterations and construction shall be allowed, provided that the external character and appearance of the building remains unchanged and the requirements of this article are met.
- d. An indirectly lighted sign of not over one (1) square foot shall be permitted and shall be attached flat against the dwelling.

(3) *Conditions.* The Board of Adjustment may attach conditions to its approval which are necessary to preserve the character of the district in which the proposed use will be located.

(4) *Staff approval.* Staff may approve home occupations when the proposed home occupation meets the following provisions:

- a. No employees who do not reside at the residence.
- b. No storage of stock or goods.
- c. No customers may come to the residence.
- d. No signage on the property.
- e. Home occupation must be clearly incidental and subordinate to the residential use.
- f. Property owner must register their name and address with the Department of Planning.
- g. Business owner must obtain a business license.

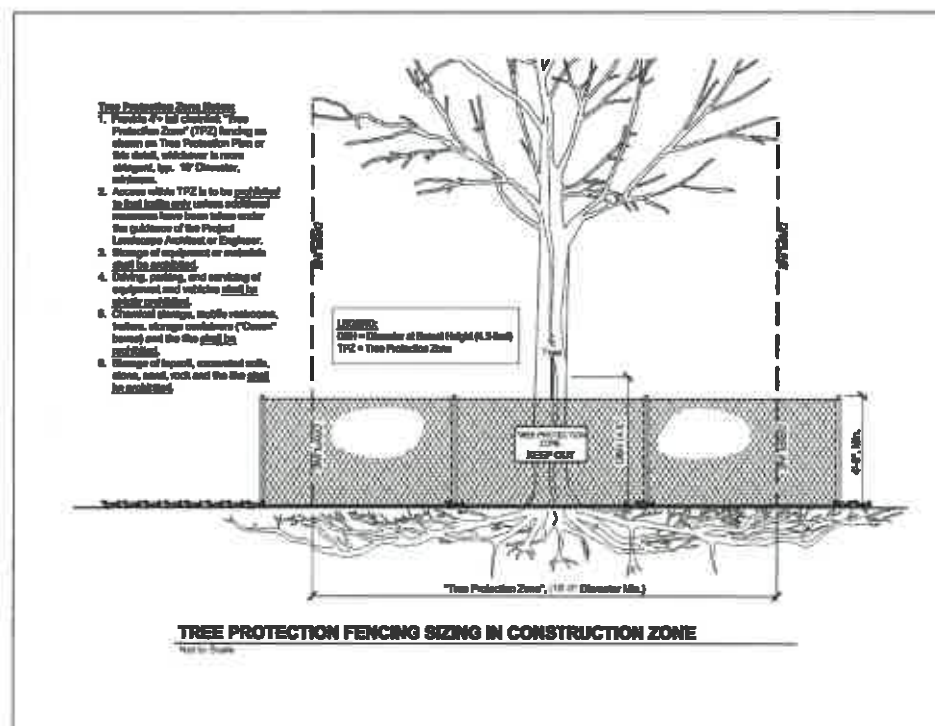
**Sec. 126-83 Landscape regulations.**

(A) *Purpose.*

(B) *Landscape review procedure.*

(C) *General requirements.*

1. All landscaping materials shall be installed in a sound manner, and according to accepted good construction and planting procedures. Any landscape material, which fails to meet the minimum requirements of this article at the time of installation, shall be removed and replaced with acceptable materials. The ~~person in charge of, or in control of, the property whether as~~ owner, lessee, tenant, ~~or~~ occupant ~~or otherwise~~, shall be responsible for the continued proper maintenance of all landscaping materials and shall keep them in a proper, neat, and orderly appearance free from refuse, debris, noxious weeds and unwanted grass at all times. All unhealthy or dead plant material shall be replaced within four (4) months or by the next ~~fall or spring~~ planting season, whichever comes first; ~~while other~~ . Other defective landscape material shall be replaced or repaired within two (2) months. Plant material shall not be severely pruned such that the natural growth pattern or characteristic form is significantly altered. Topping ~~or heading back~~ trees, as defined by the International Society of Arboriculture, is prohibited. The severe cutting of limbs to stubs larger than three (3) inches in diameter is prohibited. Utility companies are exempt from this requirement.
2. Paducah, Kentucky is located within the USDA Plant Hardiness Zone #6 7a.
3. Existing trees shall be: ~~preserved where possible~~.
  - a. Preserved where possible as determined by the Zoning Administrator or designee.
  - b. Inventoried on properties proposed for new development to include:
    1. All trees greater than or equal to four (4) inches in diameter at breast height (dbh).
    2. Trees growing immediately adjacent to and/ or over the property from adjacent properties.
    3. Trees in public Rights-of-way immediately adjacent to the property.
    4. Tree dripline/extent of tree canopy shall be shown on site plans.
    5. Tree protection zone (TPZ) shall be established, at a minimum, to the extent of the drip line of trees to be preserved.
4. Surfaces denuded of vegetation shall be seeded or sodded to prevent soil erosion.
5. Sight triangles: See section ~~126-66~~ 126-65.
6. Trees larger in diameter (dbh) than fifteen (15) inches shall be considered "Significant" and shall be preserved intact without damage, unless approval is given for removal by the Zoning Administrator or designee.
  - a. A TPZ shall be determined and remain undisturbed throughout the extent of construction.
  - b. Trees larger than thirty (30) inches in diameter (dbh) shall be considered "Historic" and shall be labeled as such on submitted site plans.
7. Tree protection fencing shall be established around the limits of the TPZ, typically the extent of the tree dripline.
8. Proposed trees shall be selected from a list of approved trees. Deviations from the approved list shall be submitted to the Department of Planning for approval prior to acceptance.
9. Trees or other plant materials identified on a list of Unacceptable Trees & Plant Materials shall not be selected or installed on any development.
10. Trees and understory vegetation shall only be approved as selected from the approved list of trees for utility trees.



(D) *Landscaping.*

1. All parking lots of more than four (4) parking spaces shall include planted trees in accordance with schedule 1, below:

Schedule 1

1 to 4 spaces	No trees required
5 to 30 spaces	1 tree for each 6 spaces or fraction thereof up to 30 spaces
31 to 100 spaces	5 trees for the first 30 spaces, plus 1 tree for each additional 7 spaces or fraction thereof
101 to 196 spaces	15 trees for the first 100 spaces, plus 1 tree for each additional 8 spaces or fraction thereof
197 to 304 spaces	27 trees for the first 196 spaces, plus 1 tree for each additional 9 spaces or fraction thereof
305 to 504 spaces	39 trees for the first 305 spaces, plus 1 tree for each additional 10 spaces or fraction thereof
505 or more spaces	59 trees for the first 505 spaces, plus 1 tree for each additional 11 spaces or fraction thereof

