



**SPECIAL CALLED CITY COMMISSION MEETING
AGENDA FOR NOVEMBER 29, 2022
4:00 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

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.

	I.	<u>CONSENT AGENDA</u>	
	A.	Approve Minutes for November 15, 2022 Board of Commissioners Meeting	
	B.	Receive & File Documents	
	C.	Personnel Actions	
	D.	Approve the 2023-2024 Annual Agreement for Kentucky Main Street Designation - N. HUTCHISON	
	E.	Approve a Post-Event Memorandum of Agreement with the City of Mayfield for Assistance Provided under the Emergency Management Mutual Aid Plan - S. KYLE	
	II.	<u>MUNICIPAL ORDER(S)</u>	
	A.	Approve a "City Block" Amended Development Agreement between the City and Weyland Ventures Development, LLC. for development of a hotel, parking, open space, and mixed-use residential building located on the city block bounded by Second Street, Broadway, North Water Street, and Jefferson Street - N. HUTCHISON	

		B.	Approve Vendor Selection and authorize an agreement with Brandstetter Carroll for a Fire Department Feasibility Study in an amount of \$57,500- S. KYLE
	III.	<u>ORDINANCE(S) - ADOPTION</u>	
		A.	Amend Sections 70-5 & 70-32 of the Code of Ordinances related to the Parks & Recreation - A. CLARK
		B.	Amend the Transient Room Tax Ordinance - L. PARISH
	IV.	<u>DISCUSSION</u>	
		A.	911 Discussion
	V.	<u>COMMENTS</u>	
		A.	Comments from the City Manager
		B.	Comments from the Board of Commissioners
		C.	Comments from the Audience
	VI.	<u>EXECUTIVE SESSION</u>	

November 15, 2022

At a Special Called Meeting of the Paducah Board of Commissioners held on Tuesday, November 15, 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 City Clerk, Lindsay Parish, the following answered to their names: Commissioners Gault, Guess, Henderson, Wilson and Mayor Bray (5).

INVOCATION

Commissioner Gault led the invocation.

PLEDGE OF ALLEGIANCE

Mayor Bray led the pledge.

PRESENTATION

In addition to the first ever Community Beautification Award presented to Boy Scout Troop 1 Grace Episcopal Church, members of the Paducah Civic Beautification Board presented annual business awards to the following 12 businesses:

Downtown

- Barrel & Bond, 100 Broadway
- Paducah/McCracken County Health Center, 916 Kentucky Avenue
- Stella's, 202 Broadway
- With Love From Kentucky, 106 Broadway

Lower Town

- The 505, 505 Martin Luther King Jr Drive

Midtown

- Artisan Kitchen, 1704 Broadway
- Revolution H. Salon, 3107 Jackson St.
- LaBelle Plaza, 110 Lone Oak Road
- David Dean Massage Therapy, 111 Nahm Street

Mall Area

- The Gym, 3055 N. Friendship Rd., Unit 1
- Heart to Home Creations, 4746 Hansen Road

Southside

- Bob's Drive-In, 2429 Bridge Street

PROCLAMATION

Mayor Bray presented a Proclamation to Jeff Canter, Main Street Board Chairperson, declaring Saturday, November 26, 2022, "Small Business Saturday."

CONSENT AGENDA

Mayor Bray asked if the Board wanted any items on the Consent Agenda removed for separate consideration. No items were removed for separate consideration. Mayor Bray asked the City Clerk to read the items on the Consent Agenda.

November 15, 2022

I(A)	Approve Minutes for October 25, 2022 Board of Commissioners Meeting
I(B)	<p>Receive and File documents:</p> <p><u>Minute File:</u></p> <ol style="list-style-type: none">1. Memorandum from City Manager Daron Jordan regarding Emergency Procurement Determination – Katterjohn Building – 1501 Broadway Street – See Ord 2022-20-8751 <p><u>Deed File:</u></p> <ol style="list-style-type: none">1. Plat of Property located at 420 South 13th Street – See MO #2638 <p><u>Contract File:</u></p> <ol style="list-style-type: none">1. Memorandum of Understanding between ViWintech Window & Door, Inc. and City of Paducah – MO #26402. GameTime –Coleman (Blackburn) Park Playground – MO #26623. Contract For Services – Barkley Regional Airport Authority – MO #26644. Contract For Services – Galls, LLC – Paducah Police Department Uniforms – MO #26655. Agreement For Paducah Transient Dock Dredging Project – Dredge America, Inc. – MO #26686. Award of CDBG Grant on behalf of the Paducah-McCracken County Senior Center – MO #2669 <p><u>Financials File:</u></p> <ol style="list-style-type: none">1. Electric Plant Board d/b/a Paducah Power System – Financial Statements Years ended June 30, 2022 and 20212. Joint Sewer Agency - Financial Statements Years ended June 30, 2022 and 20213. Paducah Water Works – Month ending September 30, 20224. Barkley Regional Airport Authority Financial Statement Year ended June 30, 2022 <p><u>Bids File:</u></p> <ol style="list-style-type: none">1. Bid for purchase of uniforms and gear for Paducah Police Department for Calendar Years 2023-2024 – MO #26652. Bid Proposal For Paducah Riverfront Transient Dock Dredging Project – Dredge America, Inc. – MO #2668
I(C)	Appointment of Sheryl Chino, Reappointment of Mark Whitlow and Andrew McGlenon, and Joint reappointment of Tom Padgett, Alexandra Sherwood, and Bill Bartleman, to the Paducah-McCracken County Convention Center Board. Said terms shall expire June 30, 2023, June 30, 2024 and June 30, 2025, respectively
I(D)	Appointment of Ashlea McMillan to the Creative & Cultural Council to replace Mary Katz, who resigned. Said term shall expire March 24, 2024
I(E)	Personnel Actions
I(F)	A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE A GRANT APPLICATION AND ALL DOCUMENTS NECESSARY THROUGH THE KENTUCKY DIVISION OF EMERGENCY MANAGEMENT FOR A PERFORMANCE GRANT IN THE AMOUNT OF \$100,000 FOR THE PURCHASE OF AN EMERGENCY GENERATOR FOR FIRE STATION NO. 5 (MO #2670; BK 12)
I(G)	A MUNICIPAL ORDER AUTHORIZING THE PURCHASE OF DUMPSTERS, LIDS AND REPLACEMENT PARTS IN AN AMOUNT NOT TO EXCEED \$130,000 FROM WASTEQUIP THROUGH THE HOUSTON-GALVESTON AREA COUNCIL FOR FY2023 FOR UTILIZATION BY COMMERCIAL BUSINESSES WITHIN THE CITY OF PADUCAH

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	AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATED TO SAME (MO #2671; BK 12)
I(H)	A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH AXON ENTERPRISES, INC. IN THE AMOUNT OF \$55,610.85 FOR THE PURCHASE OF AN INTERVIEW RECORDING SYSTEM FOR THREE INTERVIEW ROOMS AT THE POLICE DEPARTMENT (MO #2672; BK 12)

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).

ORDINANCE EMERGENCY INTRODUCTION AND ADOPTION

APPROVE CHANGE ORDER #1 WITH MIKE GOODE EXCAVATING FOR DEMOLITION SERVICES FOR THE PROPERTY AT 1501 BROADWAY (KATTERJOHN BUILDING)

Commissioner Guess offered Motion, seconded by Commissioner Gault, that the Board of Commissioners introduce and adopt an Emergency Ordinance entitled, “AN ORDINANCE APPROVING A CHANGE ORDER TO THE AGREEMENT FOR DEMOLITION SERVICES WITH MIKE GOODE EXCAVATING TO INCREASE THE AGREEMENT TO A NOT-TO-EXCEED AMOUNT OF \$80,000 FOR EMERGENCY PARTION DEMOLITION SERVICES TO THE KATTERJOHN BUILDING LOCATED AT 1501 BROADWAY; RATIFYING THE CITY MANAGER’S DECLARATION OF AN EMERGENCY AND EXECUTION OF SAID CHANGE ORDER AND DECLARING AN EMERGENCY TO EXIST.” Said Ordinance is summarized as follows: In this Emergency Ordinance the City of Paducah approves Change Order No. 1 to the agreement with Mike Goode Excavating to increase the agreement to a “not to exceed” amount of \$80,000, and ratifies the City Manager’s execution of the declaration of emergency.

