CITY COMMISSION MEETING
AGENDA FOR MARCH 14, 2023
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

PROCLAMATION Paducah Tilghman High School Wrestling State Champions - Head Coach Seth Livingston

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.	**CONSENT AGENDA**	
		A.	Approve Minutes for February 24 & 28, 2023, Board of Commissioners Meetings
		B.	Receive & File Documents
		C.	Appointment of Christopher Jones to the Code Enforcement Board
		D.	Appointment of Allan Rhodes to the Paducah Planning Commission
		E.	Appointment of Mark Thompson, and reappointment of Jeanne Stroup and Steve Seltzer to the Paducah Golf Commission
		F.	Appointment of Evan Rittgers to the Electric Plant Board
		G.	Personnel Actions
		H.	Accept Donation of Property Located at 1401 Old Mayfield Road - **G. CHERRY**
		I.	Accept Donation of Property Located at 1400 Tennessee - **S. KYLE**

		J.	Approve an Application for a 911 Services Board Grant in the Amount of $8,828 **- B.LAIRD**
		K.	Approve the Application and Acceptance of a 2023-24 Household Hazardous Waste Grant in the Amount of $40,632 **- C. YARBER**
		L.	Authorize the Acceptance of a Community Development Block Grant in the amount of $200,000 on Behalf of Four Rivers Recovery Center **- H. REASONS**
	II.	**MUNICIPAL ORDER(S)**	
		A.	Authorize Opioid Settlement Participation Agreements - **D. JORDAN & L. PARISH**
	III.	**ORDINANCE(S) - ADOPTION**	
		A.	Approve the Consensual Annexation of 2631 Holt Road **- J. SOMMER**
		B.	Approve a Telecommunications Franchise Agreement with OpenFiber Kentucky Company, LLC dba Accelecom - **M. SMOLEN**
	IV.	**ORDINANCE(S) - INTRODUCTION**	
		A.	Approve a Budget Amendment for the Fleet Plan Budget FY2023 in an amount of $156,870 - **C. YARBER**
		B.	Amend the FY23 City Budget to Increase Revenues and Expenditures for the Community Development Block Grant Fund by $200,000 **- H. REASONS**
		C.	Approve 2023-2024 Resurfacing Program Contract with Jim Smith Contracting, LLC. - **R. MURPHY**
		D.	Amend the City Police Officers Educational Incentive Plan Ordinance **- S. WILCOX**
	V.	**DISCUSSION**	
		A.	Discussion Regarding City's Portion of Convention Center Roof
	VI.	**COMMENTS**	
		A.	Comments from the City Manager
		B.	Comments from the Board of Commissioners
		C.	Comments from the Audience
	VII.	**EXECUTIVE SESSION**	

February 24, 2023

At a Called Meeting of the Paducah Board of Commissioners held on Friday, February 24, 2023, at 12:00 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, the following answered to their names: Commissioners Henderson, Smith, Wilson, and Mayor Bray (4). Commissioner Guess was unable to attend (1).

COMMISSION PRIORITIES DISCUSSION

OPENING REMARKS

Mayor Bray and City Manager Daron Jordan welcomed the Commission and City Leadership Team and thanked everyone for joining the meeting. They commented that this is an important meeting for the City's budgeting process.

2022 COMMISSION PRIORITIES KEY ACCOMPLISHMENTS AND FURTHER OPPORTUNITIES

Assistant City Manager Michelle Smolen went over the 2022 Commission Priorities and the key accomplishments of 2022 including:

- 911 Radio/Tower Upgrades and Operational Funding
  - The City issued the joint 911 RFP
  - Supported the 911 Joint Committee
- Beautification
  - 739 downloads of the Tyler 311 app. Received 1080 Service requests.
  - Creative & Cultural Council top priority is a large public art project in 2023
  - The Civic Beautification Board is participating the April Earth Day event, updating Dogwood trail signs/banners and focusing on Welcome to Paducah signs
- Community Growth
  - The City and County entered into an interlocal agreement to complete the joint comprehensive plan
  - 6 individuals have moved and received the Remote Workers Incentives
  - Upon property owners request, continue Consensual annexations
- Continue Efforts to Improve Operational Efficiencies
  - Technology Enhancements
  - Elected officials met with leadership team members
  - Continue to strive for improvement in the construction development process
- Downtown
  - 13 new businesses downtown in 2022
  - Appointed new Main Street Board members and held goal setting retreat
  - Received National Main Street Accreditation
  - Downtown Events
- Housing
  - Enhanced the surplus property process
  - 196 multifamily units and 56 residential lots were approved by Planning in 2022
  - Southside Committee focusing on residential grants
- Minority Inclusion
  - Completed organizational-wide DE&I Training
  - Murray State partnership
  - Sponsorship and partnerships on Juneteenth and August 8th
  - Coordinating efforts with the Paducah Diversity Advisory Board
- Protecting Key Historical and Cultural Resources
  - Rhodes Heritage Group developing recommendations for preserving and stewarding historic assets in our community
  - Civic Center Renovation
- Southside
  - Southside Steering Committee focusing on residential incentives and improvements to Coleman Park
- Trails & Bike Path Enhancements
  - Pursuing National Park Service grant to assist with public input and developing a plan for the Greenway Trail expansion
- Continuous Improvement – Stormwater
  - $4 million in ARPA funds for the Buckner Lane Bridge Replacement and the South 25th Street improvement project
  - Drainage ditch improvement along Central Avenue
- Continuous Improvement – City Facilities

    - The City allocated $1.1 million over the past budget years to begin facilities maintenance projects
    - The facilities projects from the 2020 facilities study are prioritized and work has been focused on City Hall basement/sewer and Fire Station improvements
- Continuous Improvement – Joint City/County Sportsplex
    - The City, County, and Sports Commission Interlocal Agreement
    - The Design Team and Work Group are meeting regularly
    - Community stakeholder meetings were conducted in November

LEADERSHIP TEAM PRESENTATIONS – TOP TWO PRIORITIES

COMMUNICATIONS
Communications Director Pam Spencer presented the following priorities (a copy of the handout is available in the Minute file):

- Focus on accessibility and user enhancement for City website through engagement with Monsido
- Promotion of Commission Priorities, City Projects, and City Services

CLERK/CX
City Clerk & Director of Customer Experience Lindsay Parish presented the following priorities:

- Code of Ordinances Updates – Legal Review, Ethics, Human Rights
- Additional Promotion & Education on Kick-Start Meetings, 311, and Special Event Permitting

ENGINEERING
City Engineer Rick Murphy presented the following priorities (a copy of the handout is available in the Minute file):

- Stormwater
- Street Rehabilitation

FINANCE
Finance Director Jonathan Perkins presented the following priorities:

- 2020A GOB Spending Plan Completed
- Popular Annual Financial Report (PAFR)

FIRE DEPARTMENT
Fire Chief Steve Kyle presented the following priorities (a copy of the handout is available in the Minute file):

- Facilities
- Fire Training Field

HUMAN RESOURCES
Human Resources Director Stefanie Wilcox presented the following priorities:

- Minority Inclusion
- Policy Updates & Annual Training

PARKS
Parks and Recreation Director Amie Clark presented the following priorities:

- Parks Department Relocation Efforts
- Noble Park Improvements

PLANNING
Planning Director Nicholas Hutchison presented the following priorities:

- Southside
- Community Growth

POLICE DEPARTMENT
Police Chief Brian Laird presented the following priorities:

- New Police Facility
- 911 Radio System

PUBLIC WORKS
Public Works Director Chris Yarber presented the following priorities:

- Building maintenance on City facilities and city-owned rental properties
  Downtown restroom facility needs to be replaced
- Beautification of downtown – trash cans, benches, Christmas decorations, etc.

TECHNOLOGY DEPARTMENT

- Modernization of IT infrastructure
  Life cycle replacement plan for equipment
- Governance – Policies and procedures for accountability, security controls and education

OPEN DISCUSSION & WRAP UP

City Manager Daron Jordan suggested creating "Top 10" Priorities.

The next Commission Priorities Workshop meeting will be Friday, March 10, 2023 from Noon to 4:30 p.m.

ADJOURN
Commissioner Wilson offered motion, seconded by Commissioner Henderson, to adjourn the meeting of the Paducah Board of Commissioners.