2. ~~Shade/ canopy trees~~ ~~Trees~~ shall be at least ~~one two~~ and one-half inches (~~1-1/2"~~) (~~2 1/2"~~) in diameter at a point ~~six twelve~~ inches (~~6"~~) (~~12"~~) above the ground when planted, ~~ornamental/ understory trees~~ shall be at least ~~one and three-fourths~~ inches (~~1 3/4"~~) in diameter at the point ~~twelve~~ inches (~~12"~~) above ground when planted and approved multi-stemmed trees shall be a minimum of seven feet (7') tall. ~~tree type shall be approved by the Zoning Administrator and~~ All trees shall be protected from potential damage by vehicles. Thirty (30) percent of required trees shall be placed within the perimeter of the actual parking surface area in those parking lots of over twenty (20) spaces, ~~spaced not closer together than twenty (20) feet.~~
3. Interior landscaping for vehicular use areas (VUAs). Landscaping ~~shall include trees, shrubs, flowers or other living matter and~~ shall be provided for vehicular use areas in accordance with the following standards:
  - i. A minimum of five (5) percent of the total VUA shall be landscaped and the landscaping shall be dispersed throughout the paved area. The VUA landscaping shall only be required for uses that have more than twenty (20) parking spaces. ~~This section shall not apply to parking lots that are used for the sole purpose of selling vehicles.~~
  - ii. The VUA landscaping shall contain a variety of trees and be dispersed in the form of planting islands or peninsulas throughout the VUA. ~~The minimum size of planting areas shall be eighty (80) square feet. The minimum size of a planting island or peninsula containing a tree(s) within the VUA shall be two hundred (200) square feet with minimum dimensions of ten feet (10') by twenty feet (20') or a minimum of eighty (80) square feet if a tree is not proposed.~~
  - iii. ~~No more than one (1) tree shall be planted per two hundred (200) square feet of islands or peninsulas.~~
  - iv. Planting islands within the VUA shall be required at the end of every other parking row, when parking rows are provided in the interior portions of the parking lot. (Illustration #1)

Illustration #1

1. All planting islands shall be planted with grass, low ground cover, shrubs, flowers, or any combination of these. Hard surfaces or gravel are not permitted ~~in lieu of plant materials.~~
2. All planting islands shall have a minimum of six (6) inch curbs installed to protect the planting area from vehicular traffic.
3. All plant material (other than grass, or ground cover) located within landscape islands where vehicle overhangs are needed shall be setback a minimum of two (2) feet, six (6) inches from the edge of pavement or ~~the face of the~~ curb.
4. Sign landscaping. Landscaping shall be located around the base of freestanding signs. The landscaping shall be ornamental in nature with shrubs, flowers and other ornamental plant materials. Sign landscaping is not required for freestanding signs permitted before the adoption of this article. The amount of landscape area required shall be one (1)

square foot of landscape area per one (1) square foot of sign area. At least fifty (50) percent of the required landscaping area shall be planted with trees and/or shrubs.

5. Building landscaping. Any blank façade, or portion of a façade, of a building that is not used for outdoor display, storage or loading/unloading shall be required to provide the following landscaping if the wall is visible from a public right-of-way. Blank facades shall be ~~classified~~ defined as any wall that does not have windows used for display or entry doors for employees or the general public. Buildings, which are ten thousand (10,000) square feet or smaller, shall be exempt, ~~form~~ from the requirements of this section.
  - i. Trees shall be provided on an average of at least one (1) tree per forty (40) linear feet of blank façade as defined above and shrubs shall be provided on an average of at least one (1) shrub per ten (10) linear feet of blank façade. This landscaping is not required to be placed in a linear design, but shall be required to be dispersed throughout the length of the building façade.
  - ii. Façades that abut VUAs shall have a minimum eight (8) feet wide planting area. This planting area can be reduced by four (4) feet if sidewalks are installed.

(E) *Screening requirements.* The necessity ~~of screening~~ and ~~the~~ type of screening required varies greatly with each particular situation. Therefore, it is the intent of this section to provide a discretionary measure in deciding the appropriate height, width and type of screening necessary, with the following provisions:

~~(1) Required screening; height limits. Screening shall be required and adequately maintained in the following situations:~~

- a. ~~1.~~ 1. Where a business zone abuts a City or County residential zone, a screen ~~will~~ shall be required along the boundary of the business property adjacent to the residential property.
- b. ~~2.~~ 2. Where an industrial zone abuts a City of County residential zone, a screen ~~will~~ shall be required along the boundary of the industrial property adjacent to the residential property.
- c. ~~Where a business or industrial zone abuts a county residential zone, a screen will be required along the boundary of the adjacent residential zone.~~
  - ~~1.~~ 3. Where on any lot, or portion thereof, automobiles, appliances and their component parts are under repair or reduction, a screen shall be required.
  - ~~2.~~ 4. Off-street parking lots shall be screened when located adjacent to or in a residential zone.
  - ~~3.~~ 5. Mobile home parks shall provide a screen along their property lines as required by section ~~62-60(5)(b)~~ 126-69 (5).
  - ~~4.~~ 6. Commercial or industrial businesses shall provide a screen between the commercial or industrial business and any residential use located adjacent to it, irrespective of zone.
  - ~~5.~~ 7. Fences in a residential zone, which may be placed along a boundary for the purpose of providing privacy or security to the resident, shall follow the following height limitations:  
(Illustration #2)

- i. Front yard: Four (4) feet. Fences shall be of a decorative design, ~~(chainlink~~ chain-link, barbed wire, stock wire, chicken wire and similar type fences are not permitted in the front yard).
- ii. Side yard: Six (6) feet.
- iii. Rear yard: Eight (8) feet.

~~(2) a.~~ a. For the purpose of this section, the term "fence" shall be interpreted to include any type of fence, wall, trellis or structure placed for the purpose of this section.

~~(3) b.~~ b. All fences shall be constructed of durable materials and shall be installed to withstand the elements. Fences shall be maintained in good repair at all times.

~~(4) c.~~ c. Uses specified above as requiring screening shall provide a visual obstruction from adjacent properties in conformance with the following standards:

- (1) The screen may be composed of view-obscuring vegetation, wall, fence, or berm.
- (2) The items may be used individually or in combination. Fences constructed of ~~chainlink~~ chain-link, barbed wire, stock wire, chicken wire or other similar type fences are not permitted when used for screening.
- (3) The result shall be a semi-opaque eighty (80) percent screen, which obscures views from the ground to a height of the object being screened; however, the screen is not required to exceed eight (8) feet.

- (4) Plant materials shall be at least two (2) feet tall at the time of installation and reach the desired height within three (3) to five (5) years.
- (5) When a combination of features is proposed, one-fourth (1/4) of the surface area of a walls, fences or berms that face off-site must be covered with plant material within three (3) to five (5) years.
- (6) ~~Additionally, screen~~ Screening areas shall be sufficient to allow for the mature growth of plant materials when used.
- (7) ~~Plan approval. The procedure to determine screening height, type and width is as follows: The 8. A~~ A developer shall submit ~~the developer's plat a site plan~~ a site plan to the Planning and Zoning Administrator ~~and City Engineer~~ and shall show the proposed type of screening to be located along the boundary of the developer's property.

(F) *Enforcement.*

1. Inspections will be conducted by the ~~City planning office~~ Department of Planning after the installation of landscaping to ensure compliance with the submitted and approved site plan.
2. The removal or destruction of landscape material previously approved by the City shall constitute a violation of this chapter. Replacement of landscape material shall be of like size as that which was removed or destroyed.
3. Violation of this article shall be grounds for the refusal of a certificate of occupancy, require replacement of landscape material, and/or will subject those in violation to the established fines and penalties of this chapter.

(G) *Waiver of requirements.* The Planning Commission shall have the authority to grant a waiver of any of the requirements in this section upon written request, which outlines the rationale for the waiver. The Planning Commission shall review each written request and grant a waiver only:

- a. under unusual or extreme circumstances which cause an unreasonable hardship such as the size of the lot. ~~5 or 7~~
- b. when an innovative or alternative approach can be made which still meets the intent and purpose of this section.