Adopted on call of the roll yeas, Commissioners Gault, Guess, Henderson, Wilson and Mayor Bray (5). **(ORD 2022-10-8753; BK 36)**

ORDINANCE INTRODUCTIONS

AMEND CHAPTER 7, SECTION 70-5 AND SECTION 70-32 OF THE CODE OF ORDINANCES

Commissioner Henderson, offered Motion, seconded by Commissioner Wilson, that the Board of Commissioners introduce an Ordinance entitled, “AN ORDINANCE AMENDING CHAPTER 70, SECTION 70-5 “RULES OF CONDUCT FOR RECREATIONAL AREAS” AND SECTION 70-32 “PUBLIC PARKS, PLAYGROUNDS, AND RECREATIONAL AREAS AVAILABLE TO THE PUBLIC” OF THE CODE OF ORDINANCES OF THE CITY OF PADUCAH, KENTUCKY.” This Ordinance is summarized as follows: This Ordinance amends Section 70-5 *Rules of Conduct for Recreational Areas* of the Code of Ordinances to clarify wording related to

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approval of special event permits and update Parks Services to Parks and Recreation. Additionally, this Ordinance amends Section 70-32 *Public Parks, Playgrounds and Recreational Areas Available to the Public* to remove Lanelle Park, add Dolly McNutt Plaza and correct Brooks Park to Brooks Stadium and Park within the list of available parks, playgrounds and recreational areas available to the public.

AMEND TRANSIENT ROOM TAX ORDINANCE

Commissioner Wilson offered Motion, seconded by Commissioner Henderson, that the Board of Commissioners introduce an Ordinance entitled, “AN ORDINANCE OF THE CITY OF PADUCAH AMENDING AN ORDINANCE ENTITLED “AN ORDINANCE ESTABLISHING THE CITY OF PADUCAH TRANSIENT ROOM TAX.” This Ordinance is summarized as follows: This Ordinance amends the Transient Room Tax ordinance of the City of Paducah, Kentucky, to expand the definition of the types of establishments which are subject to transient room tax to include cabins, lodgings, campsites, or other accommodations charged by any hotel, motel, inn, tourist camp, tourist cabin, campgrounds, recreational vehicle parks, or any other place in which accommodations are regularly furnished to transients for consideration or by any person that facilitates the rental of the accommodations by brokering, coordinating, or in any other way arranging for the rental of the accommodations. Further, this Ordinance clarifies that a transient room tax may not apply to rooms, lodgings, campsites, or accommodations supplied for a continuous period of thirty (30) days or more to a person.

DISCUSSIONS:

Communications Manager Pam Spencer provided the following Summaries:

Paducah Main Street Update

“Planning Director Nic Hutchison and Paducah Main Street Chairman Jeff Canter provided an overview of Paducah Main Street successes this year including the appointment of a full nine-member board of downtown stakeholders. The board recently had a training retreat with Kentucky Main Street. Canter says 13 new businesses started in 2022 which created 40 new jobs. Furthermore, downtown saw the addition of 10 new residential units and more than \$2 million in private investment. For 2023, the Paducah Main Street Board would like to focus on enhancing upper Broadway, between 3rd and 7th Streets.”

Stormwater/Roadway Projects Update

“City Engineer Rick Murphy updated the Paducah Board of Commissioners on prominent stormwater/roadway improvement projects that are underway in Paducah by showing before and during construction pictures. All of these projects are scheduled to be completed by the end of this year.

- *Roadways* – Several roads are being improved with new pavement and the addition of curbs and gutters including sections of South 6th Street, Caldwell Street, Husbands Street, 22nd Street near Elmwood Court, Brooks Stadium Drive, and South 25th Street. South 25th Street also includes the addition of sidewalks.

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- *Buckner Lane Bridge and Crooked Creek Mitigation Project* – This project began in late May. This comprehensive project improves the two-lane section of Buckner Lane between Hansen Road and Pecan Drive and replaces the dilapidated Buckner Lane bridge over Crooked Creek near the intersection with Buckner Lake Circle. This project also includes the installation of a larger box culvert under Oakcrest Drive near the intersection with Buckner Lane. This project will improve stormwater conditions in the area by reducing the number of times Crooked Creek comes out of its banks due to severe storm events. Also, the drainage ditch adjacent to Buckner Lane is being improved by lining it with concrete to reduce overgrowth and to enhance stormwater flow by improved efficiency. The last phase of the project will be improving the Buckner Lane roadway by increasing the lane widths, adding four-foot wide shoulders, and paving.”

ARPA Fund Allocation Discussion

“City Manager Daron Jordan discussed the funding allocations for the approximately \$6.55 million in American Rescue Plan Act of 2021 (ARPA) funds that the City of Paducah is receiving. The City has obligated \$4 million of the \$6.55 million to stormwater projects including the Buckner Lane Bridge and South 25th Street projects discussed earlier in the meeting. Additional committed projects include funding to the Industrial Development Authority (\$98,928), ViWinTech (\$172,000) to assist with the demolition of the former Residential Care Center, renovation of the Robert Cherry Civic Center (\$1.8 million), playground equipment for Robert Coleman Park (\$45,000), and emergency demolition services for a portion of the Katterjohn Building (\$80,000). Improving the floodwall lighting (\$45,000) is the latest project identified for ARPA funding. At this time, approximately \$295,000 remains uncommitted.”

Commission Priorities Quarterly Report

“Assistant City Manager Michelle Smolen updated the Board on the progress of the 10 priorities adopted following the February strategic planning retreat. 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 improvement action items: stormwater, city facilities, and the outdoor sports complex. Visit [Commission Priorities](#) for more information including the latest report.”

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COMMENTS

City Manager

- There will be no Commission meeting on November 22. Instead, the community is invited to join the Paducah Board of Commissioner at 5 p.m. on Water Street by the large floodwall opening for music and the lighting of a new 20-foot tall Christmas tree, as well as other lighting in the downtown area.
- He and several members of Fire Command Staff attended graduation for our six new Fire recruits.

Mayor

- Beautiful Paducah announced that BBQ on the River raised over \$407,000 for local charities. Whitney reported that she received good feedback from vendors on ways to improve for 2023.

Commission

- Commissioner Gault gave a brief update on the 911 Oversight Committee. The next meeting will be held November 28. They are in discussion regarding funding of the 911 infrastructure and services.

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 topic:

- 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 Gault, that the Paducah Board of Commissioners reconvene in open session.

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

ADJOURN

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

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

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TIME ADJOURNED: 7:05 p.m.

ADOPTED: December 13, 2022

George P. Bray, Mayor

ATTEST:

Lindsay Parish, City Clerk

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RECEIVE AND FILE DOCUMENTS:

Minute File:

1. Notice of Special Called Meeting of the Board of Commissioners of the City of Paducah, Kentucky dated November 10, 2022
2. Amended Notice of Special Called Meeting of the Board of Commissioners of the City of Paducah, Kentucky dated November 14, 2022
3. Notice of Cancellation of the Board of Commissioners Meeting scheduled for November 22, 2022.
- 4.

Deed File:

1. Quitclaim Deed – City of Paducah, Kentucky and 4WK Properties, LLC – ORD 2022-09-8748
2. Quitclaim Deed – City of Paducah and Jackson Purchase Two-Way Radio Service, Inc. – ORD 2022-09-8748
3. Quitclaim Deed – City of Paducah and TC-3 LLC – ORD 2022-10-8750

Contract File:

1. Commonwealth of Kentucky, Department of Housing, Buildings and Construction – Agreement with City of Paducah Granting HVAC Plan Review, Permitting and Inspection Responsibility pursuant to KRS 198B.6673(2) – MO #2596
2. Commonwealth of Kentucky, Department of Housing, Buildings and Construction – Agreement with City of Paducah Granting Additional Responsibility pursuant to KRS 198B.060(5) – MO #2596
3. Contract with WasteQuip – Purchase of Solid Waste Dumpsters – MO #2671
4. Contract with Axon Enterprises, Inc. for Interview recording system – MO #2672

CITY OF PADUCAH
November 29, 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

11/22/2022

Date

**CITY OF PADUCAH
PERSONNEL ACTIONS
November 29, 2022**

NEW HIRES - FULL-TIME (F/T)					
<u>POLICE</u>	<u>POSITION</u>	<u>RATE OF PAY</u>	<u>NCS/CS</u>	<u>FLSA</u>	<u>EFFECTIVE DATE</u>
Dotson, Coy T.	Recruit Officer / Patrolman	\$24.87/hr	NCS	Non-Ex	December 29, 2022
<u>TECHNOLOGY</u>	<u>POSITION</u>	<u>RATE OF PAY</u>	<u>NCS/CS</u>	<u>FLSA</u>	<u>EFFECTIVE DATE</u>
Holbrook, Spencer W.	Help Desk Technician	\$18.25/hr	NCS	Non-Ex	December 1, 2022