Adopted on call of the roll yeas, Commissioners Henderson, Smith, Wilson, Mayor Bray (4).

TIME ADJOURNED: Approximately 4:38 pm.

ADOPTED: March 14, 2023

_____
George P. Bray, Mayor

ATTEST:

_____
Lindsay Parish, City Clerk

February 28, 2023

At a Regular Meeting of the Paducah Board of Commissioners held on Tuesday, February 28, 2023, 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 Guess, Henderson, Smith, Wilson and Mayor Bray (5).

INVOCATION

Commissioner Guess led the invocation.

PLEDGE OF ALLEGIANCE

Mayor Bray led the pledge.

PRESENTATIONS

Communications Manager, Pam Spencer, offered the following summaries:

"Employee Recognition and Living Our Values Every Day (LOVE) Award Recipients
Mayor George Bray presented Letters of Commendation to Public Works employees Jarried Griffin and Steven Cheswick who while working on Jefferson Street reported the abuse of a dog to law enforcement.

The City recognized the employees who are receiving 2022 LOVE awards. The Living Our Values Every Day Awards recognize employees who embrace the City's organizational values. The employees are nominated by other employees with a city employee team reviewing the nominations to select one employee (or team of employees) for each of the six organizational values. The award recipients are as follows:

- Action-Oriented: Keith Riley, Floodwall Division of Engineering Department
- Customer Experience: Melissa Franklin, Public Works Department
- Every Person Matters: Joseph Burton, Greg Cherry, David Denton, Stephen Glisson, Matthew Graves, Rodney Hall, Ronnie Hines, Jonathan Holzapfel, Cary King, Stephen Kyle, Shaelea McKinney, Coty Murphy, Nicholas Noland, Joseph Smith, and April Tinsman - Paducah Fire Department members who responded during 2021 Mayfield tornado
- Fiscal Responsibility: Erica Gipson, Finance Department
- Personal Accountability: Nathan Jaimet, Paducah Police Department
- Solution-Driven: Tina Cooper and Kaitlyn Wells, Technology Department"

Six Month Review of Paducah's Finances
Finance Director Jonathan Perkins provided an overview of the General Fund's revenue and expenditures for the first half of Fiscal Year 2023 which is through December 31, 2022. In short, revenues have increased as compared to the previous year with payroll taxes increasing the most with an increase of 8.7 percent. Other categories have increased including property tax revenue, interest income, and business licenses. Expenditures have increased as well in most departments but are slightly less than expected. Perkins said, "We are in a good place for the first six months."

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 Assistant

City Clerk to read the items on the Consent Agenda.

I(A)	Approve Minutes for the February 14, 2023, Board of Commissioners Meeting
I(B)	Receive and File Documents: *Minute File:* 1. Transcript of Public Hearing held on January 17, 2023 Board of Commissioners v. David Guess *Contract File:* 1. Civic Plus – Municode Contract – signed by City Manager Daron Jordan 2. Agreement to pay costs of foreclosure on 1400 Bloom Avenue between City of Paducah and Hack Partners – signed by City Manager Daron Jordan 3. One-Year Renewal Agreement with Central Paving for Compost Grinding of Tree Debris and Yard Waste - See MO #2564 4. Kentucky Deferred Compensation (KDC) Joinder Agreement to participate in the KY 401(k) and KY 457 Plan – MO #2685 5. Fleet Maintenance Agreement with Barlow Kentucky Fire Department – MO #2699 6. Release and Assignment (Agreement) – Western Surety Company – Default of Huffman Construction, LLC – Pump Station #2 Rehabilitation Project – MO #2701 *Financials File:* 1. Paducah Water Works – Month ending January 31, 2023 *Bids File:* 1 EPA Brownfields RFQ (a) LFI (b) Tetra Tech * Final Selection – See MO #2699 (c) HDR
(IC)	Personnel Actions
I(D)	A MUNICIPAL ORDER AUTHORIZING AN APPLICATION FOR A TECHNICAL ASSISTANCE GRANT THROUGH THE NATIONAL PARK SERVICE - RIVERS, TRAILS AND CONSERVATION ASSISTANCE PROGRAM, AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATED TO SAME **(MO #2702, BK 12)**
I(E)	A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE CITY MANAGER TO ISSUE A REQUEST FOR BIDS TO REPLACE COMPUTER NETWORK SWITCHES AND ROUTERS **(MO #2703, BK 12)**
I(F)	A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE CITY MANAGER TO ISSUE A REQUEST FOR BIDS TO MAKE UPDATES TO FIRE STATION NO. 2 **(MO #2704, BK 12)**

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

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

RESOLUTION

Commissioner Henderson offered Motion, seconded by Commissioner Guess, that the Board of Commissioners adopt a Resolution entitled, "A RESOLUTION OPPOSING THE PASSAGE OF SENATE BILL 50 AND HOUSE BILL 50 RELATING TO PARTISAN LOCAL ELECTIONS."

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

MUNICIPAL ORDER

RELOCATION OF DOG PARKS

Commissioner Smith offered Motion, seconded by Commissioner Wilson, that the Board adopt a Municipal Order entitled, "A MUNICIPAL ORDER ACCEPTING THE RECOMMENDATION OF THE PADUCAH/MCCRACKEN COUNTY ATHLETIC COMPLEX DESIGN TEAM TO RELOCATE THE DOG PARKS IN STUART NELSON PARK TO NOBLE PARK, IN ACCORDANCE WITH THE INTERLOCAL AGREEMENT FOR THE DEVELOPMENT AND OPERATION OF THE PADUCAH-MCCRACKEN COUNTY ATHLETIC COMPLEX."

Adopted on call of the roll yeas, Commissioners Guess, Henderson, Smith, Wilson, and Mayor Bray (5). **(MO #2705, BK 12)**

ORDINANCE ADOPTION

APPROVE AN INTERLOCAL COOPERATION AGREEMENT OR THE CITY OF PADUCAH/McCRACKEN COUNTY 2045 COMPREHENSIVE PLAN

Commissioner Wilson offered Motion, seconded by Commissioner Smith, that the Board of Commissioners adopt an Ordinance entitled, "AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF PADUCAH, KENTUCKY, AND THE COUNTY OF McCRACKEN, KENTUCKY, FOR ESTABLISHMENT OF A CITY/COUNTY COMPREHENSIVE PLAN." This Ordinance is summarized as follows: This Ordinance authorizes the Mayor to execute an Interlocal Cooperation Agreement between the City of Paducah, Kentucky, and the County of McCracken, Kentucky, for Comprehensive Plan preparation services from Kendig Keast Collaborative. Said consulting work shall be in a contract amount of $150,000 with the City of Paducah and the County of McCracken each paying 50% of the cost. This expenditure shall be charged to Project Account MR0087.

Adopted on call of the roll yeas, Commissioners Guess, Henderson, Smith, Wilson and Mayor Bray (5). **(ORD 2023-02-8761; BK 36)**

ORDINANCE INTRODUCTION

APPROVE CONSENSUAL ANNEXATION OF 2631 HOLT ROAD

Commissioner Guess 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 LIMITS." 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 2631 Holt Road, containing approximately 3.71 acres of land.

APPROVE TELECOMMUNICATIONS FRANCHISE AGREEMENT WITH OPENFIBER KENTUCKY COMPANY, LLC, D/B/A ACCELECOM

Commissioner Henderson offered Motion, seconded by Commissioner Guess, that the Board of Commissioners introduce an Ordinance entitled, "AN ORDINANCE GRANTING A NON-EXCLUSIVE FRANCHISE FOR A TERM OF TEN (10) YEARS FOR A TELECOMMUNICATIONS SYSTEM WITHIN THE CONFINES OF THE CITY OF PADUCAH, KENTUCKY TO OPENFIBER KENTUCKY COMPANY, LLC, D/B/A ACCELECOM, PURSUANT TO THE TERMS AND PROVISIONS OF CHAPTER 108 "TELECOMMUNICATIONS" OF THE CODE OF ORDINANCES, AND APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE FRANCHISE AGREEMENT WITH OPENFIBER KENTUCKY COMPANY AND ALL OTHER DOCUMENTS RELATED TO SAME." This Ordinance is summarized as follows: This Ordinance formally accepts the bid of Accelecom for a non-exclusive telecommunications franchise within the City of Paducah, said bid being in substantial compliance with bid specifications, and as contained in the bid of Accelecom of November 11, 2022. Further, this Ordinance grants a ten (10) year, non-exclusive telecommunications franchise to OpenFiber Kentucky Company, LLC, d/b/a Accelecom, pursuant to Chapter 108 "Telecommunications" of the Code of Ordinances of the City of Paducah.