**Sec. 126-87. Mobile Food Vehicles and Food Tents.**

- (a) *Purpose and intent.*
- (b) *Definitions.*
- (c) *Exemptions.*
- (d) *Zoning locations.*
- (e) *Location and hours.*
- (f) *Self-contained units and appurtenances.*
- (g) *Garbage disposal.*
- (h) *Serving articles and alcoholic beverages.*
- (i) *Special events.* Mobile Food Vehicles are prohibited from vending two thousand, five hundred (2,500) feet from special event permitted areas; including, but not limited to, Barbeque on the River and Quilt Week unless the Mobile Food Vehicle is permitted by the City; the City Parks Services Department and/or the permit holder responsible for the special event. ~~The "Safety Guidelines for Special Events and Mobile Food Vehicles" must be obtained from the Paducah Fire Prevention Division and followed thereto. Mobile Food Vehicles shall comply with all aspects of applicable provisions of the National Fire Protection Association (NFPA) Code 1 (2018 Edition), Chapter 50 (Commercial Cooking), and any future amendments thereto adopted by the NFPA, unless specifically omitted by amendment to this article.~~
- (j) *Noise.*
- (k) *Application and permitting.*
- (l) *Food Tents.*

**Sec. 126-108. Downtown Business Townlift Zone, B-2-T.**

The purpose of this zone is to encourage the development, redevelopment and the preservation of the City's Townlift area.

- (1) *Principal permitted uses.*
  - a. Trade, business and vocational schools;

- b. Places of amusement, assembly and recreation;
- c. Assembly buildings of fraternal, professional and labor organizations;
- d. Commercial parking lots and garages;
- e. Newspapers and printing establishments;
- f. Radio and TV stations;
- g. Residential dwelling units;
- h. Restaurant/bakery/pub (no drive through permitted);
- i. Retail;
- j. Short-term rentals (includes special event short-term rentals);
- k. Hotels/ motels
- l. Bed & breakfasts

k m. Any other similar use which, in the Commission's opinion, would not impair the business character of the downtown area.

- (2) *Minimum area and yard requirements.* None.
- (3) *Maximum building height.* None.
- (4) *Parking requirements.*
- (5) *Minimum sight distance.*
- (6) *Ground floor use.* The ground floor of all structures in the B-2-T Zone shall be a permitted use as defined in subsection (1) except that residential uses, hotel/ motel rooms, short-term rental rooms or bed & breakfast rooms may be permitted on any floor above or below the ground floor. Residential uses, hotel/ motel rooms, short-term rental rooms or bed & breakfast rooms may also be ~~located~~ permitted in the rear one-third (1/3) of the ground floor.

**Sec. 126-115. Historical Zones, H-1 and H-2.**

- (a) *Use provisions for the Historic Commercial Zone, H-1.* The purpose of the H-1 Zone is to encourage the development, redevelopment and the preservation of the City's historic commercial area.
  - (1) *Principal permitted uses.*
  - (2) *Minimum yard requirements.*
  - (3) *Minimum area requirements.*
  - (4) *Maximum building height.*
  - (5) *Parking requirements.*
- (6) *Ground floor use.* The ground floor of all structures in the H-1 Zone shall be a permitted use as defined in subsection (1) except that residential uses, hotel/ motel rooms, short-term rental rooms or bed & breakfast rooms may be permitted on any floor above or below the ground floor. Residential uses, hotel/ motel rooms, short-term rental rooms or bed & breakfast rooms may also be ~~located~~ permitted in the rear one-third (1/3) of the ground floor.

**SECTION 2.** That this Resolution shall be treated as, and is, the final report of the Paducah Planning Commission respecting the matters appearing herein.

**SECTION 3.** That if any section, paragraph or provision of this Resolution shall be found to be inoperative, ineffective or invalid for any cause, the deficiency or invalidity of such section, paragraph or provision shall not affect any other section, paragraph or provision hereof, it being the purpose and intent of this Resolution to make each and every section, paragraph and provision hereof separable from all other sections, paragraphs and provisions.

  
 Cathy Crecelius, Chairwoman

Adopted by the Paducah Planning Commission on May 5, 2022

# **Agenda Action Form**

## **Paducah City Commission**

Meeting Date: June 28, 2022

Short Title: Consensual Annexation of 5345 Hinkleville Road - **J SOMMER**

Category: Ordinance

Staff Work By: Nicholas Hutchison, Josh Sommer

Presentation By: Josh Sommer

**Background Information:** The property owner has requested consensual annexation into the City of Paducah. The property contains two tracts on both sides of Hinkleville Road. She would like to utilize the City of Paducah Real Estate incentive. The total annexed area is proposed to be 5.22 acres, including a portion of Highway 60 Right-of-Way.

Does this Agenda Action Item align with a Commission Priority? Yes

If yes, please list the Commission Priority: Community Growth

Communications Plan:

Funds Available: Account Name:  
Account Number:

Staff Recommendation: Staff recommends approval.

Attachments:

1. MO - Annex – Consensual 5345 Hinkleville Road
2. Annexation request letter
3. 5345 Hinkleville Road Annex Plat
4. Tract 1 Description

ORDINANCE NO. 2022-\_\_\_\_ - \_\_\_\_\_

AN ORDINANCE EXTENDING THE BOUNDARY OF THE CITY OF PADUCAH, KENTUCKY, BY ANNEXING CERTAIN PROPERTY LYING ADJACENT TO THE CORPORATE LIMITS OF THE CITY OF PADUCAH, AND DEFINING ACCURATELY THE BOUNDARY OF SAID PROPERTY TO BE INCLUDED WITHIN THE SAID CORPORATE LIMITS

WHEREAS, the property, approximately 5.22 acres of land located at 5345 Hinkleville Road is contiguous to the boundaries of the City of Paducah and particularly and accurately set out in the legal description below; and

WHEREAS, said property is suitable for development for urban purposes without unreasonable delay because of population density, commercial, industrial, or governmental use of land, or subdivision of land; and

WHEREAS, said property does not include any territory that is already within the jurisdiction of another incorporated city, or another county; and

WHEREAS, said property is not part of an agricultural district formed pursuant to KRS 262.850(10); and

WHEREAS, the owners of said property, Harriett Reed (Harriett & Walter Reed Trust), has requested said consensual annexation in writing to the Board of Commissioners, and she intends to take advantage of the City of Paducah Real Estate Property Tax reimbursement; and

WHEREAS, pursuant to KRS 81A.412, a city may annex any area that meets the requirements of KRS 81A.410 if each of the landowners in the area to be annexed gives prior written consent to the annexation; and

WHEREAS, the City of Paducah now wishes to enact a single ordinance annexing the land described herein.

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

SECTION 1. The City of Paducah, Kentucky, annexes into the corporate limits and makes a part of the City of Paducah, Kentucky, said real property being more particularly and accurately described as follows:

**LEGAL DESCRIPTION - TRACT 1**

A certain tract of land as surveyed by Kyrun Jett Wood, P.L.S.#3445 and being generally located along U.S. Highway 60 (a.k.a. Hinkleville Road) and Old U.S. Highway 60, Paducah, McCracken County, Kentucky, more particularly described as:

Beginning at a point in the north right-of-way line of U.S. Highway 60 (a.k.a. Hinkleville Road), said point also being the southwest corner of the Howe Properties Incorporated property (recorded in Deed Book 1403, Page 801), said point also being a point in the existing City of Paducah limits;

Thence along the above said right-of-way and with the existing City of Paducah limits, S52°16'09"W a distance of 111.47 ft. to a point;

Thence continuing along the above said right-of-way and with the existing City of Paducah limits, S10°36'30"E a distance of 43.00 ft. to a point;

Thence continuing along the above said right-of-way and with the existing City of Paducah limits, S86°06'32"W a distance of 217.94 ft. to a point;