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

<u>FINANCE</u>	<u>PREVIOUS POSITION AND BASE RATE OF PAY</u>	<u>CURRENT POSITION AND BASE RATE OF PAY</u>	<u>NCS/CS</u>	<u>FLSA</u>	<u>EFFECTIVE DATE</u>
Gray, Kristi L.	Senior Accountant \$31.75/hr	Senior Accountant \$32.70/hr	NCS	Ex	November 17, 2022
<u>FIRE - PREVENTION</u>					
Clark, Kyle C.	Deputy Building Inspector \$26.69/hr	Deputy Building Inspector \$27.22/hr	NCS	Non-Ex	November 17, 2022
Fugate, Leslie L.	Chief Building Inspector \$36.78/hr	Chief Building Inspector \$37.52/hr	NCS	Non-Ex	November 17, 2022
Simmons, Nathan M.	Deputy Fire Marshal \$28.73/hr	Deputy Fire Marshal \$29.02/hr	NCS	Non-Ex	November 17, 2022
Tinsman, April K.	Deputy Fire Marshal \$32.68/hr	Deputy Fire Marshal \$33.66/hr	NCS	Non-Ex	November 17, 2022
Utz, Stephen	Code Enforcement Officer \$25.07/hr	Code Enforcement Officer \$25.82/hr	NCS	Non-Ex	November 17, 2022
Willett, Franklin M.	Code Enforcement Officer \$21.50/hr	Code Enforcement Officer \$21.93/hr	NCS	Non-Ex	November 17, 2022

TERMINATIONS - PART-TIME (P/T)

<u>TECHNOLOGY</u>	<u>POSITION</u>	<u>REASON</u>	<u>EFFECTIVE DATE</u>
Lott, Jessica	GIS Specialist	Termination	November 30, 2022

TERMINATIONS - FULL-TIME (F/T)

<u>FIRE - SUPPRESSION</u>	<u>POSITION</u>	<u>REASON</u>	<u>EFFECTIVE DATE</u>
Dawes, Darrick	Relief Driver / EMT	Resignation	December 3, 2022
<u>PUBLIC WORKS</u>	<u>POSITION</u>	<u>REASON</u>	<u>EFFECTIVE DATE</u>
Matlock, Russell S.	Truck Driver	Termination	November 8, 2022

Agenda Action Form

Paducah City Commission

Meeting Date: November 29, 2022

Short Title: Approve the 2023-2024 Annual Agreement for Kentucky Main Street Designation - N.
HUTCHISON

Category: Municipal Order

Staff Work By: Nicholas Hutchison
Presentation By: Nicholas Hutchison

Background Information: The Annual Agreement for Kentucky Main Street Designation is signed each year between the City of Paducah and Kentucky Main Street. It provides a comprehensive list of requirements and benefits for active participation in the Kentucky Main Street program. Additionally, the document specifies the requirements that are needed in order to obtain full accreditation.

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:
Account Number:

Staff Recommendation: Approval.

Attachments:

1. MO - MOU-Kentucky Main Street 2023-2024
2. 2023 KYMS MOU (1)

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE A 2023-2024 ANNUAL AGREEMENT BETWEEN THE CITY OF PADUCAH AND KENTUCKY MAIN STREET RELATED TO REQUIREMENTS FOR MAIN STREET ACCREDITATION

WHEREAS, an agreement is signed each year between the City of Paducah and Kentucky Main Street, that establishes specific requirements that are needed in order to maintain full Main Street accreditation; and

WHEREAS, the City of Paducah now desires to enter into said 2023-2024 Annual Agreement.

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY

SECTION 1. That the City of Paducah hereby authorizes the Mayor to execute a 2023-2024 Annual Agreement, in substantially the form attached hereto and made part hereof (Exhibit A), between the City of Paducah and Kentucky Main Street to set forth the requirements that are needed for Paducah Main Street to maintain its accreditation.

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

Mayor George Bray

ATTEST:

Lindsay Parish, City Clerk

Adopted by the Board of Commissioners, November 29, 2022
Recorded by Lindsay Parish, City Clerk, November 29, 2022
\\mo\MOU-Kentucky Main Street 2023-2024

Exhibit A



Name of City/Town: _____

Date: _____

2023-2024 Annual Agreement Kentucky Main Street® Designation

Designated Main Street communities (Main Street Director and the Mayor/City Manager) must sign this document and return to the Kentucky Main Street no later than January 15, 2023, to remain active in the program.

A signed document confirms that the local Main Street program has a thorough understanding of the benefits and requirements of active participation in the Kentucky Main Street program. The Main Street Director should share a copy of the signed document with the Main Street Board of Directors.

Program Background

Nationally:

Main Street America™ has been helping revitalize older and historic commercial districts for more than 40 years. Today it is a network of more than 1,200 neighborhoods and communities, rural and urban, who share both a commitment to place and to building stronger communities through preservation-based economic development. Main Street America is a program of the nonprofit National Main Street Center, a subsidiary of the National Trust for Historic Preservation.

Main Street America is a mark of distinction. It is a seal, recognizing that participating programs, organizations, and communities are part of a national movement with a proven track record for celebrating community character, preserving local history, and generating impressive economic returns. Since 1980, over 2,000 communities have been part of Main Street, bringing renewed energy and activity to America's downtowns and commercial districts, securing more than \$89.57 billion in new investment creating 687,321 net new jobs and rehabilitating 303,836 buildings.

Main Street America is a time-tested strategy. Main Street America communities are encouraged to make use of a time-tested approach, known as the Main Street Approach. The Main Street Approach is rooted in a commitment to broad-based community engagement, a holistic understanding of the factors that impact the quality of life in a community, and strategic focus on the core principles of downtown and neighborhood revitalization: Economic Vitality, Quality Design, Effective Promotion, and Sustainable Organization. For more information, visit www.mainstreet.org.

In Kentucky:

The Kentucky Main Street (KYMS) is a program of the Kentucky Heritage Council who is the licensed agency that is charged with administering the Main Street program throughout the state. The agency is committed to following the program guidelines and licensing agreement as outlined by the National Main Street Center and signed by the Kentucky Main Street program.

The Kentucky Main Street program designates communities as a “Kentucky Main Street community”. When designated, the local city or town government, and specifically the chief elected official, is notified of the designation in addition to the local program.

Since 1979, many communities have directly benefitted from the Kentucky Main Street program, bringing economic strength to Kentucky’s downtown commercial districts, securing \$4.8 billion in new investment creating more than 33,880 net new jobs and 5503 rehabilitating buildings.

Benefits for KY Main Street Communities

Kentucky Main Street communities’ benefit from the following:

Partnership:

- Communities selected to participate in the Main Street program become partners with the Kentucky Main Street program in a long-term, asset-based economic development effort that has proven to have a positive impact on investment and job creation.
- Main Street communities are limited in number and therefore receive focused and personal attention from KY Main Street staff.
- Kentucky communities are selected through a competitive process and only a few are designated; therefore, Main Street designation is an honor bestowed upon only a few special communities.
- In the first several years of a local Main Street program, the state of Kentucky invests approximately \$50,000 in on-site visits, training, and technical assistance. After the initial start-up phase, the state annually invests approximately \$5,000 in each Main Street community in the form of ongoing town-specific technical assistance, and statewide and on-site training for directors and volunteers.

Training:

- Main Street communities are eligible to attend and participate in the KY Main Street Conference, KY Main Street Basic Training, Board and Committee Training, KY Main Street Directors’ Meetings, Regional Meetings, and subject specific workshops.
- Kentucky Main Street communities attend two required state conferences each year.

Technical Assistance:

- The Kentucky Main Street program staff guides designated communities through a strategic planning process which helps communities create a vision, develop economic development strategies that will transform downtown, and produce action plans so that limited resources are focused, and results are magnified.
- The Kentucky Main Street staff guides participating communities through board development, volunteer development and downtown director training.
- The Kentucky Main Street staff provides guidance and support to communities on ways to find and develop financial resources.
- Property and business owners in Main Street cities receive free building exterior (façade) design recommendations from design specialists at the Kentucky Heritage Council.