DISCUSSIONS:

Communications Manager Pam Spencer offered the following summaries:

Pickleball Court Update

City Manager Daron Jordan updated the Board on the request for bids for the construction of eight pickleball courts at Noble Park across from the tennis courts. These courts would have fencing, shelters, and lighting. The City issued a request earlier this year; however, only one bid was received with the bid much higher than the anticipated cost. The Board decided to reissue the bid packet next week with the hope that more companies will submit bids.

- **Public Comments:** Christine Operle and Mike Rogers Re: Pickleball Courts

Energy Project Assessment Districts (EPAD)

City Manager Jordan discussed with the Board establishing an Energy Project Assessment District (EPAD) in Paducah. This is a way for commercial, agricultural, industrial, non-profit, and multi-family property owners to pay for certain energy efficiency building improvements.

2022 Commission Priorities Annual Update

Assistant City Manager Michelle Smolen provided the Board with an annual report regarding the priorities that were adopted following the February 2022 strategic planning retreat. The Board held a strategic planning retreat with the Leadership Team last Friday and plans to hold a session on Friday, March 10 to determine the 2023 priorities for the City. To read the 2022 annual report and learn more, visit https://paducahky.gov/commission-priorities-strategic-plan.

PUBLIC COMMENTS

- Dujuan Thomas – Diversity and Inclusion
- Martha Howell – Stormwater issues at 5105 Hill Terrace
- George Thomas - Discrimination

ADJOURN

Commissioner Henderson offered Motion, seconded by Commissioner Guess, that the meeting be adjourned.

All in favor (5).

TIME ADJOURNED: 7:31 p.m.

ADOPTED: March 14, 2023

_____
George P. Bray, Mayor

ATTEST:

_____
Claudia S. Meeks, Assistant City Clerk

March 14, 2023

RECEIVE AND FILE DOCUMENTS:

Minute File:

1. Notice of Special Called Meeting of the Board of Commissioners for February 24, 2023
2. Letter from Collins & Company dated February 20, 2023, regarding coverage in lawsuit David Guess vs. City of Paducah, et al
3. Letter of Support – ViWinTech Windows & Doors, Inc.

Contract File:

1. Professional Services Agreement between City of Paducah and Tetra Tech, Inc. - MO #2699

CITY OF PADUCAH
March 14, 2023

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

3/8/2023
Date

CITY OF PADUCAH
PERSONNEL ACTIONS
March 14, 2023

NEW HIRES - FULL-TIME (F/T)

PUBLIC WORKS	POSITION	RATE	NCS/CS	FLSA	EFFECTIVE DATE
Rogers, Terry M.	Laborer	$19.95/hr	NCS	Non-Ex	March 23, 2023

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

POLICE	PREVIOUS POSITION AND BASE RATE OF PAY	CURRENT POSITION AND BASE RATE OF PAY	NCS/CS	FLSA	EFFECTIVE DATE
Jaimet, Nathan C.	Detective	Operations Sergeant	NCS	Non-Ex	March 23, 2023
	$30.29/hr	$34.51/hr			
PUBLIC WORKS					
Kennedy, James G.	Parks ROW Maintenance	Public Works ROW Maintenance	NCS	Non-Ex	March 23, 2023
	$21.43/hr	$21.43/hr			
Smith, Taylor J.	ROW Maintenance	Compost Equipment Operator	NCS	Non-Ex	March 9, 2023
	$21.43/hr	$23.15/hr			
TECHONOLOGY					
Cooper, Tina R.	Systems Technician	Systems Technician	NCS	Ex	March 9, 2023
	$27.68/hr	$28.37/hr			
Wells, Kaitlyn R.	Systems Administrator	Systems Administrator	NCS	Ex	March 9, 2023
	$25.82/hr	$26.34/hr			

TERMINATIONS - PART-TIME (P/T)

ENGINEERING	POSITION	REASON	EFFECTIVE DATE
Barrett, Cary J.	Temp- Pump Operator	Resignation	March 6, 2023
Burns, Kenneth R.	Temp- Pump Operator	Resignation	March 2, 2023
Burns, Rosie R.	Temp- Pump Operator	Resignation	March 2, 2023
Ryan Sr., Wayne	Temp- Pump Operator	Deceased	February 28, 2023

Agenda Action Form
Paducah City Commission

Meeting Date: March 14, 2023

Short Title: Accept Donation of Property Located at 1401 Old Mayfield Road - **G. CHERRY**

Category: Municipal Order

Staff Work
By: Greg Cherry
Presentation
By: Greg Cherry

Background Information: The property owner Eric L. Elder Sr. would like to donate this property to the City of Paducah. This will benefit the City to receive this property versus foreclosure expenses. This property will be turned over to Planning for future re-development.

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 authorize Mayor George Bray to sign the deed transferring 1401 Old Mayfield Road to the City of Paducah.

Attachments:
1. MO - prop donated –1401 Old Mayfield Road

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER ACCEPTING THE DONATION OF REAL PROPERTY LOCATED AT 1401 OLD MAYFIELD ROAD FROM ERIC L. ELDER, SR. TO THE CITY OF PADUCAH, AND AUTHORIZING THE MAYOR TO EXECUTE THE DEED CONSIDERATION CERTIFICATE

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. The Board of Commissioners hereby approves and consents to the donation of the property located at 1401 Old Mayfield Road from Eric L. Elder, Sr.

SECTION 2. The Mayor is hereby authorized to execute the Consideration Certificate in the Deed of Conveyance to accept the donation of property as approved in Section 1 above. It is determined that it is necessary and desirable and in the best interest of the City to accept this donation and execute the Consideration Certificate contained in said Deed of Conveyance, which deed of conveyance and consideration certificate are hereby authorized and approved. Said property will be turned over to the Planning Department for future redevelopment.

SECTION 3. 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, March 14, 2023
Recorded by Lindsay Parish, City Clerk, March 14, 2023
\mo\prop donated –1401 Old Mayfield Road

Agenda Action Form
Paducah City Commission

Meeting Date: March 14, 2023

Short Title: Accept Donation of Property Located at 1400 Tennessee - **S. KYLE**

Category: Municipal Order

Staff Work
By: Steve Kyle
Presentation
By: Steve Kyle

Background Information: The fire department currently has a training site on north 6th street that is going to have to be vacated. Joint Sewer Agency needs the property for expansion. In addition, the existing structures are in a state of disrepair and would need significant investment. P & L Railroad Inc has agreed to donate 14.864 acres at 1400 Tennessee Street to the City for the fire department's development of a new training field. The property has been surveyed and appraised and meets the environmental requirements for the City to accept. The property is being accepted as an in-kind donation with a value of $60,000.00.

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: Accept donation of property located at 1400 Tennessee Street.

Attachments:
1. MO - prop donated –1400 Tennessee Street
2. Appraisal
3. 22436 - TN Street Waiver - recorded 1-11-23
4. 22436 - Tract Desc - stamped
5. Deed of Conveyance

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER ACCEPTING THE DONATION OF REAL PROPERTY LOCATED AT 1400 TENNESSEE STREET FROM P & L RAILROAD, INC. TO THE CITY OF PADUCAH, AND AUTHORIZING THE MAYOR TO EXECUTE THE DEED CONSIDERATION CERTIFICATE

WHEREAS, the Fire Department currently has a training site located on North Sixth Street that is going to have to be vacated because the Joint Sewer Agency needs that property for expansion; and

WHEREAS, P & L Railroad, Inc., has agreed to donate 14.864 acres located at 1400 Tennessee Street for the Fire Department's development of a new training field; and

WHEREAS, the property has been surveyed and appraised and meets the environmental requirements for the City to accept.

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

SECTION 1. The Board of Commissioners hereby approves and consents to the donation of the property located at 1400 Tennessee Street from P & L Railroad, Inc. This property is being accepted as an in-kind donation with a value of $60,000.