Thence leaving the above said right-of-way and with the existing City of Paducah limits, S03°53'28"E a distance of 216.26 ft. to a point, said point also being in the south right-of-way line of U.S. Highway 60 (a.k.a. Hinkleville Road), said point also being in the north right-of-way of Old Highway 60;

Thence along the north right-of-way of Old Highway 60 and with the existing City of Paducah limits, S77°52'25"W a distance of 68.99 ft. to a point;

Thence continuing along the above said right-of-way and with the existing City of Paducah limits, S71°09'57"W a distance of 450.86 ft. to a point, said point being the southeast corner of the Michael Johnson property (recorded in Deed Book 1180, Page 194);

Thence leaving the above said right-of-way and with the new City of Paducah limits, N32°15'55"E a distance of 108.12 ft. to a point, said point being in the south right-of-way of U.S. Highway 60 (a.k.a. Hinkleville Road), said point also being the northeast corner of the Michael Johnson property (recorded in Deed Book 1180, Page 194);

Thence continuing along the new City of Paducah limits, N32°18'27"E a distance of 316.03 ft. to a point, said point being in the north right-of-way of U.S. Highway 60 (a.k.a. Hinkleville Road), said point also being in the southeast corner of the Harriet S. Reed, Trustee of the Walter R. Reed Trust under the Walter R. & Harriet S. Reed Revocable Living Trust property (recorded in Deed Book 1198, Page 432);

Thence with the existing City of Paducah limits and along the east property line of the above said Reed Revocable Living Trust property, N32°24'11"E a distance of 338.25 ft. to a point;

Thence continuing along the existing City of Paducah limits and the east property line of the above said Reed Revocable Living Trust property, N32°24'46"E a distance of 259.75 ft. to a point, said point being the northwest corner of the Howe Properties Incorporated property (recorded in Deed Book 1403, Page 801);

Thence with the existing City of Paducah limits and the west property line of the above said Howe Property Incorporated property, S32°24'52"E a distance of 429.19 ft. to the Point of Beginning.

The above described Tract contains 5.220 acres.

The above described tract is the entire property of the Harriet S. Reed, Trustee of the Walter R. Reed Trust under the Walter R. & Harriet S. Reed Revocable Living Trust

(recorded in Deed Book 1294, Page 758) and a part of Commonwealth of Kentucky - U.S. Highway 60 right-of-way.

The above described Tract is not for Land Title Transfer but for annexation proposes only.

SECTION 2. The City of Paducah hereby declares it desirable to annex the property described in Section 1 above.

SECTION 3. If any section or portion of this ordinance is for any reason held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, that section or portion shall be deemed severable and shall not affect the validity of the remaining sections of the ordinance.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 5. This ordinance shall be read on two separate days and will become effective upon summary publication pursuant to KRS Chapter 424.

\_\_\_\_\_  
George Bray, Mayor

ATTEST:

\_\_\_\_\_  
Lindsay Parish, City Clerk

Introduced by the Board of Commissioners, June 14, 2022  
Adopted by the Board of Commissioners, \_\_\_\_\_  
Recorded by Paducah City Clerk, \_\_\_\_\_  
Published by *The Paducah Sun*, \_\_\_\_\_  
ORD\Plan\Annex – Consensual 5345 Hinkleville Road

CERTIFICATION

I, Lindsay Parish, hereby certify that I am the duly qualified and acting Clerk of the City of Paducah, Kentucky and that the foregoing is a full, true and correct copy of Ordinance 2022-\_\_ - \_\_\_\_\_ adopted by the Board of Commissioners of the City of Paducah at a meeting held on \_\_\_\_\_.

WITNESS, my hand and seal of the City of Paducah, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Lindsay Parish, City Clerk

April 1, 2022

City of Paducah Planning Department  
Attn: Joshua P. Sommer  
300 South 5<sup>th</sup> Street  
Paducah, KY 42003

Re: Annexation request

Dear Josh:

I, Harriett Reed, am requesting annexation of 5345 Hinkleville Road into the City of Paducah, pursuant to KRS 81A.412. This parcel totals approximately 3.79 acres on both sides of Hinkleville Road and meets the requirement of KRS 81A.410. I request to utilize the City of Paducah Real Estate property tax incentive for this property and also for my nine-acre tract, located at 5435 Highway 60 West. It is further requested that this parcel be zoned Highway Business Zone (HBZ) by the Paducah Planning Commission upon annexation.

Thank you,

Harriett Reed  
Harriett & Walter Reed Trust

**SURVEYOR'S STATEMENT OF RESOURCES**

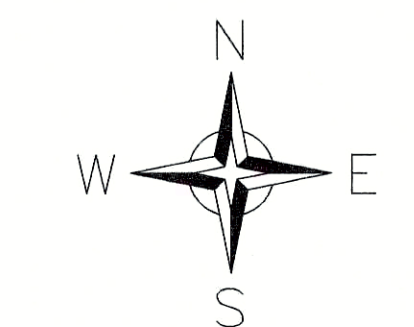
TRACT 1 DERIVED FROM EXISTING MONUMENTATION, KENTUCKY DEPARTMENT OF HIGHWAYS PLANS FOR PADUCAH-WICKLIFFE ROAD (U.S. 60) - PROJECT NUMBER 073 0060 005-011, THE FOLLOWING DEED: HARRIET S. REED, TRUSTEE OF THE WALTER R. REED TRUST UNDER THE WALTER R. & HARRIET S. REED REVOCABLE LIVING TRUST RECORDED IN DEED BOOK 1294, PAGE 758, PLAT RECORDED IN MISC. SECTION 1, PAGE 204, AND THE CITY OF PADUCAH'S EXISTING ANNEXATION LIMITS.

**SURVEYOR'S CERTIFICATE:**

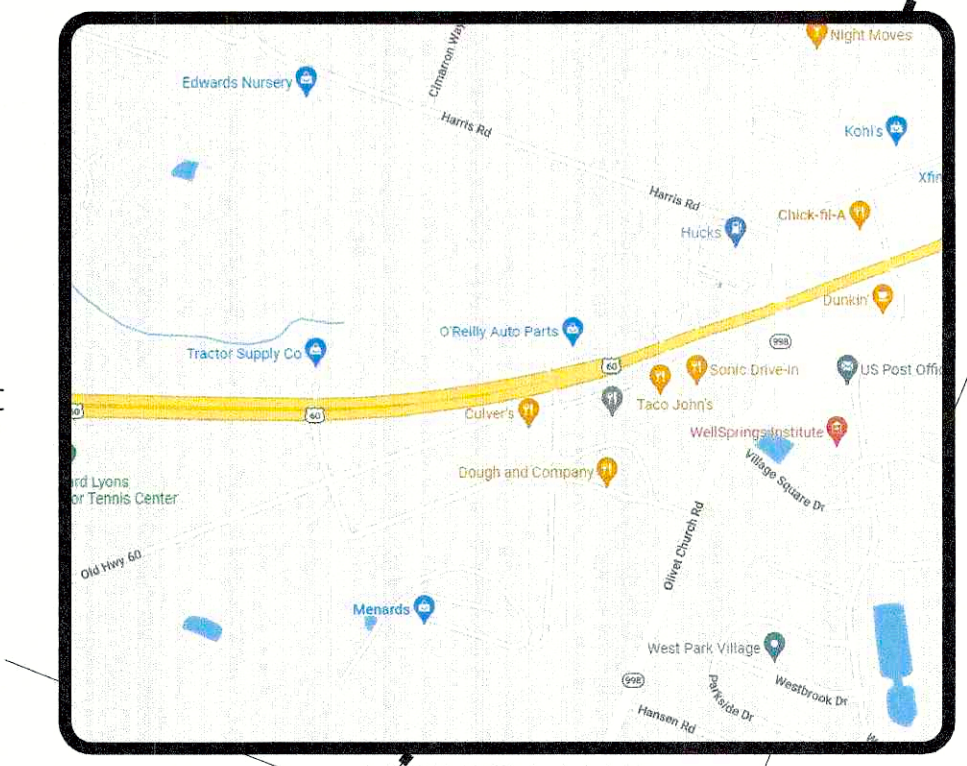
I DO HEREBY CERTIFY THAT THE BOUNDARY INFORMATION SHOWN HEREON WAS PERFORMED UNDER MY DIRECT SUPERVISION BY USING REAL TIME KINEMATIC "RTK" GPS (TOPCON GR3 DUAL FREQUENCY RECEIVERS) HORIZONTAL INFORMATION IS BASED ON AN ONLINE POSITIONING USER SERVICE "OPUS" (NAD 83, KENTUCKY STATE PLANE COORDINATES SOUTH, GEOD 09) BEARINGS AND DISTANCES SHOWN HEREON ARE COMPUTED USING GROUND COORDINATES. THE ACCURACY AND PRECISION OF SAID SURVEY MEETS OR EXCEEDS SPECIFICATIONS OF AN "URBAN" SURVEY. DATE OF SURVEY: APRIL 2022