- The Kentucky Main Street staff provides guidance and training on the best practices for leveraging tourism based economic development in association with other agencies.
- Kentucky Main Street/Kentucky Heritage Council staff has extensive experience in organizational development and nonprofit management, historic preservation, building rehabilitation, historic preservation tax credits, incentive programs, marketing, image building, special event development, communications, and a range of other pertinent areas.
- The Kentucky Main Street staff is among the nation's authorities on downtown development with experience helping Kentucky towns with revitalization challenges.
- The Kentucky Main Street staff may assist communities with Main Street Director recruitment process.
- The Kentucky Main Street staff conducts an annual program assessment and review of each Main Street program.
- The Kentucky Main Street staff conducts an annual budget and salary analysis of Main Street programs.
- The Kentucky Main Street staff conducts an annual statistical data collection and analysis.

Network:

- Kentucky Main Street Affiliate and Accredited communities may use the Main Street trademarks on materials designed to promote the work of their program in collaboration with the State of Kentucky and the National Main Street Center.
- The Kentucky Main Street network possesses some of the most experienced downtown development professionals in the country.
- Main Street communities may take advantage of and participate in a special network of Main Street cities statewide and nationally, with over 1,200 communities across the nation, and 45 city, state, and regional Coordinating Programs, that participate in the Main Street program. This allows them to learn best practices, techniques, and strategies for downtown development.

Funding:

- When available, Main Street communities are eligible to apply for downtown revitalization funding programs to assist small business development and property rehabilitation.
- When available, Nationally **Accredited** Main Street communities are eligible to apply for funding programs through the National Main Street Center.
- The Kentucky Main Street program distributes a funding opportunities of federal, state, corporate and foundation sources commonly used for funding downtown projects.

Resources:

- Through the Kentucky Main Street program, communities can identify resource people, consultants, and specialists on topics of interest to the community.

Economic Impact:

- Since 1979 when the program began, Main Street communities in Kentucky have had over \$4.8 billion in new investment in their downtowns, a net gain of 6,373 new businesses and a net gain of over 33,880 new jobs. This is serious economic development!
- The Kentucky Main Street staff facilitates statewide economic impact studies and collects data to determine trends in Main Street and Small Town Main Street communities.

Marketing & Recognition:

- Accredited Kentucky Main Street communities are eligible to receive statewide recognition through the Kentucky Main Street Award program.
- In addition, designated communities are eligible for recognition by the National Main Street Center as a Nationally Accredited or Affiliate Main Street community.
- Kentucky Main Street communities receive marketing and recognition through the weekly newsletter, social media sites and website.
- Nationally Accredited Main Street communities are eligible to apply for national recognition through the Great American Main Street Awards® (GAMSA), a program of the National Main Street Center.
- Kentucky Main Street communities receive publicity about their programs through press releases distributed through the Kentucky Main Street program, the Kentucky Heritage Council and the Tourism, Arts, and Heritage Cabinet through updates and annual reports, Main Street presentations, and social media sites.

*Note – in the event of a natural disaster or pandemic event, programs and services may be changed, conducted virtually, or cancelled in accordance to recommended guidelines from the Center for Disease Control and KY State Emergency Management.

Requirements of Accredited Kentucky Main Street Communities

1. Participate in all services provided to the local community by the Kentucky Main Street program.
2. Employ a full-time – 37.5-40 hours/week paid professional Main Street Director, who is dedicated to downtown and will coordinate and facilitate the work of the program. Communities with a population of 5,000 + must employ a full time director. Communities with a population of 5,000 or less MAY employ a part-time - 20+ hours/week position paid professional Main Street Director.
 - The Main Street Director should be paid a salary consistent with those of other community development professionals within the city, state, or region in which the program operates.
 - The Director should be adequately trained — and should continue learning about revitalization techniques and about issues affecting traditional commercial districts.
 - The Director should have a written job description that correlates with the roles and responsibilities of a Main Street Director.
 - There should be a formal system in place for evaluating the performance of the Director on an annual basis.
 - Adequate staff management policies and procedures should be in place.
3. Obtain a 501(c) 3, 4, or 6 nonprofit designation OR be designated as a department of the local municipal government.

4. Establish broad-based support for the commercial district revitalization process with strong support from both the public and private sectors.
 - The Main Street organization should have the active participation of various stakeholders at the committee and board levels.
 - Participants should contribute financial, in-kind, and volunteer support for the revitalization program.
 - Participants should look for, and act on, opportunities to make connections between other programs or organizations to form partnerships that help further the revitalization process.
 - The program should include an ongoing process for volunteer recruitment, orientation, and recognition, constantly refreshing its pool of volunteers and involving new people each year.
 - The revitalization program has broad-based philosophical support from the community.
 - Municipal government demonstrates a philosophical commitment to commercial district revitalization.

5. Establish and maintain an active Board of Directors and Committees using the Main Street Four-Point Approach® and develop a comprehensive Main Street Transformation Work Plan using the Main Street Four-Point Approach®. Main Street revitalization by nature is a community-driven process. Therefore, community members must take an active role in leading and implementing positive change. While the Director is responsible for facilitating the work of volunteers, this staff member is not tasked with single-handedly revitalizing the commercial district. The direct involvement of an active board of directors and committees are keys to success. If a Main Street organization is housed within another entity (e.g., a community development corporation), it is still important to have its own board of directors and committee structure.
 - The board is a working, functional board that understands its roles and responsibilities and is willing to put forth the effort to make the program succeed.
 - Committee members assume responsibility for the implementation of the work plan.
 - The program has a dedicated governing body, its own rules of operation, its own budget, and its own bylaws, and is empowered to carry out Main Street's mission, even if the Main Street program is a part of a larger organization.
 - The board has well-managed, regular monthly meetings, with an agenda and regular distribution of minutes.
 - Committees have regularly scheduled meetings with an agenda that addresses the committee work plan.

6. Establish an annual transformation work plan/planning process for downtown.

A comprehensive annual work plan provides a detailed blueprint for the Main Street program's activities; reinforces the program's accountability both within the organization and in the broader community; and provides measurable objectives by which the program can track its progress.

 - The work plan should contain a balance of activities in each of the four broad program areas that comprise the Main Street approach — Economic Vitality, Quality Design, Effective Promotion, and Sustainable Organization.
 - The work plan should contain measurable objectives, including timelines, budgets, desired outcomes, and specific responsibilities.
 - The work plan should be reviewed, and a new one should be developed annually.
 - Ideally, the full board and committees will be involved in developing the annual work plan. At a minimum, the full board should adopt/approve the annual work plan.
 - The work plan should distribute work activities and tasks to a broad range of volunteers and program participants.

- There has been significant progress in each of the four points based on the work plan submitted for the previous year.
7. Adopt and exhibit a Historic Preservation Ethic and design management program. Historic preservation is central to the Main Street program's purpose and is what makes historic and traditional commercial districts authentic places. Historic preservation involves saving, rehabilitating, and finding new uses for existing buildings, as well as intensifying the uses of the existing buildings, through building improvement projects and policy and regulatory changes that make it easier to develop property within the commercial district. Good buildings bring good businesses and enhance the quality of life and sense of place for locals and visitors.
- The program has, or is working toward putting in place, an active and effective design management program (which may include financial incentives, design assistance, regulatory relief, design review, education, and other forms of management).
 - The program encourages appropriate building renovation, restoration, and rehabilitation projects.
 - When faced with a potential demolition or substantial structural alteration of a significant, historic, or traditional building in the Main Street district, the program actively works to prevent the demolition or alteration, including working with appropriate partners at the state, local, or national level to attempt to stay or alter the proposed activity; developing alternative strategies for the building's use; and/or educating local leaders about the importance of retaining existing buildings and maintaining their architectural integrity.
 - The program works to find creative adaptive use, financing, and physical rehabilitation solutions for preserving old buildings.
 - The program recognizes the importance of planning and land-use policies that support the revitalization of existing commercial centers and works toward putting planning and land-use policies in place that make it as easy (if not easier) to develop property within the commercial district as it is outside the commercial district. Similarly, it ensures that financing, technical assistance, and other incentives are available to facilitate the process of attracting investment to the historic commercial district.
 - The program builds public awareness for the commercial district's historic buildings and for good design.
8. Demonstrate an established vision for downtown and a mission that defines the role of the organization that will manage the downtown initiative.
- The organization has an appropriate written mission statement.
 - The mission statement is reviewed annually and updated as appropriate.
 - The organization has an appropriate written vision statement for downtown that is reviewed annually and updated as appropriate. The vision statement should define the economic potential of downtown.
9. New Main Street Director attendance at Main Street Orientation within three to six months of start date (if not previously attended).
10. Fund the local Main Street program through both public and private partnerships at a level allowing for full implementation of the program based on the Four-Point Approach® and the adopted annual work plan. The Main Street program's budget should be adequate to achieve the program's goals. The dollar amount that is "adequate" for a program budget may vary.
- The budget should be specifically dedicated to revitalizing the commercial district.