SECTION 2. The Mayor is hereby authorized to execute the Consideration Certificate in the Deed of Conveyance to accept the donation of property as approved in Section 1 above. It is determined that it is necessary and desirable and in the best interest of the City to accept this donation and execute the Consideration Certificate contained in said Deed of Conveyance, which deed of conveyance and consideration certificate are hereby authorized and approved.

SECTION 3. 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, March 14, 2023
Recorded by Lindsay Parish, City Clerk, March 14, 2023
\mo\prop donated –1400 Tennessee Street

December 14, 2022

Paducah Fire Department, Stephen Kyle
301 Washington ST
Paducah, KY, 42003

File Number: 1500 Kentucky Avenue

In accordance with your request, I have appraised the real property at:

1500 Kentucky AVE (14 acres to be surveyed)
Paducah, KY 42003

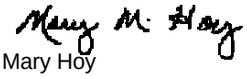
The purpose of this appraisal is to develop an opinion of the defined value of the subject property, as vacant. The property rights appraised are the fee simple interest in the site.

In my opinion, the defined value of the property as of November 3, 2022 is:

60,000
Sixty Thousand Dollars

The attached report contains the description, analysis and supportive data for the conclusions, final opinion of value, descriptive photographs, assignment conditions and appropriate certifications.

Sincerely,



Mary Hoy

Restricted-Use

Land Appraisal Report

File No. 1500 Kentucky Avenu

PURPOSE

The purpose of this appraisal report is to provide the client with a credible opinion of the defined value of the subject property, given the intended use of the appraisal.

Client Name/Intended User Paducah Fire Department, Stephen Kyle E-mail skyle@paducahky.gov

Client Address 301 Washington ST City Paducah State KY Zip 42003

Additional Intended User(s) P & L Railroad as the owner and Leslie Owen as the attorney for the City of Paducah

Intended Use To establish a value for donation to the City of Paducah.

SUBJECT

Property Address 1500 Kentucky AVE (14 acres to be surveyed) City Paducah State KY Zip 42003

Owner of Public Record Paducah and Louisville Railway, INC. County McCracken

Legal Description To be determined. Roughly 14 acres near 10th and Tennessee Street

Assessor's Parcel # n/a Tax Year 2022 R.E. Taxes $ n/a

Neighborhood Name Paducah (Midtown to Southside) Map Reference n/a Census Tract 0306.00

Property Rights Appraised [X] Fee Simple [ ] Leasehold [ ] Other (describe)

SALES HISTORY

My research [ ] did [X] did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.

Prior Sale/Transfer: Date n/a Price n/a Source(s) Courthouse Record

Analysis of prior sale or transfer history of the subject property (and comparable sales, if applicable) No prior sales were found for subject within 3 years or comparable sales within 1 year of the effective date of this appraisal.

Offerings, options and contracts as of the effective date of the appraisal Real Estate Sale and Purchase Agreement to be determined.

NEIGHBORHOOD

Neighborhood Characteristics				One-Unit Housing Trends				One-Unit Housing		Present Land Use %	
Location	[X] Urban	[ ] Suburban	[ ] Rural	Property Values	[ ] Increasing	[X] Stable	[ ] Declining	PRICE	AGE	One-Unit	60 %
Built-Up	[X] Over 75%	[ ] 25-75%	[ ] Under 25%	Demand/Supply	[ ] Shortage	[X] In Balance	[ ] Over Supply	$(000)	(yrs)	2-4 Unit	5 %
Growth	[ ] Rapid	[X] Stable	[ ] Slow	Marketing Time	[ ] Under 3 mths	[X] 3-6 mths	[ ] Over 6 mths	80 Low	10	Multi-Family	5 %
								300 High	150	Commercial	20 %
								100 Pred.	80	Other industri	10 %

Neighborhood Boundaries Boundaries include Park Avenue to the North, 4th ST to the East, Broad ST to the South and 21st ST to the East.

Neighborhood Description All amenities are conveniently located within a 15 minute drive of subject. Market appeal is average. The subject property conforms well to the surrounding neighborhood.

Market Conditions (including support for the above conclusions) Demand and supply are in balance. Financing is readily available.

SITE

Dimensions n/a Area 14 acres appx Shape irregular View residential

Specific Zoning Classification M-1 Zoning Description light industrial

Zoning Compliance [X] Legal [ ] Legal Nonconforming (Grandfathered Use) [ ] No Zoning [ ] Illegal (describe)

Highest and best use of the subject property Subject has been vacant for years. It is transferring to the Fire Department to use in staging fires, etc.

Utilities	Public	Other (describe)		Public	Other (describe)	Off-site Improvements—Type	Public	Private
Electricity	[ ]	[ ]	Water	[ ]	[ ]	Street paved	[X]	[ ]
Gas	[ ]	[ ]	Sanitary Sewer	[ ]	[ ]	Alley gravel	[ ]	[ ]

FEMA Special Flood Hazard Area [ ] Yes [X] No FEMA Flood Zone X FEMA Map # 21145C0153F FEMA Map Date 11-02-2011

Site Comments Public utilities are available. There are none connected at this time. There is a gravel alley way that leads to the area from Tennessee Street.

MARKET DATA ANALYSIS

ITEM	SUBJECT	COMPARABLE NO. 1		COMPARABLE NO. 2		COMPARABLE NO. 3	
Address	1500 Kentucky AVE (14 acre Paducah, KY 42003	6557 I C Avenue Paducah, KY 42003		1800-1946 Meacham LN Paducah, KY 42003		3315 Pines RD Paducah, KY 42001	
Proximity to subject		5.48 miles SE		3.01 miles SE		2.43 miles NW	
Sales Price	$		$ 35,000		$ $38,000		$ 105,000
Price $/ acre	0		4,375		$3,657		7,479
Data Source		Regional MLS #113086		Regional MLS #116148		Regional MLS #110641	
Date of Sale and Time Adjustment	DESCRIPTION	DESCRIPTION	+(-) Adjust.	DESCRIPTION	+(-) Adjust.	DESCRIPTION	+(-) Adjust.
		2/10/2022		10/13/2022		03/1i6/2022	
Location	Urban	suburban		suburban		suburban	
Site/View	14 +/- acres	8 acres		10.39 acres		14.04 acres	
Sales or Financing Concessions		cash 0		cash 0		cash 0	
Net Adj. (Total)		[X] + [ ] -	$ 0	[X] + [ ] -	$ 0	[X] + [ ] -	$ 0
Indicated Value of Subject		Net Adj. 0.0% Gross Adj. 0.0%	$ 4,375	Net Adj. 0.0% Gross Adj. 0.0%	$ 3,657	Net Adj. 0.0% Gross Adj. 0.0%	$ 7,479

Summary of Sales Comparrison Approach Sales are selected that are the most comparable to subject at this time. Sales data of sites like subject within a 1 mile radius are limited. No adjustments are made to sales. Subject is a unique property. There are no paired sales from which to calculate adjustments. The sales are within 3 miles of subject. Most weight is given Sales 1 and 2. Sale 3 is adjacent to the railroad; however, it is a superior location to subject.

RECONCILIATION

This appraisal is made [X] "as is," [ ] subject to the following: _____

Based on the scope of work, assumptions, limiting conditions and appraiser's certification, my (our) opinion of the defined value of the real property that is the subject of this report is $ 60,000 **as of** 11/03/2022 **, which is the effective date of this appraisal.**

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(gPAR™) General Purpose Appraisal Report 05/2010
GPARLAND_10 05252010

Mary Hoy

Scope of Work, Assumptions and Limiting Conditions

Scope of work is defined in the Uniform Standards of Professional Appraisal Practice as " the type and extent of research and analyses in an assignment." In short, scope of work is simply what the appraiser did and did not do during the course of the assignment. It includes, but is not limited to: the extent to which the property is identified and inspected, the type and extent of data researched, the type and extent of analyses applied to arrive at opinions or conclusions.

The scope of this appraisal and ensuing discussion in this report are specific to the needs of the client, other identified intended users and to the intended use of the report. This report was prepared for the sole and exclusive use of the client and other identified intended users for the identified intended use and its use by any other parties is prohibited. The appraiser is not responsible for unauthorized use of the report.

The appraiser's certification appearing in this appraisal report is subject to the following conditions and to such other specific conditions as are set forth by the appraiser in the report. All extraordinary assumptions and hypothetical conditions are stated in the report and might have affected the assignment results.