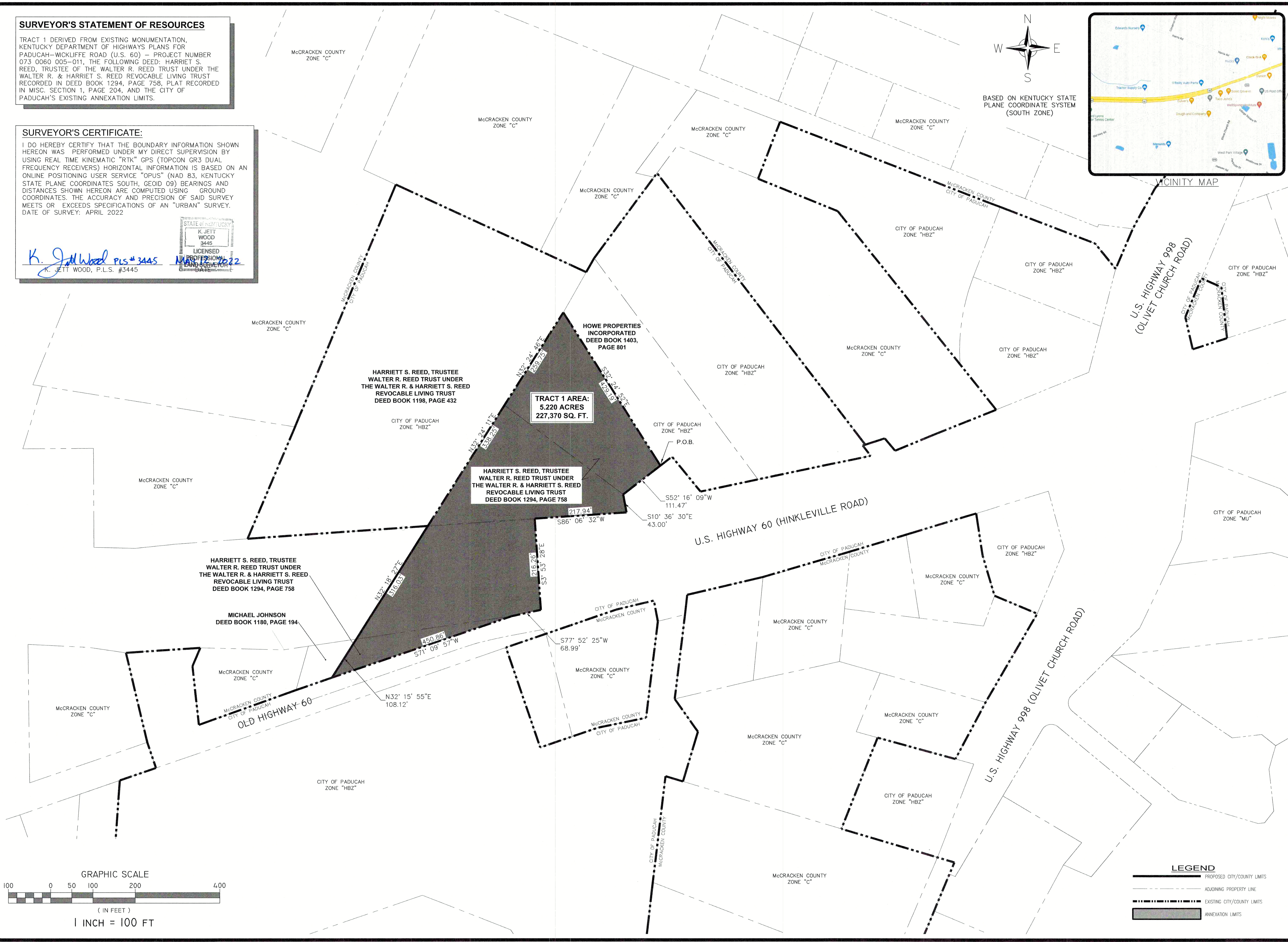
*K. Jett Wood* P.L.S. #3445  
K. JETT WOOD, P.L.S. #3445



BASED ON KENTUCKY STATE PLANE COORDINATE SYSTEM (SOUTH ZONE)



VICINITY MAP



HARRIET S. REED, TRUSTEE  
WALTER R. REED TRUST UNDER  
THE WALTER R. & HARRIET S. REED  
REVOCABLE LIVING TRUST  
DEED BOOK 1198, PAGE 432

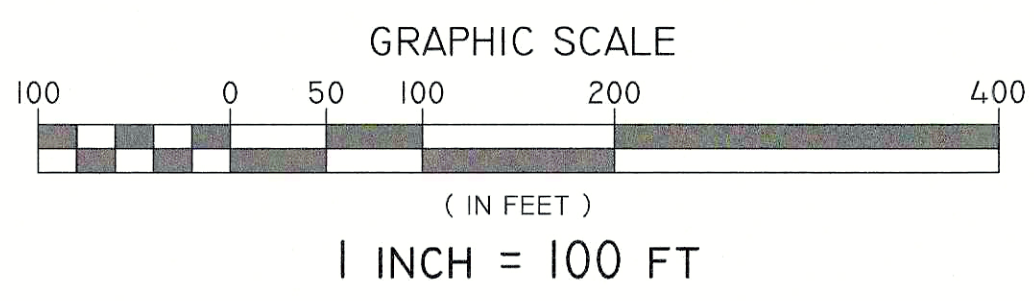
HOWE PROPERTIES  
INCORPORATED  
DEED BOOK 1403,  
PAGE 801

TRACT 1 AREA:  
5.220 ACRES  
227,370 SQ. FT.