- The Main Street program's budget should contain funds adequate to cover the salary and benefits of staff; office expenses; travel; professional development; and committee activities.
 - Revenue sources are varied and broad-based, including appropriate support from the local government.
 - There is a strategy in place to help maintain stable funding.
 - There is a process in place for financial oversight and management.
 - Regular monthly financial reports are made by the treasurer to the board.
11. Main Street Director's attendance at two annual Kentucky Main Street Conferences. (In the case of a vacancy or illness/emergency, a substitution for the director may be made for this meeting). Minimum of one volunteer attendance at one of the Kentucky Main Street Conferences
 12. Main Street Director (or Volunteer if Director cannot) attendance at regional meetings each year. (Held quarterly)
 13. Maintain and update as appropriate your community's Main Street information on your website. The city should also have a link to the Main Street web-site.
 14. Submit statistical data quarterly
 15. Maintain an annual membership with the National Main Street Center at a \$375 [Main Street America Community Member](#) level.
 16. Place the Accredited *National Main Street Community* logo and the Kentucky Main Street logo on the Main Street program website and use the logo when appropriate on social media, email, and marketing materials.
 17. Main Street Program must also sign and follow the National Main Street sublicense agreement and must comply with all Accredited or Affiliate community requirements. Logos and Website language is sent annually following receipt of signed agreements.

Benefits of Membership with The National Main Street Center

Accredited Main Street Member

(Required for all active, designated Kentucky Main Street and Network Main Street communities)

As a designated Main Street Member, your program, is a recognized leader among the largest network of commercial district organizations in the world. Tap into the expertise of our large network of Main Street Programs, CDC's, planners, local government agencies, consultants, and others to learn, research and share useful experience with each other. This guide explains the benefits of membership and how to access these tools.

We want you to get as much out of your membership as possible! Please contact us if you require any assistance with your benefits.

Your benefits include:

- Exclusive eligibility to be recognized as an Affiliate or Accredited Main Street America program.
- Exclusive eligibility to enter into a Licensing Agreement with the NMSC, or your Coordinating Program, to use Main Street America™ name and logo.
- Eligibility to apply for the Great American Main Street Awards and other special awards and grant programs.
- Up to six free sub-memberships to share access to resources with your team
- Access to The Point, our exclusive online member networking platform.
- Access to *Main Street News*, a weekly newsletter on new trends, stories from the field, and need-to-know information for those in the commercial district revitalization field.
- Members-only rates at the annual Main Street Now Conference, and the Main Street America Institute.
- *State of Main*, our annual printed publication.
- Access to our digital library of must-read revitalization publications and resource guides, including exclusive training materials on the Main Street Approach and full archives of the Main Street Now journal.
- Free online training opportunities.
- Full access to the Main Street Resource Center with sample documents, articles, reports, and more from your peers and experts in the field—all at your fingertips.
- Ability to post job openings for your local program through the National Trust for Historic Preservation's online Career Center.
- Access to tailored insurance products from the National Trust Insurance Services, LLC.
- Family level membership with the National Trust for Historic Preservation including a subscription to *Preservation* magazine.
- And more!

Annual Dues: \$375

Information from:

<https://www.mainstreet.org/join>

Signature Page

1. Designated Main Street City/Town: _____

2. Name of Local Main Street Administrating Organization: _____

3. Check Which One Applies:

Public (City/Town) Administered

Private (Non-Profit) Administered

Quasi Public-Private (Town/Non-Profit) Administered

4. Name of Main Street Director: _____

Title: _____

Signature: _____

Date: _____

5. Name of Mayor/City Manager: _____

Title: _____

Signature of City/Town Manager: _____

Date: _____

Agenda Action Form Paducah City Commission

Meeting Date: November 29, 2022

Short Title: Approve a Post-Event Memorandum of Agreement with the City of Mayfield for Assistance Provided under the Emergency Management Mutual Aid Plan - **S. KYLE**

Category: Municipal Order

Staff Work By: Steve Kyle
Presentation By: Steve Kyle

Background Information: This Municipal Order approves a Memorandum of Agreement between the City of Paducah and the City of Mayfield for assistance provided under the Emergency Management Mutual Aid Plan related to the December 2021 tornado event in Mayfield, Kentucky.

On December 10, 2021, a severe tornado followed a path directly through the City of Mayfield, severely damaging personal property, city buildings and infrastructure. The City of Mayfield lost access to City Hall, the Police Station, and the Main Fire Station. The City was covered in wind blown debris, and there were significant search and rescue missions due to the number of homes and businesses impacted by the storm. On 12/12/2021 a Presidential Declaration of Emergency (FEMA-4630-DR) was issued. The Mayor of the City of Mayfield requested the mutual aid assistance of The City of Paducah, pursuant to the Emergency Management Mutual Aid Plan to provide emergency management support in connection with the DR 4630 Severe Storms, Straight Line Winds, Flooding, and Tornadoes. The City of Paducah provided emergency management mutual aid consisting of emergency management personnel, equipment, and/or materials from December 11, 2022 through December 16, 2022 to assist with emergency management services.

This Agreement ensures that the City of Mayfield will reimburse all reasonable costs associated with the City of Paducah emergency management mutual aid assistance during the tornado event in accordance with the Emergency Management Mutual Aid Plan. Further, the Agreement provides that the City of Paducah agrees to document all of the mutual aid assistance costs related to the tornado event.

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: Authorize the Mayor to sign the Post-Event Agreement.

Attachments:

1. MO - MOA – Mutual Aid Mayfield Tornado 2021
2. City of Mayfield_Post Disaster MOA_The City of Paducah

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF AGREEMENT WITH THE CITY OF MAYFIELD PERTAINING TO ASSISTANCE PROVIDED UNDER THE EMERGENCY MANAGEMENT MUTUAL AID PLAN

WHEREAS, on December 10, 2021, a severe tornado followed a path directly through the City of Mayfield, severely damaging personal property, city buildings and infrastructure; and

WHEREAS, On December 12, 2021, a Presidential Declaration of Emergency (FEMA-4630-DR) was issued; and

WHEREAS, the Mayor of the City of Mayfield requested the mutual aid assistance of the City of Paducah, pursuant to the Emergency Management Mutual Aid Plan, to provide emergency management support in connection with the FEMA-4630-DR Severe Storms, Straight Line Winds, Flooding, and Tornadoes; and

WHEREAS, the City of Paducah provided emergency management mutual aid consisting of emergency management personnel, equipment, and/or materials from December 11, 2022 through December 16, 2022, to assist with emergency management services; and

WHEREAS, the City of Paducah now desires to enter into a Memorandum of Agreement with the City of Mayfield related to reimbursement for mutual aid services provided during the tornado event.

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY

SECTION 1. That the City of Paducah hereby authorizes the Mayor to execute a Mutual Aid Agreement, in substantially the form attached hereto and made part hereof (Exhibit A), between the City of Paducah and the City of Mayfield pertaining to assistance provided under the Emergency Management Mutual Aid Plan.

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

Mayor George Bray

ATTEST:

Lindsay Parish, City Clerk

POST-EVENT AGREEMENT

MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE CITY OF PADUCAH AND THE CITY OF MAYFIELD PERTAINING TO ASSISTANCE PROVIDED UNDER THE EMERGENCY MANAGEMENT MUTUAL AID (EMMA) PLAN

NOTE: Use of such an agreement does not guarantee state or federal reimbursement.