1. The appraiser assumes no responsibility for matters of a legal nature affecting the property appraised or title thereto, nor does the appraiser render any opinion as to the title, which is assumed to be good and marketable. The property is appraised as though under responsible ownership.

2. Any sketch in this report may show approximate dimensions and is included only to assist the reader in visualizing the property. The appraiser has made no survey of the property.

3. The appraiser is not required to give testimony or appear in court because of having made the appraisal with reference to the property in question, unless arrangements have been previously made thereto.

4. Neither all, nor any part of the content of this report, copy or other media thereof (including conclusions as to the property value, the identity of the appraiser, professional designations, or the firm with which the appraiser is connected), shall be used for any purposes by anyone but the client and other intended users as identified in this report, nor shall it be conveyed by anyone to the public through advertising, public relations, news, sales, or other media, without the written consent of the appraiser.

5. The appraiser will not disclose the contents of this appraisal report unless required by applicable law or as specified in the Uniform Standards of Professional Appraisal Practice.

6. Information, estimates, and opinions furnished to the appraiser, and contained in the report, were obtained from sources considered reliable and believed to be true and correct. However, no responsibility for accuracy of such items furnished to the appraiser is assumed by the appraiser.

7. The appraiser assumes that there are no hidden or unapparent conditions of the property, subsoil, or structures, which would render it more or less valuable. The appraiser assumes no responsibility for such conditions, or for engineering or testing, which might be required to discover such factors. This appraisal is not an environmental assessment of the property and should not be considered as such.

8. This appraisal report should not be used to disclose the condition of the property as it relates to the presence/absence of defects. The client is invited and encouraged to employ qualified experts to inspect and address areas of concern. If negative conditions are discovered, the opinion of value may be affected.

9. Appraisals involving hypothetical conditions related to completion of new construction, repairs or alteration are based on the assumption that such completion, alteration or repairs will be competently performed.

Additional Comments Related To Scope Of Work, Assumptions and Limiting Conditions

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Appraiser's Certification

The appraiser(s) certifies that, to the best of the appraiser's knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are the appraiser's personal, impartial, and unbiased professional analyses, opinions, and conclusions.
3. Unless otherwise stated, the appraiser has no present or prospective interest in the property that is the subject of this report and has no personal interest with respect to the parties involved.
4. The appraiser has no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
5. The appraiser's engagement in this assignment was not contingent upon developing or reporting predetermined results.
6. The appraiser's compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
7. The appraiser's analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
8. Unless otherwise noted, the appraiser has made a personal inspection of the property that is the subject of this report.
9. Unless noted below, no one provided significant real property appraisal assistance to the appraiser signing this certification. Significant real property appraisal assistance provided by:

Additional Certifications:

Subject site is to be cut out of a larger tract. Acreage is approximate.

Definition of Value: [X] **Market Value** [ ] **Other Value:** _____

Source of Definition: FNMA Selling Guides

Market Value is the most probable price that a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is noit affected by undue stimulus.

ADDRESS OF THE PROPERTY APPRAISED:
1500 Kentucky AVE (14 acres to be surveyed)
Paducah, KY 42003

EFFECTIVE DATE OF THE APPRAISAL: 11/03/2022

APPRAISED VALUE OF THE SUBJECT PROPERTY $ 60,000

APPRAISER

Signature: Mary M. Hoy
Name: Mary Hoy
State Certification # 000792
or License # _____
or Other (describe): _____ State #: _____
State: KY
Expiration Date of Certification or License: 06/30/2023
Date of Signature and Report: 12/14/2022
Date of Property Viewing: 10/28/2022
Degree of property viewing:
[X] Did personally view [ ] Did not personally view

SUPERVISORY APPRAISER

Signature: _____
Name: _____
State Certification # _____
or License # _____
State: _____
Expiration Date of Certification or License: _____
Date of Signature: _____
Date of Property Viewing: _____
Degree of property viewing:
[ ] Did personally view [ ] Did not personally view

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(gPAR™) General Purpose Appraisal Report 05/2010
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SUBJECT PROPERTY PHOTO ADDENDUM

Client: Paducah Fire Department, Stephen Kyle		File No.: 1500 Kentucky Avenue
Property Address: 1500 Kentucky AVE (14 acres to be surveyed)		Case No.:
City: Paducah	State: KY	Zip: 42003

FRONT VIEW OF SUBJECT PROPERTY

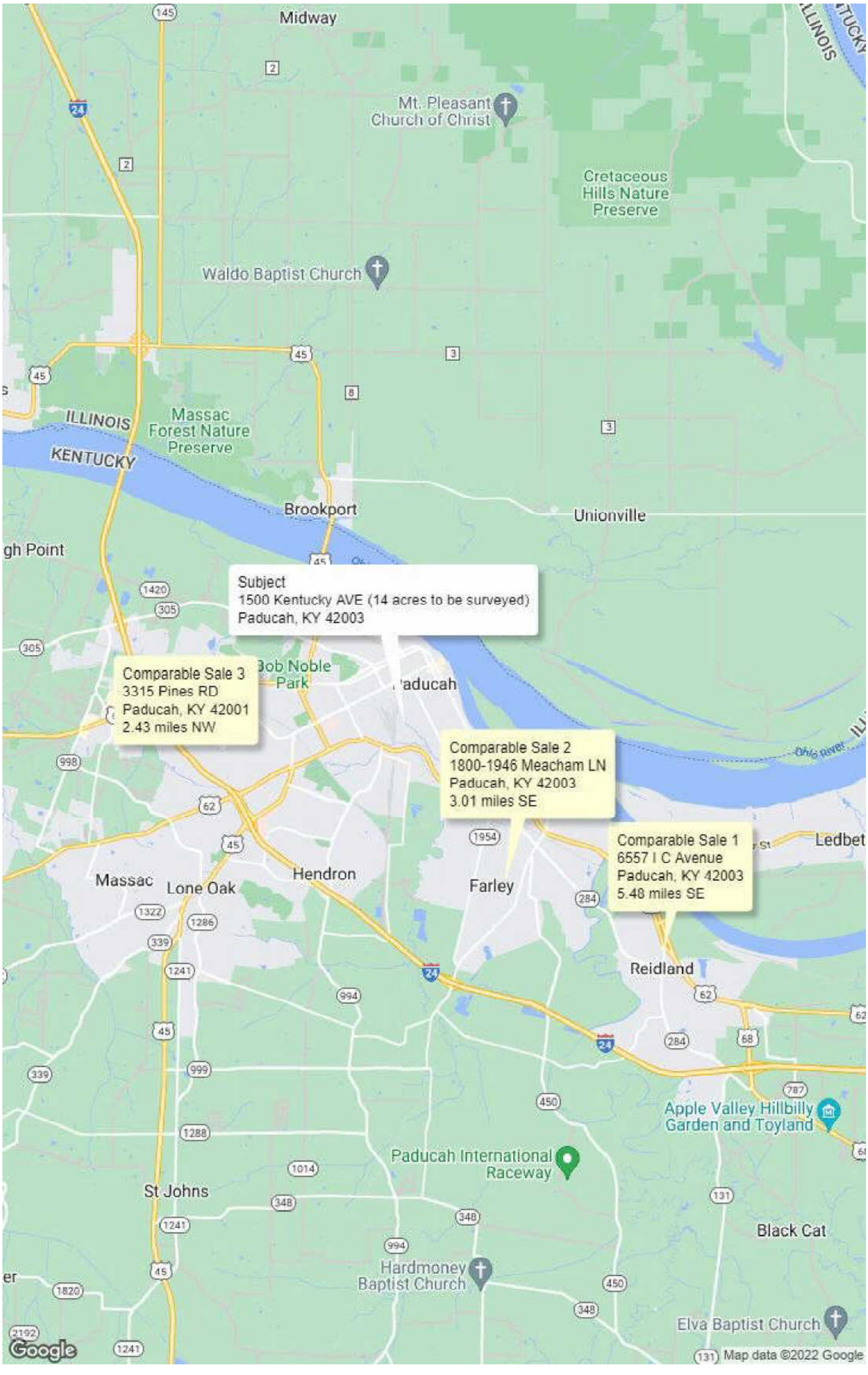
Appraised Date: November 3, 2022
Appraised Value: $ 60,000

REAR VIEW OF SUBJECT PROPERTY

STREET SCENE

LOCATION MAP

Client: Paducah Fire Department, Stephen Kyle		File No.: 1500 Kentucky Avenue
Property Address: 1500 Kentucky AVE (14 acres to be surveyed)		Case No.:
City: Paducah	State: KY	Zip: 42003



Client: Paducah Fire Department, Stephen Kyle		File No.: 1500 Kentucky Avenue	
Property Address: 1500 Kentucky AVE (14 acres to be surveyed)		Case No.:	
City: Paducah	State: KY		Zip: 42003

Commonwealth of Kentucky

Kentucky Real Estate Appraisers Board

2022 - 23

Hereby grants a *Certified Residential Real Property Appraiser*

To Mary Marshall Hoy
Marshall Company Appraisers
3927 Court Avenue
Paducah, KY 42001

License № 792

who has complied with the provisions of Chapter 324A of the Kentucky Revised Statutes IN WITNESS WHEREOF, we have caused the official seal to be fixed and attested for the year shown above.