HARRIET S. REED, TRUSTEE  
WALTER R. REED TRUST UNDER  
THE WALTER R. & HARRIET S. REED  
REVOCABLE LIVING TRUST  
DEED BOOK 1294, PAGE 758

HARRIET S. REED, TRUSTEE  
WALTER R. REED TRUST UNDER  
THE WALTER R. & HARRIET S. REED  
REVOCABLE LIVING TRUST  
DEED BOOK 1294, PAGE 758

MICHAEL JOHNSON  
DEED BOOK 1180, PAGE 194



**LEGEND**

- PROPOSED CITY/COUNTY LIMITS
- - - ADJOINING PROPERTY LINE
- EXISTING CITY/COUNTY LIMITS
- ANNEXATION LIMITS

PROJECT NO. 22168	DATE 4/12/2022
DRAWN BY: KJM	CHECKED BY: KJM
REV.   DESCRIPTION	BY   DATE

**BACON | FARMER | WORKMAN**  
ENGINEERING & TESTING, INC.  
505 S. 17th Street  
Paducah, KY 40303  
Phone: 252-877-9999  
Fax: 252-877-9999



CITY OF PADUCAH ANNEXATION  
PROPERTY OF THE WALTER R. & HARRIET S. REED REVOCABLE TRUST: HARRIET S. REED, TRUSTEE  
5354 HINKLEVILLE ROAD, PADUCAH, KENTUCKY  
FOR CITY OF PADUCAH, KENTUCKY

SHEET  
SV1.0



**BACON | FARMER | WORKMAN**

**ENGINEERING & TESTING, INC.**

500 SOUTH 17<sup>th</sup> STREET | PADUCAH, KY 42003

**CITY OF PADUCAH ANNEXATION  
LEGAL DESCRIPTION - TRACT 1**

A certain tract of land as surveyed by Kyrun Jett Wood, P.L.S.#3445 and being generally located along U.S. Highway 60 (a.k.a. Hinkleville Road) and Old U.S. Highway 60, Paducah, McCracken County, Kentucky, more particularly described as:

Beginning at a point in the north right-of-way line of U.S. Highway 60 (a.k.a. Hinkleville Road), said point also being the southwest corner of the Howe Properties Incorporated property (recorded in Deed Book 1403, Page 801), said point also being a point in the existing City of Paducah limits;

Thence along the above said right-of-way and with the existing City of Paducah limits, S52°16'09"W a distance of 111.47 ft. to a point;

Thence continuing along the above said right-of-way and with the existing City of Paducah limits, S10°36'30"E a distance of 43.00 ft. to a point;

Thence continuing along the above said right-of-way and with the existing City of Paducah limits, S86°06'32"W a distance of 217.94 ft. to a point;

Thence leaving the above said right-of-way and with the existing City of Paducah limits, S03°53'28"E a distance of 216.26 ft. to a point, said point also being in the south right-of-way line of U.S. Highway 60 (a.k.a. Hinkleville Road), said point also being in the north right-of-way of Old Highway 60;

Thence along the north right-of-way of Old Highway 60 and with the existing City of Paducah limits, S77°52'25"W a distance of 68.99 ft. to a point;

Thence continuing along the above said right-of-way and with the existing City of Paducah limits, S71°09'57"W a distance of 450.86 ft. to a point, said point being the southeast corner of the Michael Johnson property (recorded in Deed Book 1180, Page 194);

Thence leaving the above said right-of-way and with the new City of Paducah limits, N32°15'55"E a distance of 108.12 ft. to a point, said point being in the south right-of-way of U.S. Highway 60 (a.k.a. Hinkleville Road), said point also being the northeast corner of the Michael Johnson property (recorded in Deed Book 1180, Page 194);

Thence continuing along the new City of Paducah limits, N32°18'27"E a distance of 316.03 ft. to a point, said point being in the north right-of-way of U.S. Highway 60 (a.k.a. Hinkleville Road), said point also being in the southeast corner of the Harriet S. Reed, Trustee of the Walter R. Reed Trust under the Walter R. & Harriet S. Reed Revocable Living Trust property (recorded in Deed Book 1198, Page 432);

Thence with the existing City of Paducah limits and along the east property line of the above said Reed Revocable Living Trust property, N32°24'11"E a distance of 338.25 ft. to a point;

Thence continuing along the existing City of Paducah limits and the east property line of the above said Reed Revocable Living Trust property, N32°24'46"E a distance of 259.75 ft. to a point, said point being the northwest corner of the Howe Properties Incorporated property (recorded in Deed Book 1403, Page 801);

Thence with the existing City of Paducah limits and the west property line of the above said Howe Property Incorporated property, S32°24'52"E a distance of 429.19 ft. to the Point of Beginning.

The above described Tract contains 5.220 acres.

[www.bfwengineers.com](http://www.bfwengineers.com)

The above described tract is the entire property of the Harriet S. Reed, Trustee of the Walter R. Reed Trust under the Walter R. & Harriet S. Reed Revocable Living Trust (recorded in Deed Book 1294, Page 758) and a part of Commonwealth of Kentucky - U.S. Highway 60 right-of-way.

The above described Tract is not for Land Title Transfer but for annexation proposes only.

STATE OF KENTUCKY  
K. JET  
3445  
L. J. Wood  
LICENSSED  
PROFESSIONAL  
LAND SURVEYOR  
MAY 12, 2022

# **Agenda Action Form**

## **Paducah City Commission**

Meeting Date: June 28, 2022

Short Title: Consensual Annexation of 1630 North Friendship Road - **J SOMMER**

Category: Ordinance

Staff Work By: Josh Sommer, Nicholas Hutchison

Presentation By: Josh Sommer

**Background Information:** The property owner, Mr. William Evans, has requested consensual annexation into the City of Paducah. The parcel contains approximately 1.93 acres.

Does this Agenda Action Item align with a Commission Priority? Yes

If yes, please list the Commission Priority: Community Growth

Communications Plan:

Funds Available: Account Name:  
Account Number:

Staff Recommendation: Approval.

Attachments:

1. ORD - Annex – Consensual 1630 North Friendship Road
2. Signed annexation request letter
3. 1630 North Friendship Road Annex Plat
4. Tract 1 Desc - signed

ORDINANCE NO. 2022-\_\_\_\_ - \_\_\_\_\_

AN ORDINANCE EXTENDING THE BOUNDARY OF THE CITY OF PADUCAH, KENTUCKY, BY ANNEXING CERTAIN PROPERTY LYING ADJACENT TO THE CORPORATE LIMITS OF THE CITY OF PADUCAH, AND DEFINING ACCURATELY THE BOUNDARY OF SAID PROPERTY TO BE INCLUDED WITHIN THE SAID CORPORATE LIMITS

WHEREAS, the property, approximately 1.93 acres of land located at 1630 North Friendship Road is contiguous to the boundaries of the City of Paducah and particularly and accurately set out in the legal description below; and

WHEREAS, said property is suitable for development for urban purposes without unreasonable delay because of population density, commercial, industrial, or governmental use of land, or subdivision of land; and

WHEREAS, said property does not include any territory that is already within the jurisdiction of another incorporated city, or another county; and

WHEREAS, said property is not part of an agricultural district formed pursuant to KRS 262.850(10); and

WHEREAS, the owners of said property, William Anthony Evans, has requested said consensual annexation in writing to the Board of Commissioners, and he intends to take advantage of the City of Paducah Real Estate Property Tax reimbursement and sanitation incentive; and

WHEREAS, pursuant to KRS 81A.412, a city may annex any area that meets the requirements of KRS 81A.410 if each of the landowners in the area to be annexed gives prior written consent to the annexation; and

WHEREAS, the City of Paducah now wishes to enact a single ordinance annexing the land described herein.