WHEREAS, this event and associated conditions will collectively be referred to as DR 4630 Severe Storms, Straight Line Winds, Flooding, and Tornadoes; and

WHEREAS, on 12/10/2021, this declared emergency event consists of Severe Storms, Straight Line Winds, Flooding, and Tornadoes; and

WHEREAS, the following extreme conditions exist: A severe tornado followed a path directly through the City of Mayfield, severely damaging personal property, city buildings and infrastructure. The City lost access to City Hall, the Police Station, and the Main Fire Station. The City was covered in wind blown debris, and there was a significant search and rescue missions due to the number of homes and business impacted by the storm; and

(If applicable) WHEREAS, on 12/12/2021 a Presidential Declaration of Emergency (FEMA-4630-DR) was issued; and

WHEREAS, the Emergency Management Mutual Aid Plan delineates the current state policy concerning Emergency Management Mutual Aid; and

WHEREAS, the Emergency Management Mutual Aid Plan describes the standard procedures used to acquire emergency management mutual aid resources and the method to ensure coordination of emergency management mutual aid planning and readiness; and

WHEREAS, the county emergency manager is the Operational Area Emergency Management Mutual Aid Coordinator; and

WHEREAS, Emergency Management Mutual Aid Plan provides, in pertinent part, “When an emergency develops or appears to be developing which cannot be resolved by emergency management resources within an Operational Area, it is the responsibility of the Operational Area Mutual Aid Coordinator to provide assistance and coordination to control the problem;” and

WHEREAS, the Emergency Management Mutual Aid Plan provides, in pertinent part, “A request for emergency management mutual aid requires the approval of an authorized official of the requesting jurisdiction;” and

WHEREAS, the Mayor of the City of Mayfield requested the mutual aid assistance of The City of Paducah, pursuant to the Emergency Management Mutual Aid Plan to provide emergency management support in connection with the DR 4630 Severe Storms, Straight Line Winds, Flooding, and Tornadoes; and

WHEREAS, The City of Paducah provided emergency management mutual aid consisting of emergency management personnel, equipment, and/or materials from December 11, 2022 through December 16, 2022

to assist with emergency management services in connection with the DR 4630 Severe Storms, Straight Line Winds, Flooding, and Tornadoes; and

POST-EVENT AGREEMENT

WHEREAS, The City of Paducah agrees to document all of its mutual aid assistance costs related to the DR 4630 Severe Storms, Straight Line Winds, Flooding, and Tornadoes; as attachments to this MOA and submit to the City of Mayfield as soon as practicable;

NOW, THEREFORE, IT IS HEREBY AGREED by and between the City of Mayfield and The City of Paducah that the City of Mayfield shall reimburse all reasonable costs associated with City of The City of Paducah emergency management mutual aid assistance during the DR4630 Severe Storms, Straight Line Winds, Flooding, and Tornadoes.

Providing Jurisdiction

By _____
(Signature)

Name:

Title:

County:

Date:

Providing Agency *(If different from Providing Jurisdiction)*

By _____
(Signature)

Name:

Title:

Agency:

Date:

Requesting Jurisdiction

By _____
(Signature)

Name:

Title:

County:

Date:

DEFINITIONS

Authorized Official: A person with expressed authority by a legal governing body to request resources, authorize purchases, and/or enter into contracts on behalf of a Requesting or Providing Jurisdiction during an emergency.

EMMA Resource: A person with a combination of training, experience and credentials that would serve in an ICS position, either in the field or an EOC, or as a technical specialist during an emergency response.

Operational Area (OA): An intermediate level of the state emergency services organization consisting of a county and all political subdivisions within the county area.

Providing Agency/Jurisdiction: The government entity providing EMMA resources. The different levels of providing jurisdictions include providing local jurisdiction, providing OA and providing region.

Requesting Jurisdiction: The government entity requesting EMMA resources. The different levels of requesting jurisdictions include requesting local jurisdiction, requesting OA and requesting region.

Agenda Action Form

Paducah City Commission

Meeting Date: November 29, 2022

Short Title: Approve a "City Block" Amended Development Agreement between the City and Weyland Ventures Development, LLC. for development of a hotel, parking, open space, and mixed-use residential building located on the city block bounded by Second Street, Broadway, North Water Street, and Jefferson Street - **N. HUTCHISON**

Category: Municipal Order

Staff Work By:

Presentation By:

Background Information: On April 24, 2019, the City entered into a pre-development agreement with Weyland Ventures to undertake site due diligence and program development for a boutique hotel, parking, open space and mixed use residential buildings. All elements of the pre-development agreement were completed including: Market Analysis, Financial Analysis, Design, Site Information, Phase I environmental Review, Geotechnical Analysis, Parking Assessment, and gaining stakeholder input. The City Commission then approved the original development agreement on July 28, 2020. Since the execution of the original development agreement, economic and labor conditions caused delays to the advancement of the project. However, Weyland Ventures continued to proceed with the project and meet milestones within the parameters of the executed development agreement.

Now that the project is at the point of proceeding with construction, we are proposing the original development agreement be amended to establish an updated document as the project enters the next phase. The Amendment also allows for the city to not be responsible for paying upfront costs associated with environmental remediation, and instead will be applied as a credit towards the purchase of the two (2) tracts of land. The purchase price for Tract I is \$141,000 which is where the boutique Hotel facilities will be constructed. And the purchase price for Tract III is \$155,000 which is where the mixed-use facilities will be located. The amended also provides additional protections for the City and its assets as the project moves forward.

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:

Account Number:

Staff Recommendation:

Attachments:

1. MO amended agree- Weyland Ventures City Block Program Development 2022

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER AUTHORIZING AND APPROVING A PADUCAH “CITY BLOCK” PROGRAM AMENDED DEVELOPMENT AGREEMENT BETWEEN THE CITY OF PADUCAH AND WEYLAND VENTURES DEVELOPMENT FOR PROGRAM DEVELOPMENT FOR A FUTURE HOTEL, PARKING, OPEN SPACE, AND MIXED-USE RESIDENTIAL BUILDING LOCATED AT THE CITY BLOCK BOUNDED BY SECOND STREET, BROADWAY, NORTH WATER STREET AND JEFFERSON STREET

WHEREAS, on April 24, 2019, the City entered into a Pre-Development Agreement with Weyland Ventures to undertake site due diligence and program development for a boutique hotel, parking, open space and mixed-use residential buildings; and

WHEREAS, all elements of the pre-development agreement were completed; and

WHEREAS, the City Commission then approved the original development agreement on July 28, 2020; and

WHEREAS, since the execution of the original development agreement, economic and labor conditions caused delays to the advancement of the project, and Weyland Ventures continued to proceed with the project and meet milestones within the parameters of the executed development agreement; and

WHEREAS, it is now being proposed that the original development agreement be amended to establish an updated document as the project enters the next phase.

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PADUCAH, KENTUCKY, AS FOLLOWS:

SECTION 1. The City hereby authorizes and approves an Amended Development Agreement between the City of Paducah and Weyland Ventures Development in substantially the same form attached hereto and made part hereof (**Exhibit A**) and authorizes the Mayor to execute the Agreement.

SECTION 2. 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\amended agree- Weyland Ventures City Block Program Development 2022

EXHIBIT A

Agenda Action Form

Paducah City Commission

Meeting Date: November 29, 2022

Short Title: Approve Vendor Selection and authorize an agreement with Brandstetter Carroll for a Fire Department Feasibility Study in an amount of \$57,500- **S. KYLE**

Category: Municipal Order

Staff Work By: Steve Kyle
Presentation By: Steve Kyle

Background Information: The Fire Department in conjunction with the Commission identified that services for the department needed to be assessed to understand what steps to take and how to plan for the future. As a result the fire department advertised for proposals seeking a qualified consulting firm to provide services that include the Fire Department providing a superior level of service to Paducah's residents and visitors while sustaining modern operations in compliance with NFPA 1500 and 1710 standards and maintaining and ISO Rating of 2 or better:

- Determine need for relocation or additions; An Existing Facilities Condition Survey was conducted in 2020 and will be provided for the firm that is selected;
- NFPA 1500 & 1700 Series Compliance;
- Equipment & Operational Needs;
- Community Growth/Annexation Opportunities and Potential Impact on ISO Rating;
- Fiscal Impact on City of Paducah for Maintaining or Exceeding ISO Rating (Cost/Benefit Analysis); and
- Opinion of Probable Cost for any upgrades, relocations, or additions, including site selection (if appropriate).

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

If yes, please list the Commission Priority: CI - City Facilities

Communications Plan:

Funds Available: Account Name: Fire Feasibility

Account Number: FI0034

Staff Recommendation: Accept Proposal from Brandstetter Carroll to conduct feasibility study and authorize the Mayor to execute all documents related to same.

Attachments:

1. MO - agree – fire feasibility brandstetter carroll 2022
2. Feasibility Study Recommendation

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER AUTHORIZING AN AGREEMENT WITH BRANDSTETTER CARROLL IN AN AMOUNT OF \$57,500 TO CONDUCT A FEASIBILITY STUDY FOR THE PADUCAH FIRE DEPARTMENT AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATED TO SAME

WHEREAS, the City Commission adopted Municipal Order No. 2617 which authorized the initiation of a Request for Qualifications for the purpose of soliciting consulting services related to the development of a fire station feasibility and facilities study; and

WHEREAS, the City is now ready to enter into an agreement with Brandstetter Carroll for services related to the feasibility study.

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

SECTION 1. That the City of Paducah hereby approves an agreement with Brandstetter Carroll in an amount of \$57,500 for services related to a feasibility study for the Paducah Fire Department and authorizes the Mayor to execute all documents related to same.