John G. Kenkel, Jr., Chair
John Brewer, Vice Chair
Justin W. Noble
William Jeffrey Fultz
John Dexter Outlaw

This certificate expires 6/30/2023

Client: Paducah Fire Department, Stephen Kyle		File No.: 1500 Kentucky Avenue
Property Address: 1500 Kentucky AVE (14 acres to be surveyed)		Case No.:
City: Paducah	State: KY	Zip: 42003

CNA

CERTIFICATE OF REAL ESTATE LICENSEE ERRORS AND OMISSIONS INSURANCE

Insurance Company: Continental Casualty Company, a CNA insurance company (Continental)
Producer: Rice Insurance Services Center, A Division of AssuredPartnersNL, LLC (RISC)
4211 Norbourne Boulevard, Louisville, Kentucky 40207-4048
Phone: (800) 637-7319 Fax: (502) 897-7174

Mary M Hoy
3927 Court Ave
Paducah, KY 42001

THIS CERTIFICATE OF INSURANCE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER OTHER THAN THOSE SET FORTH IN THE POLICY AND ANY ENDORSEMENTS ISSUED TO THE LICENSEE. THIS CERTIFICATE DOES NOT AMEND, EXTEND, OR ALTER THE COVERAGE AFFORDED BY THE INSURANCE POLICY REFERENCED HEREIN.

This is to certify that the following Licensee is insured, as stated below, through the group errors and omissions insurance policy issued to the Kentucky Real Estate Commission.

Insured: Mary M Hoy

Real Estate License Number: KY : 205712– B
(if applicable)

Policy Number: 22 EO 0031KY

Individual Policy Period: 04/01/2022 to 04/01/2024 *

Limits of Liability: $100,000 per claim / $1,000,000 aggregate**

Deductibles: Damage Deductible: $0
Claim Expenses Deductible: $0

This policy is a claims-made-and-reported policy. It only applies to Claims that are made and reported during the Individual Policy Period or any applicable Extended Reporting Period. To protect the Insured's interest and preserve any available coverage, it is essential to report claims timely in accordance with the policy provisions.

You may obtain a copy of the group policy online at www.risceo.com. You may also obtain copies of the group policy and any optional endorsements purchased by calling us at (800) 637-7319, ext 1.

Authorized Representative

03/28/2022
Date Generated

*If this policy is cancelled prior to the expiration date indicated, notice will be delivered in accordance with the policy provisions.

**Limits of liability may have been reduced by payments on claims.

Date of Enrollment: 03/28/2022 - 05:38 PM EDT

CNA

APPRAISAL ENDORSEMENT

In consideration of the additional premium paid to the Company, it is understood and agreed that the policy is amended as follows:

I. The Section entitled **EXCLUSIONS**, the exclusion entitled Specified Activities, paragraph 2. is deleted in its entirety.

II. The Section entitled **EXCLUSIONS**, the exclusion entitled Commission Disputes is deleted in its entirety and replaced with the following:

disputes over commissions or fees between real estate brokers, real estate salespersons, real estate sales associates and/or appraisers or disputes over commissions or fees involving lawsuits initiated by the **Insured**. This exclusion does not apply to disputes over commissions or fees involving counterclaims filed with the approval of the Company;

III. The Section entitled **DEFINITIONS**, the definition of **Professional Services** is amended by the addition of the following:

Professional Services also means services performed by the **Licensee** as a Kentucky licensed real estate appraiser, certified general appraiser, certified residential appraiser, licensed residential real property appraiser, or credentialed associate appraiser, provided all necessary licenses are held by the **Licensee** at the time of the act, error, or omission giving rise to the **Claim**.

IV. The Section entitled **DEFINITIONS**, the definition of Real Estate Firm is amended by the addition of the following:

Real Estate Firm also means a legal entity with which real estate appraisers are affiliated and which the **Licensee** works for or represents.

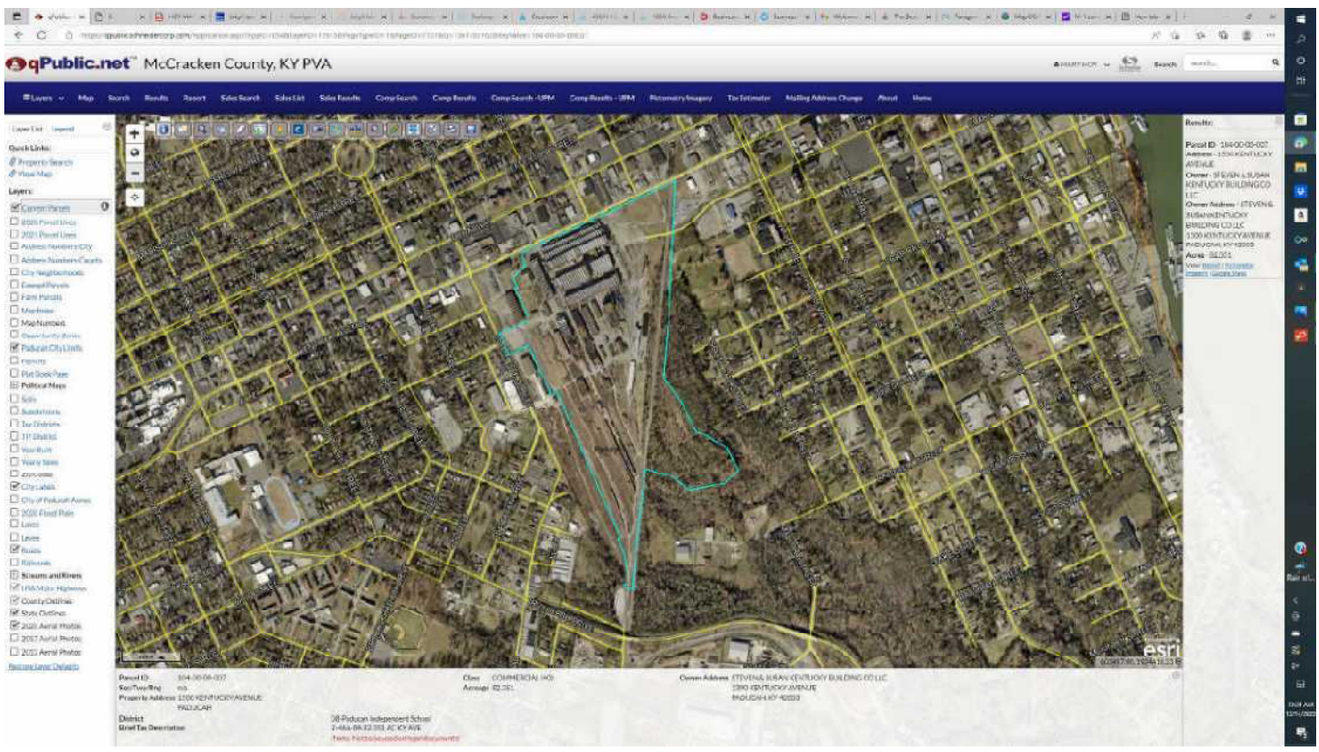
This endorsement does not apply to any **Claim** if the **Licensee** does not hold an active license, certificate, or credential issued by the Kentucky Real Estate Appraisal Board, pursuant to K.R.S. Chapter 324A, at some point during the **Individual Policy Period**.