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

SECTION 1. The City of Paducah, Kentucky, annexes into the corporate limits and makes a part of the City of Paducah, Kentucky, said real property being more particularly and accurately described as follows:

**CITY OF PADUCAH ANNEXATION  
LEGAL DESCRIPTION - TRACT 1**

A certain tract of land as surveyed by Kyrun Jett Wood, P.L.S.#3445 and being generally located south of North Friendship Road, Paducah, McCracken County, Kentucky, more particularly described as:

Beginning at a point in the north right-of-way line of North Friendship Road, said point being a point in the existing City of Paducah limits;

Thence along the north right-of-way line of North Friendship Road and with existing City of Paducah limits, S66°54'43"E a distance of 298.35 ft. to a point;

Thence leaving the above said right-of-way line of North Friendship Road and along new City of Paducah limits with the east property line of said Tract 1 and the west property line of the Randy and Melissa Dumes property (recorded in Deed Book 1278, Page 311), S26°28'50"W a distance of 410.53 ft. to a point, said point being the southeast corner of said Tract 1, said point also being in the east property line of the Faith Missionary Baptist Church (recorded in Deed Book 576, page 154);

Thence along the east property line of above said Faith Missionary Baptist Church property and with new City of Paducah limits, N27°39'21"W a distance of 338.13 ft. to a point, said point being the northeast corner of the Faith Missionary Baptist Church property, said point also being the southeast corner of the Bobby G. & Joanna Smith property (no record found), said point also being the northwest corner of said Tract 1;

Thence along the west property line of said Tract 1 and along the east property line of the above said Smith property with new City of Paducah limits, N19°30'51"E a distance of 196.23 ft. to the Point of Beginning.

The above described Tract contains 1.962 acres.

The above described tract is the entire property of William Anthony Evans (recorded in Deed Book 1440, Page 344) and a part of Commonwealth of Kentucky – North Friendship Road right-of-way.

The above described Tract is not for Land Title Transfer but for annexation proposes only.

SECTION 2. The City of Paducah hereby declares it desirable to annex the property described in Section 1 above.

SECTION 3. If any section or portion of this ordinance is for any reason held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, that section or portion shall be deemed severable and shall not affect the validity of the remaining sections of the ordinance.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 5. This ordinance shall be read on two separate days and will become effective upon summary publication pursuant to KRS Chapter 424.

---

George Bray, Mayor

ATTEST:

---

Lindsay Parish, City Clerk

Introduced by the Board of Commissioners, June 28, 2022  
Adopted by the Board of Commissioners, \_\_\_\_\_  
Recorded by Paducah City Clerk, \_\_\_\_\_  
Published by *The Paducah Sun*, \_\_\_\_\_  
ORD\Plan\Annex – Consensual 1630 North Friendship Road

CERTIFICATION

I, Lindsay Parish, hereby certify that I am the duly qualified and acting Clerk of the City of Paducah, Kentucky and that the foregoing is a full, true and correct copy of Ordinance 2022-\_\_ - \_\_\_\_\_ adopted by the Board of Commissioners of the City of Paducah at a meeting held on \_\_\_\_\_.

WITNESS, my hand and seal of the City of Paducah, this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Lindsay Parish, City Clerk

May 4, 2022

City of Paducah Planning Department  
Attn: Joshua P. Sommer  
300 South 5<sup>th</sup> Street  
Paducah, KY 42003

Re: Annexation request

Dear Josh:

I, William Evans, am requesting annexation of 1630 North Friendship Road into the City of Paducah, pursuant to KRS 81A.412. This parcel totals approximately 1.93 acres and meets the requirement of KRS 81A.410. I request to utilize the City of Paducah Real Estate property tax incentive and the sanitation pick up incentive for this property. It is further requested that this parcel be zoned Convenience and Service Zone (B-1) by the Paducah Planning Commission upon annexation.

Thank you,

A handwritten signature in black ink, appearing to read "William Evans", written in a cursive style.

William Evans

**SURVEYOR'S STATEMENT OF RESOURCES**

TRACT 1 DERIVED FROM EXISTING MONUMENTATION, THE FOLLOWING DEED: PROPERTY OF WILLIAM ANTHONY EVANS RECORDED IN DEED BOOK 1440, PAGE 344, AND THE CITY OF PADUCAH'S EXISTING ANNEXATION LIMITS.

**SURVEYOR'S CERTIFICATE:**

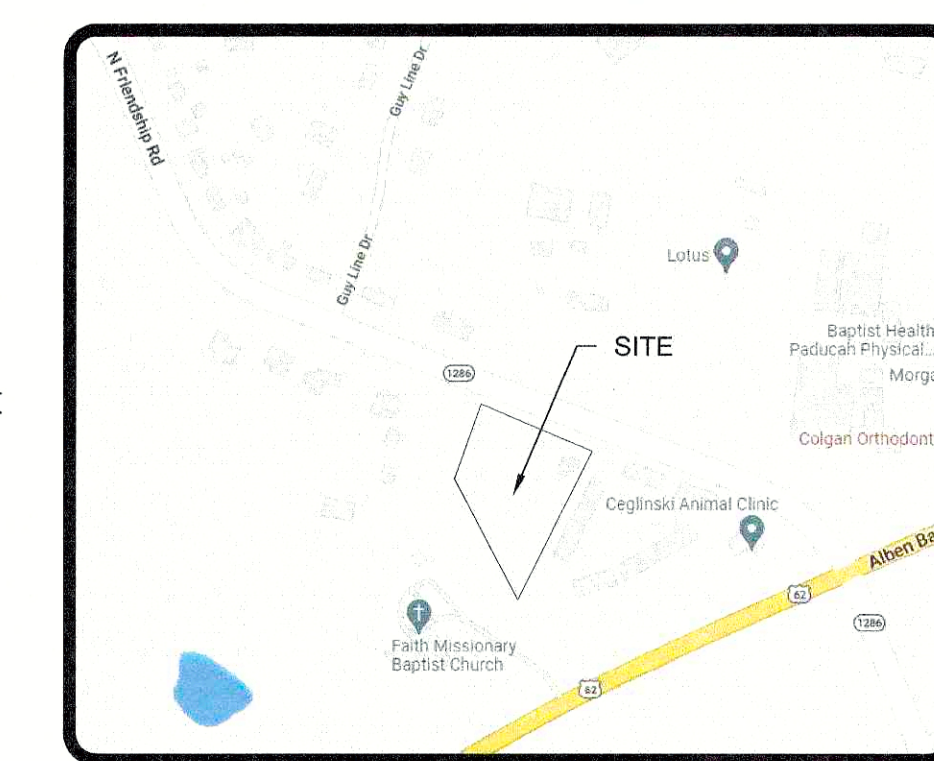
I DO HEREBY CERTIFY THAT THE BOUNDARY INFORMATION SHOWN HEREON WAS PERFORMED UNDER MY DIRECT SUPERVISION BY USING REAL TIME KINEMATIC "RTK" GPS (TOPCON GR3 DUAL FREQUENCY RECEIVERS) HORIZONTAL INFORMATION IS BASED ON AN ONLINE POSITIONING USER SERVICE "OPUS" (NAD 83, KENTUCKY STATE PLANE COORDINATES SOUTH, GEOID 09) BEARINGS AND DISTANCES SHOWN HEREON ARE COMPUTED USING GROUND COORDINATES. THE ACCURACY AND PRECISION OF SAID SURVEY MEETS OR EXCEEDS SPECIFICATIONS OF AN "URBAN" SURVEY. DATE OF SURVEY: MAY 16, 2022