SECTION 2. This expenditure shall be charged to the Fire Feasibility Project Account No. FI0034.

SECTION 3. 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, November 29, 2022
Recorded by Lindsay Parish, City Clerk, November 29, 2022
MO\agree – fire feasibility brandstetter carroll 2022

Agenda Action Form

Paducah City Commission

Meeting Date: November 29, 2022

Short Title: Amend Sections 70-5 & 70-32 of the Code of Ordinances related to the Parks & Recreation - **A. CLARK**

Category: Ordinance

Staff Work By: Amie Clark

Presentation By: Amie Clark

Background Information: Section 70-5 Rules of conduct for recreational areas.

Item 14 should be updated to "Permits for special events and/or nonconforming uses must receive approval from the Parks and Recreation Director or designee. Organizers are responsible for securing permits for such use from the City of Paducah.

Item 15 should be updated to "The Parks and Recreation Department may permit for exclusive use shelters, athletic fields, buildings, facilities, and/or specific zones for the park through a reservation process or by securing a special event permit with the City of Paducah. Other park users may not interfere with the permitted use.

Item 16 and 17 update The Parks Services Director to The Parks and Recreation Director.

Section 70-32 Public Parks, playgrounds, and recreational areas available to the public.

(a) There is hereby created, identified, and established for the City the following non-exclusive list of public parks, playgrounds, and recreational areas available to the public for their recreation purposes. This list shall not prohibit charge for specific parks and/or park areas.

- (1) Perkins Creek Nature Preserve.
- (2) Forrest Cove Park.
- (3) Clyde F. Boyles Greenway Trail.
- (4) Cherry Park (#1).
- (5) Stuart Nelson Park.
- (6) Floodwall Right-of-Way Trail.
- (7) Bob Noble Park.
- (8) Keiler Park.
- (9) Paxton Park Golf Course.
- (10) Pat and Jim Brockenborough Rotary Health Park.
- (11) Langstaff Park (Betsy Ross Park).
- (12) Oak Grove Cemetery.
- (13) Lang Park.
- (14) Brooks Stadium and Park.
- (15) Albert Jones Park.
- (16) Caldwell Park.
- (17) Voor Park.
- (18) Midtown Park.
- (19) City Hall Square.
- (20) Dolly McNutt Memorial Plaza.
- (21) Riverfront Park.

- (22) Shultz Park.
- (23) Robert Coleman Park.
- (24) Island Creek Sanctuary (Cherry Park #2).
- (25) Kolb Park.
- (26) Lower Town Texaco Park.
- (27) Independence Park.
- (28) Market Square Art Park.
- (29) Ohio River Boat Launch.

(b) This list is non-exclusive as other public parks, playgrounds, and recreational ordinances may be added by the City. The City invites and permits without charge any person to use the City public parks, playgrounds, and recreational areas for their recreational purposes in compliance with the Kentucky Recreational Use Statute (KRS 411.190). The Parks and Recreation Director or designee may close parks or park areas.

(c) The charge for exclusive use of City-owned facilities and amenities inside public park areas shall be in the amount established by municipal order from time to time.

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

If yes, please list the Commission Priority: [Commission Priorities List](#)

Communications Plan:

Funds Available: Account Name:
Account Number:

Staff Recommendation: Approve

Attachments:

1. ORD 70-5 70-32 Parks List & Conduct

ORDINANCE NO. 2022-11-_____

AN ORDINANCE AMENDING CHAPTER 70, SECTION 70-5 “RULES OF CONDUCT FOR RECREATIONAL AREAS” AND SECTION 70-32 “PUBLIC PARKS, PLAYGROUNDS, AND RECREATIONAL AREAS AVAILABLE TO THE PUBLIC” OF THE CODE OF ORDINANCES OF THE CITY OF PADUCAH, KENTUCKY

WHEREAS, this Ordinance amends Chapter 70, regarding the rules of conduct for recreational areas and the list of public parks, playgrounds and recreational areas available to the public.

NOW THEREFORE be it ordained by the City Commission of the City of Paducah as follows:

SECTION 1. That the City of Paducah, Kentucky hereby amends Section 70-5 of the Paducah Code of Ordinances as follows:

Sec. 70-5. - Rules of conduct for recreational areas.

The rules of conduct for recreational areas shall be as follows:

- (1) Alcohol is not allowed in any city park facility.
- (2) Soliciting or sale of material is not allowed in city parks.
- (3) Parking is not allowed on grass in city parks.
- (4) Do not nail signs to trees.
- (5) Obey posted hours of operation.
- (6) Dogs must be leashed in all city parks that are not designated dog parks. Dog droppings must be picked up and disposed of in a waste receptacle when in city parks. Service animals must be harnessed, leashed, or tethered while in city parks unless these devices interfere with the service animal's work or the person's disability prevents use of these devices. Service animals must be under the control of the handler at all times.
- (7) Place all trash in waste receptacles.
- (8) Overnight stays are not allowed in a city park.
- (9) Except as authorized in section 46-91, mechanical games, carnivals, or use of animals are not authorized in city parks.

- (10) If a public address system or other amplification of voice and/or music is used, sound must not extend beyond the perimeter of the facility being utilized.
- (11) Ice-skating is not allowed on Noble Park Lake.
- (12) Personal watercraft are not allowed in Noble Park Lake.
- (13) Signs or banners cannot be hung from or on towers/front of Noble Park entrance.
- (14) Permits for special events and/or nonconforming uses must receive approval from the Parks and Recreation Director or designee [~~are the jurisdiction of the Parks Services Director~~]. Special event [Ø]organizers are responsible for securing permits for such use from the City of Paducah [~~through the Parks Services Director~~].
- (15) The City of Paducah Parks and Recreation Department [~~Services~~] may permit for exclusive use shelters, athletic fields, buildings, facilities and/or specific zones for [Ø] the park through a reservation process or by securing a special event permit with the City of Paducah. Other park users may not interfere with the permitted use.
- (16) The Parks and Recreation [~~Services~~] Director is authorized to temporarily adjust or suspend park rules as required to serve public safety and/or program logistics.
- (17) The Parks and Recreation [~~Services~~] Director is hereby authorized to adopt additional rules specific to each facility. Said rules shall be posted in a conspicuous place at the relevant facility and shall be followed as if fully set forth herein.

SECTION 2. That the City of Paducah, Kentucky hereby amends Section 70-32 of the Paducah Code of Ordinances as follows:

Sec. 70-32. - Public parks, playgrounds, and recreational areas available to the public.

- (a) There is hereby created, identified, and established for the City the following non-exclusive list of public parks, playgrounds, and recreational areas available to the public for their recreation purposes. This list shall not prohibit charge for specific parks and/or park areas.

- (1) Perkins Creek Nature Preserve.
- (2) Forrest Cove Park.

- ~~(3) Lanelle Park~~
- (3)~~(4)~~ Clyde F. Boyles Greenway Trail.
- (4)~~(5)~~ Cherry Park (#1).
- (5)~~(6)~~ Stuart Nelson Park.
- (6)~~(7)~~ Floodwall Right-of-Way Trail.
- (7)~~(8)~~ Bob Noble Park.
- (8)~~(9)~~ Keiler Park.
- (9)~~(10)~~ Paxton Park Golf Course.
- (10)~~(11)~~ Pat and Jim Brockenborough Rotary Health Park.
- (11)~~(12)~~ Langstaff Park (Betsy Ross Park).
- (12)~~(13)~~ Oak Grove Cemetery.
- (13)~~(14)~~ Lang Park.
- (14)~~(15)~~ Brooks Stadium and Park.
- (15)~~(16)~~ Albert Jones Park.
- (16)~~(17)~~ Caldwell Park.
- (17)~~(18)~~ Voor Park.
- (18)~~(19)~~ Midtown Park.
- (19)~~(20)~~ City Hall Square.
- (20) Dolly McNutt Memorial Plaza.
- (21) Riverfront Park.
- (22) Shultz Park.
- (23) Robert Coleman Park.
- (24) Island Creek Sanctuary (Cherry Park #2).
- (25) Kolb Park.
- (26) Lower Town Texaco Park.
- (27) Independence Park.
- (28) Market Square Art [~~RT~~] Park.
- (29) Ohio River Boat Launch.

(b) This list is non-exclusive as other public parks, playgrounds, and recreational ordinances may be added by the City. The City invites and permits without charge

any person to use the City public parks, playgrounds, and recreational areas for their recreational purposes in compliance with the Kentucky Recreational Use Statute (KRS 411.190). The Parks and Recreation [~~Services~~] Director or designee may close parks or park areas.