Additionally, this endorsement does not apply to any **Claim** made prior to the effective date of the endorsement or after the expiration of the **Individual Policy Period** or any applicable Extended Reporting Period. If prior to the effective date of this endorsement any **Insured** had a reasonable basis to believe a **Claim** may arise, then this endorsement shall not apply to such **Claim** or **Related Claim**

All other terms and conditions of the Policy remain unchanged.

This endorsement, which forms a part of and is for attachment to the Policy issued by the designated Insurers, takes effect on the effective date of said Policy at the hour stated in said Policy, unless another effective date is shown below, and expires concurrently with said Policy.

Client: Paducah Fire Department, Stephen Kyle		File No.: 1500 Kentucky Avenue
Property Address: 1500 Kentucky AVE (14 acres to be surveyed)		Case No.:
City: Paducah	State: KY	Zip: 42003



AERIAL MAP

Client: Paducah Fire Department, Stephen Kyle		File No.: 1500 Kentucky Avenue
Property Address: 1500 Kentucky AVE (14 acres to be surveyed)		Case No.:
City: Paducah	State: KY	Zip: 42003

FLOOD MAP

Client: Paducah Fire Department, Stephen Kyle		File No.: 1500 Kentucky Avenue
Property Address: 1500 Kentucky AVE (14 acres to be surveyed)		Case No.:
City: Paducah	State: KY	Zip: 42003

FLOOD INFORMATION

Community: CITY OF PADUCAH
Property is NOT in a FEMA Special Flood Hazard Area
Map Number: 21145C0153F
Panel: 21145C0153
Zone: X
Map Date: 11-02-2011
FIPS: 21145
Source: FEMA DFIRM

LEGEND

= FEMA Special Flood Hazard Area – High Risk

= Moderate and Minimal Risk Areas

Road View:

= Forest = Water

Sky Flood™

No representations or warranties to any party concerning the content, accuracy or completeness of this flood report, including any warranty of merchantability or fitness for a particular purpose is implied or provided. Visual scaling factors differ between map layers and are separate from flood zone information at marker location. No liability is accepted to any third party for any use or misuse of this flood map or its data.

PROPERTY NOTES:

CLIENT:
CITY OF PADUCAH
P.O. BOX 2307
PADUCAH, KENTUCKY 42002

OWNERS:
PADUCAH & LOUISVILLE RAILWAY
200 CLARK STREET
PADUCAH, KY 42003

SOURCE OF TITLE:
DEED BOOK 98, PAGE 192

PLAT REFERENCES:
PLAT BOOK A, PAGE 126

AREA SUMMARY:

TRACT A:
647,457 SQUARE FEET
14.864 ACRES

INTENT:

THE INTENT OF THIS PLAT IS TO ABOLISH ALL INTERIOR LOT LINES/RIGHT-OF-WAY, ESTABLISH RIGHT-OF-WAY, AND ESTABLISH TRACT A TO BE TRANSFERRED TO THE CITY OF PADUCAH AS SHOWN HEREON.

FLOOD ZONE INFORMATION:

THIS PROPERTY IS LOCATED IN FLOOD ZONE X, "AREA WITH REDUCED FLOOD RISK DUE TO LEVEE", AND FLOOD ZONE AE, "SPECIAL FLOOD HAZARD AREA WITH BFE OR DEPTH", AS SHOWN ON THE NATIONAL FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 21145C0153F, EFFECTIVE NOVEMBER 2, 2011.

ZONING INFORMATION:

THE PROPERTY SHOWN HEREON IS CURRENTLY ZONED "M-1"
ZONE "M-1" = LIGHT INDUSTRIAL ZONE

MINIMUM YARD REQUIREMENTS:
A. PERMITTED USES HAVING A TOTAL PLAN FLOOR AREA OF 10,000 SQUARE FEET OR LESS:
   1. FRONT YARD: 25 FEET, EXCEPT FOR HIGHWAY STRIP USES FOR WHICH A 50 FOOT FRONT YARD IS REQUIRED
   2. SIDE YARD: 10 FEET
   3. REAR YARD: NONE, EXCEPT WHERE ABUTTED BY A RESIDENTIAL ZONE, IN WHICH CASE A REAR YARD OF 25 FEET
   4. NO STORAGE OF MATERIALS OR EQUIPMENT SHALL BE ALLOWED IN THE MINIMUM FRONT YARD
B. PERMITTED USES WITH A TOTAL PLAN FLOOR AREA OF MORE THAN 10,000 SQUARE FEET:
   1. FRONT YARD: 50 FEET
   2. SIDE YARD: 25 FEET
   3. REAR YARD: NONE, EXCEPT WHERE ABUTTED BY A RESIDENTIAL ZONE, IN WHICH CASE A REAR YARD OF 25 FEET

MINIMUM AREA REQUIREMENTS:
A. PERMITTED USES HAVING A TOTAL PLAN FLOOR AREA OF 4,000 SQUARE FEET OR LESS:
   1. MINIMUM LOT AREA: 7,500 SQUARE FEET
   2. MINIMUM LOT WIDTH: 60 FEET
B. PERMITTED USES HAVING A TOTAL PLAN FLOOR AREA OF MORE THAN 4,000 SQUARE FEET:
   1. MINIMUM LOT AREA: 15,000 SQUARE FEET
   2. MINIMUM LOT WIDTH: 75 FEET

MAXIMUM BUILDING HEIGHT: NONE

MAXIMUM LOT COVERAGE:
A. PRINCIPLE STRUCTURES: 50 PERCENT OF GROSS LOT AREA
B. TOTAL COVERAGE BY PRINCIPLE STRUCTURES, ACCESSORY STRUCTURES, AND OUTSIDE STORAGE: 70 PERCENT OF GROSS LOT AREA

ZONING INFORMATION:

THE PROPERTY SHOWN HEREON IS CURRENTLY ZONED "M-2"
ZONE "M-2" = HEAVY INDUSTRIAL ZONE

MINIMUM YARD REQUIREMENTS:
A. PERMITTED USES HAVING A TOTAL PLAN FLOOR AREA OF 10,000 SQUARE FEET OR LESS:
   1. FRONT YARD: 25 FEET, EXCEPT FOR HIGHWAY STRIP USES FOR WHICH A 50 FOOT FRONT YARD IS REQUIRED
   2. SIDE YARD: 10 FEET
   3. REAR YARD: NONE, EXCEPT WHERE ABUTTED BY A RESIDENTIAL ZONE, IN WHICH CASE A REAR YARD OF 25 FEET
   4. NO STORAGE OF MATERIALS OR EQUIPMENT SHALL BE ALLOWED IN THE MINIMUM FRONT YARD
B. PERMITTED USES WITH A TOTAL PLAN FLOOR AREA OF MORE THAN 10,000 SQUARE FEET:
   1. FRONT YARD: 50 FEET
   2. SIDE YARD: 25 FEET
   3. REAR YARD: NONE, EXCEPT WHERE ABUTTED BY A RESIDENTIAL ZONE, IN WHICH CASE A REAR YARD OF 25 FEET

MINIMUM AREA REQUIREMENTS:
A. PERMITTED USES HAVING A TOTAL PLAN FLOOR AREA OF 4,000 SQUARE FEET OR LESS:
   1. MINIMUM LOT AREA: 7,500 SQUARE FEET
   2. MINIMUM LOT WIDTH: 60 FEET
B. PERMITTED USES HAVING A TOTAL PLAN FLOOR AREA OF MORE THAN 4,000 SQUARE FEET:
   1. MINIMUM LOT AREA: 15,000 SQUARE FEET
   2. MINIMUM LOT WIDTH: 75 FEET

MAXIMUM BUILDING HEIGHT: NONE

MAXIMUM LOT COVERAGE:
A. PRINCIPLE STRUCTURES: 50 PERCENT OF GROSS LOT AREA
B. TOTAL COVERAGE BY PRINCIPLE STRUCTURES, ACCESSORY STRUCTURES, AND OUTSIDE STORAGE: 70 PERCENT OF GROSS LOT AREA

SURVEYOR'S CERTIFICATE:

I DO HEREBY CERTIFY THAT THIS REPRESENTS A BOUNDARY SURVEY AND COMPLIES WITH 201 KAR 18:150. AND THAT THE BOUNDARY INFORMATION SHOWN HEREON WAS PERFORMED UNDER MY DIRECT SUPERVISION BY USING REAL TIME KINEMATIC "RTK" GPS (TRIMBLE R12/R8 GPS UNIT & TRIMBLE S5 ROBOTIC TOTAL STATION). 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: OCTOBER 26, 2022

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

JAN. 11, 2023

STATE of KENTUCKY
K. JETT WOOD 3445
LICENSED PROFESSIONAL LAND SURVEYOR

THIS PROPERTY IS SUBJECT TO ALL PREVIOUSLY CONVEYED RIGHT-OF-WAYS AND EASEMENTS. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE OPINION.