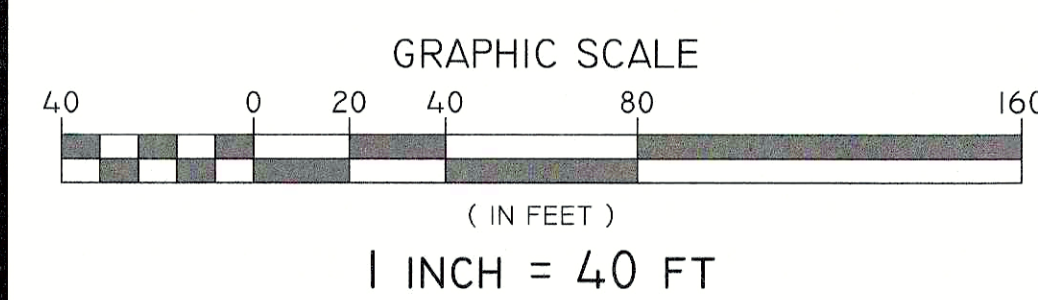
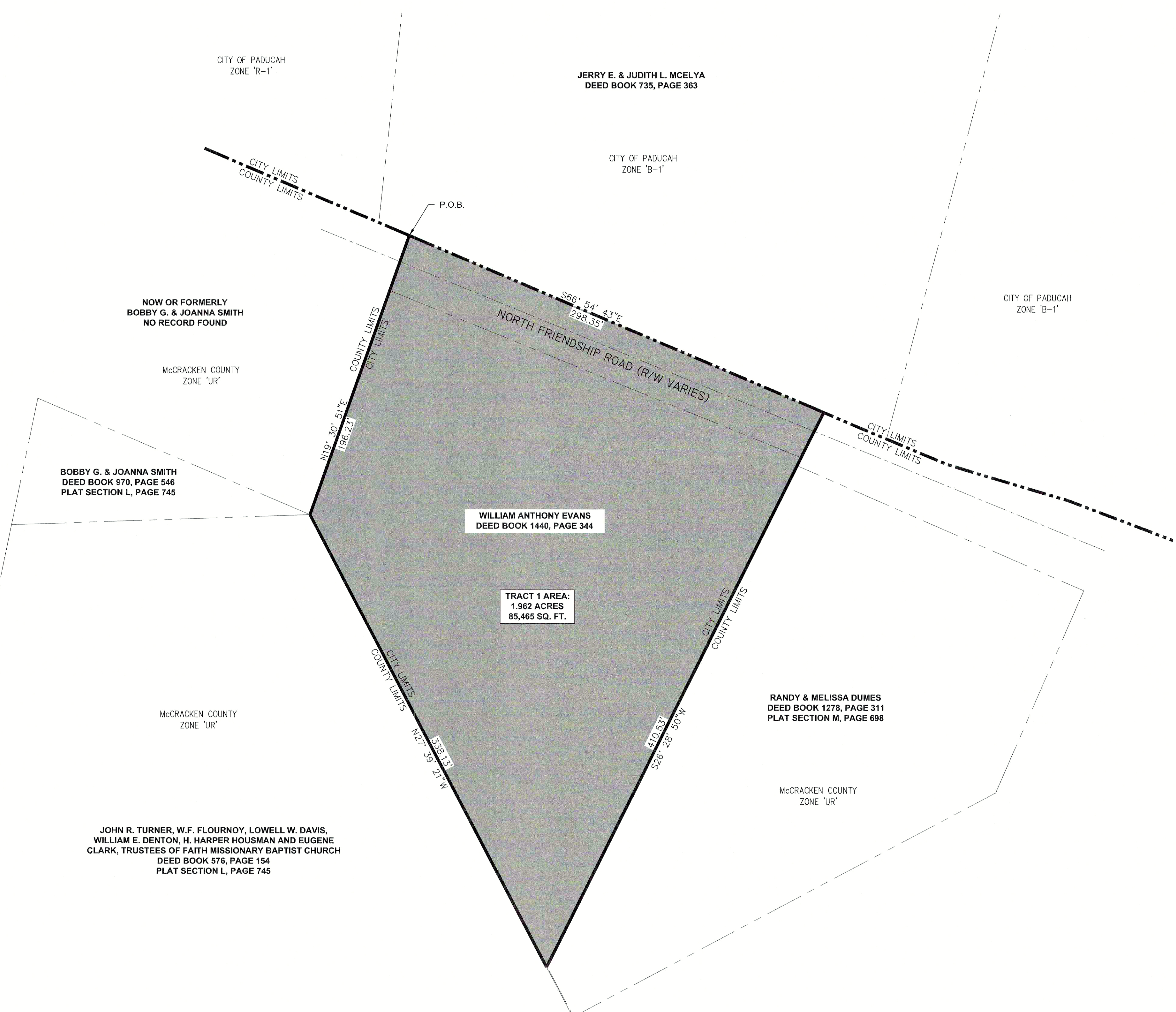
*K. Jett Wood* P.L.S. #3445  
K. JETT WOOD, P.L.S. #3445



BASED ON KENTUCKY STATE PLANE COORDINATE SYSTEM (SOUTH ZONE)



VICINITY MAP



**LEGEND**

- PROPOSED CITY/COUNTY LIMITS
- ADJOINING PROPERTY LINE
- EXISTING CITY/COUNTY LIMITS
- ANNEXATION LIMITS

PROJECT NO. 22230	DATE 5/19/2022	CHECKED BY: KJW
DRAWN BY: KNM	BY: DATE	
REV.   DESCRIPTION		

**BACON | FARMER | WORKMAN**  
ENGINEERING & TESTING, INC.

105 S. COURT STREET  
PADUCAH, KY 40303  
PHONE: 270.241.1000  
FAX: 270.241.1001  
WWW.BFWENGINEERING.COM

CITY OF PADUCAH ANNEXATION  
PROPERTY OF WILLIAM ANTHONY EVANS  
1630 NORTH FRIENDSHIP ROAD  
PADUCAH, McCRACKEN COUNTY, KENTUCKY  
FOR CITY OF PADUCAH, KENTUCKY

SHEET  
**SV1.0**



# BACON | FARMER | WORKMAN

## ENGINEERING & TESTING, INC.

500 SOUTH 17th STREET | PADUCAH, KY 42003

### CITY OF PADUCAH ANNEXATION LEGAL DESCRIPTION - TRACT 1

A certain tract of land as surveyed by Kyrun Jett Wood, P.L.S.#3445 and being generally located south of North Friendship Road, Paducah, McCracken County, Kentucky, more particularly described as:

Beginning at a point in the north right-of-way line of North Friendship Road, said point being a point in the existing City of Paducah limits;

Thence along the north right-of-way line of North Friendship Road and with existing City of Paducah limits, S66°54'43"E a distance of 298.35 ft. to a point;

Thence leaving the above said right-of-way line of North Friendship Road and along new City of Paducah limits with the east property line of said Tract 1 and the west property line of the Randy and Melissa Dumes property (recorded in Deed Book 1278, Page 311), S26°28'50"W a distance of 410.53 ft. to a point, said point being the southeast corner of said Tract 1, said point also being in the east property line of the Faith Missionary Baptist Church (recorded in Deed Book 576, page 154);

Thence along the east property line of above said Faith Missionary Baptist Church property and with new City of Paducah limits, N27°39'21"W a distance of 338.13 ft. to a point, said point being the northeast corner of the Faith Missionary Baptist Church property, said point also being the southeast corner of the Bobby G. & Joanna Smith property (no record found), said point also being the northwest corner of said Tract 1;

Thence along the west property line of said Tract 1 and along the east property line of the above said Smith property with new City of Paducah limits, N19°30'51"E a distance of 196.23 ft. to the Point of Beginning.

The above described Tract contains 1.962 acres.

The above described tract is the entire property of William Anthony Evans (recorded in Deed Book 1440, Page 344) and a part of Commonwealth of Kentucky – North Friendship Road right-of-way.

The above described Tract is not for Land Title Transfer but for annexation proposes only.