- (c) The charge for exclusive use of City-owned facilities and amenities inside public park areas shall be in the amount established by municipal order from time to time.

SECTION 3. 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 4. 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 5. 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 6. 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\70-5 70-32 Parks List & Conduct

Agenda Action Form

Paducah City Commission

Meeting Date: November 29, 2022

Short Title: Amend the Transient Room Tax Ordinance - **L. PARISH**

Category: Ordinance

Staff Work By: Lindsay Parish, Daron Jordan, Denton Law Firm

Presentation By: Lindsay Parish

Background Information: House Bill 8 was a KLC legislative initiative passed during the 2022 legislative session. The bill remedies a long-standing transient room tax collection gap that omitted online travel companies. Effective Jan. 1, 2023, cities that impose a transient room tax to fund a tourist and convention commission can now assess their transient room tax on rental accommodations facilitated by online travel companies pursuant to KRS 91A.345 and KRS 91A.390(1)(b). All short-term rentals, brokers, and companies that arrange rental accommodations within city boundaries are now responsible for collecting the tax.

This action amends the current Paducah Transient Room Tax to ensure that the City can take advantage of the statutory changes. The new language clarifies that the transient room tax applies to rent for a “suite, room, rooms, cabins, lodgings, campsites, or other accommodations charged by any hotel, motel, inn, tourist camp, tourist cabin, campgrounds, recreational vehicle parks, or any other place in which accommodations are regularly furnished to transients...” This ordinance will become effective January 1, 2023.

McCracken County Fiscal Court also intends to adopt the updated language.

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: Approval.

Attachments:

1. ORD amend - Transient Room Tax 2022

ORDINANCE NO. 2022-_____ - _____

**AN ORDINANCE OF THE CITY OF PADUCAH
AMENDING AN ORDINANCE ENTITLED “AN
ORDINANCE ESTABLISHING THE CITY OF PADUCAH
TRANSIENT ROOM TAX”**

WHEREAS, Kentucky Revised Statutes, Chapter 91A enables the City of Paducah to, among other things, impose a transient room tax on persons occupying rooms provided by organizations doing business as motor courts, motels, hotels, inns, and other similar accommodations; and

WHEREAS, Kentucky Revised Statutes, Chapter 91A provides that the City shall enact an ordinance for the collection and enforcement of a transient room tax; and

WHEREAS, the City of Paducah enacted Ordinance No. 2019-08-8587 on August 26, 2019, for the collection and enforcement of a transient room tax; and

WHEREAS, House Bill 8 was a KLC legislative initiative passed during the 2022 legislative session which amended KRS 91A.390(1)(b) to clarify that the transient room tax applies to rent for a suite, room, rooms, cabins, lodgings, campsites, or other accommodations charged by any hotel, motel, inn, tourist camp, tourist cabin, campgrounds, recreational vehicle parks, or any other place in which accommodations are regularly furnished to transients; and

WHEREAS, said amendment becomes effective January 1, 2023; and

WHEREAS, the City of Paducah now desires to amend the ordinance establishing the City of Paducah Transient Room Tax in order to effectuate changes in compliance with the updates to Kentucky Revised Statutes.

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

Section 1. Purpose. The purpose of this ordinance is to establish the procedures for the collection, use, disbursements, and enforcement of the transient room tax.

Section 2. Transient Room Tax Levy and Use. A transient room tax, which may be adjusted from time to time, shall be imposed within the city limits of Paducah on every person, group, or organization doing business as a motor court, motel, hotel, inn, bed and breakfast inn, or like or similar facility of the rent for every occupancy of a suite, room, ~~rooms~~, **cabins, lodgings, campsites, or other accommodations** charged by **any hotel, motel, inn, tourist camp, tourist cabin, campgrounds, recreational vehicle parks, or any other place in which accommodations are regularly furnished to transients for consideration or by any person that facilitates the rental of the accommodations by brokering, coordinating, or in any other way arranging for the rental of the accommodations** ~~[all persons, companies, or corporations]~~. A tax of 3% will be levied for use by the Paducah Convention and Visitors Bureau, for the purpose of

financing the operation of the Bureau. A tax of 1% will be levied for use by the Convention Center Corporation for the purpose of financing the operation of the Convention Center.

Section 3. Designation of Convention Center. Effective October 1st, 2019, and until further orders from the City of Paducah, the Julian Carroll Convention Center is designated as the Convention Center for the City of Paducah.

Section 4. Exceptions. A transient room tax may not apply to **rooms, lodgings, campsites, or accommodations supplied for a continuous** ~~[the rental or leasing of an apartment supplied by an individual or business that holds itself out as exclusively providing apartments. "Apartment" means a room or set of rooms in an apartment building, fitted especially with a kitchen, and usually leased as a dwelling for a minimum]~~ period of thirty (30) days or more **to a person.**

Section 5. Collections. All persons, groups, organizations, or businesses as identified in Section 2 must file a monthly report in a manner and on a form prescribed by the McCracken County Treasurer.

- A. Such report must be filed with the McCracken County Treasurer on or before the 20th day of every month, for the previous month, being a period beginning on the first day of the previous month and ending on the last day of the previous month.
- B. A report must be filed, regardless of any funds or taxes collected.
- C. Any tax payments must be remitted with the report.
- D. Any late fee or interest must be remitted with the report.
- E. Any filing received or United States Post marked after the 20th day following the reporting period will be deemed late, and will be charged the following interest and penalties:
 - 1. A late fee of 10% of the tax due per month (or daily fraction thereof) will be assessed. The minimum late fee assessed must not be less than \$25.00.
 - 2. An interest charge of 7% per annum on all late remittances will be assessed.
- F. For the purpose of verifying information, the treasurer may require the submission of certified copies of other state and federal tax documents.
- G. All funds collected pursuant to this section must be maintained in a separate account.

H. All host participants in internet brokering arrangements to rent rooms, houses, farms, cabins, campsites, dwellings, or recreational vehicles with companies such as Airbnb, VRBO, or businesses of a similar type must register with the McCracken County Treasurer, providing the precise location of their rental-type unit(s), along with their tax identification numbers for the individual or company receiving the income from the rental-type unit(s). The host participant will be required to file all reports and comply with all sections on this ordinance. However, if the internet broker service enters a written, enforceable agreement with the City of Paducah to report, collect, and remit the taxes imposed by this ordinance, then the host participant will be excepted from the reporting requirements of this ordinance.

Section 6. Disbursements. The McCracken County Treasurer shall make monthly disbursements (which may be adjusted from time to time by the City of Paducah) in the following manner:

Agency	Transient Room Tax	Distribution Percentage
Paducah Convention and Visitors Bureau	3%	75%
Convention Center Corporation	1%	25%
TOTALS	4%	100%

Penalties and interest as a result of late payments must be disbursed at the same rates. The treasurer must use reasonable efforts to make disbursements on or before the 10th day of each month.

Section 7. Audit Authorized. All persons, groups, organizations, or businesses as identified in Section 2, and subject to the provisions of this ordinance, must maintain a record showing gross room rentals and permanent guest rentals, but a separate record may not be required if the taxpayer's regular records contain such information. Whenever the City of Paducah or the McCracken County Treasurer considers it necessary for the proper administration of this ordinance, a taxpayer must permit an officer or employee of the city or county to make an audit of such records and any other books, papers, files, and property of the taxpayer, and to examine witnesses under oath for the purpose of determining whether any provisions of this ordinance are being violated.

Section 8. Severability. The provisions of this ordinance are severable. If any section, clause, or other part of this ordinance, or the applicability of any part hereof, is deemed to be unconstitutional or otherwise invalid, such unconstitutionality or invalidity may not affect any of the remaining parts of this ordinance.

Section 9. Penalty for Violation of Section. Any person violating any provision of this chapter will be guilty of a misdemeanor and must, upon conviction, be subject to a fine of not more than \$500.00, or imprisonment for not more than 30 days, or both, for each offense. Every month for which a report was not properly filed will constitute a separate offense.

Section 10. 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 11. 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 12. Effective Date and Implementation. This ordinance shall be read on two separate days, published pursuant to KRS Chapter 242, and become effective on January 1, 2023.

Mayor George Bray

ATTEST:

City Clerk, Lindsay Parish

Introduced by the Board of Commissioners, _____

Adopted by the Board of Commissioners, _____

Recorded by Lindsay Parish, City Clerk, _____

Published by *The Paducah Sun*, _____

Ord\ Amend - Transient Room Tax