STATE OF KENTUCKY, COUNTY OF McCRACKEN CERTIFICATE OF RECORDING

I HEREBY CERTIFY THAT THIS PLAT WAS THIS DAY LOGGED IN MY OFFICE FOR RECORD AND THAT I HAVE RECORDED SAME WITH THIS AND THE FOREGOING CERTIFICATES IN MY OFFICE. GIVEN UNDER MY SEAL THIS 11 JAN 2023 DAY OF AND RECORDED IN PLAT SECTION CABM 1797, PAGE

Jamie Huskey
McCRACKEN COUNTY COURT CLERK

Cara A Walker
DEPUTY COURT CLERK

PLANNING AND ZONING CERTIFICATE OF APPROVAL

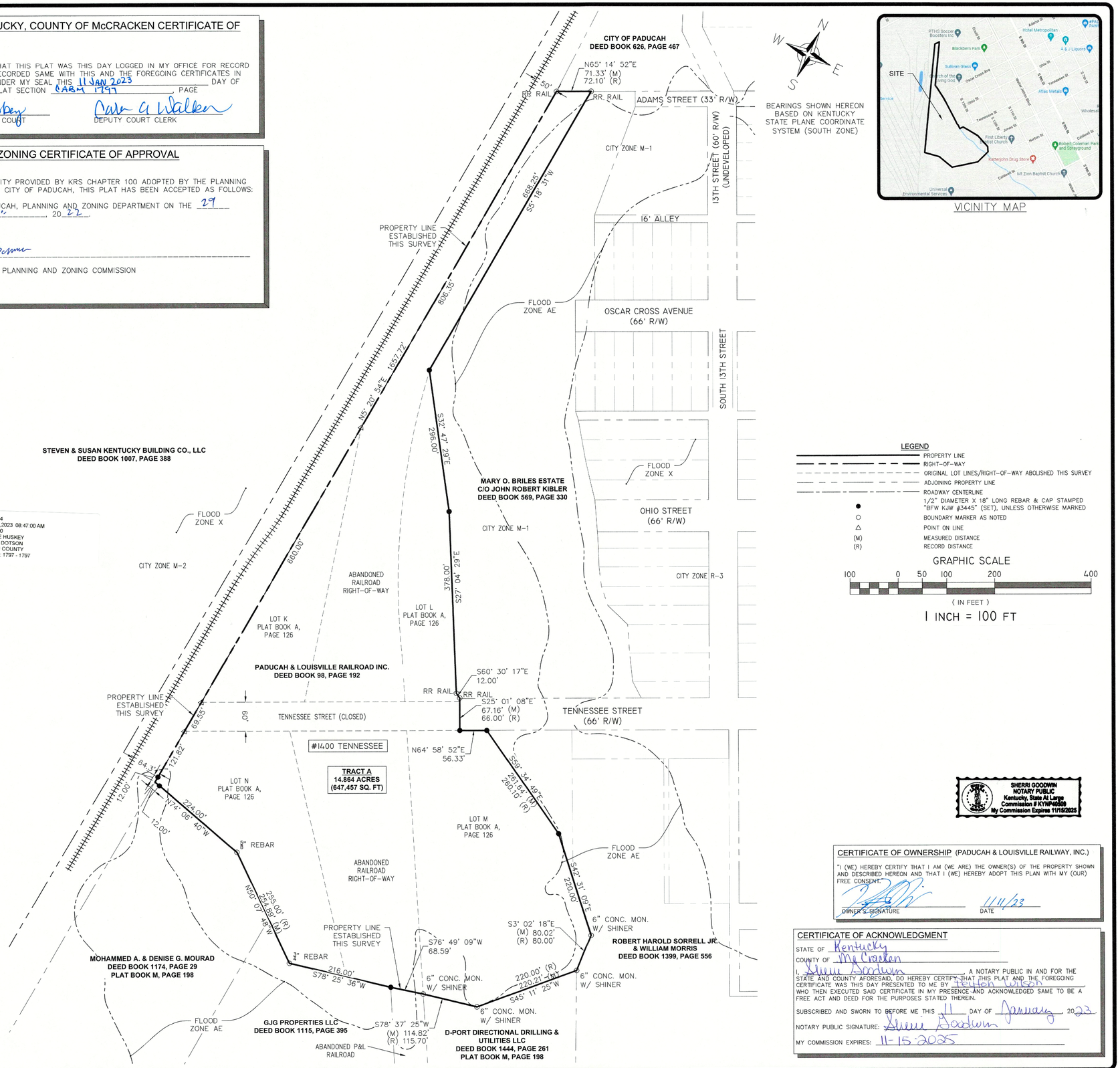
UNDER THE AUTHORITY PROVIDED BY KRS CHAPTER 100 ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF PADUCAH, THIS PLAT HAS BEEN ACCEPTED AS FOLLOWS:

APPROVED BY PADUCAH, PLANNING AND ZONING DEPARTMENT ON THE 29 DAY OF December, 2022.

John P Brewer

SECRETARY OF THE PLANNING AND ZONING COMMISSION

DOCUMENT NO: 666894
RECORDED:January 11,2023 08:47:00 AM
TOTAL FEES: $50.00
COUNTY CLERK: JAMIE HUSKEY
DEPUTY CLERK: CARA DOTSON
COUNTY: MCCRACKEN COUNTY
BOOK: CABM PAGES: 1797 - 1797



VICINITY MAP

LEGEND

- PROPERTY LINE
- RIGHT-OF-WAY
- ORIGINAL LOT LINES/RIGHT-OF-WAY ABOLISHED THIS SURVEY
- ADJOINING PROPERTY LINE
- ROADWAY CENTERLINE
- ● 1/2" DIAMETER X 18" LONG REBAR & CAP STAMPED "BFW KJW #3445" (SET), UNLESS OTHERWISE MARKED
- ○ BOUNDARY MARKER AS NOTED
- △ POINT ON LINE
- (M) MEASURED DISTANCE
- (R) RECORD DISTANCE

GRAPHIC SCALE
100 0 50 100 200 400
(IN FEET)
1 INCH = 100 FT

SHERRI GOODWIN
NOTARY PUBLIC
Kentucky, State At Large
Commission # KYNP46589
My Commission Expires 11/15/2025

CERTIFICATE OF OWNERSHIP (PADUCAH & LOUISVILLE RAILWAY, INC.)

"I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY ADOPT THIS PLAN WITH MY (OUR) FREE CONSENT."

OWNER'S SIGNATURE

1/11/23
DATE

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF Kentucky
COUNTY OF McCracken
I, Sherri Goodwin, A NOTARY PUBLIC IN AND FOR THE STATE AND COUNTY AFORESAID, DO HEREBY CERTIFY THAT THIS PLAT AND THE FOREGOING CERTIFICATE WAS THIS DAY PRESENTED TO ME BY Heather Wilson WHO THEN EXECUTED SAID CERTIFICATE IN MY PRESENCE AND ACKNOWLEDGED SAME TO BE A FREE ACT AND DEED FOR THE PURPOSES STATED THEREIN.
SUBSCRIBED AND SWORN TO BEFORE ME THIS 11 DAY OF January, 2023
NOTARY PUBLIC SIGNATURE: Sherri Goodwin
MY COMMISSION EXPIRES: 11-15-2025

PROJECT NO. 22436 DATE:11/30/2022
DRAWN BY KNM CHECKED BY:KJW

REV.	DESCRIPTION	BY	DATE
.		.	
.		.	

BACON | FARMER | WORKMAN
ENGINEERING & TESTING, INC.
300 SOUTH 7TH STREET, LOUISVILLE, KY 40202-2218, PHONE: (502) 589-6987
401 N. 8TH STREET, MADISONVILLE, KY 42431-1509, PHONE: (270) 825-0100
1201 STARTEX DRIVE, MADISON, TN 37115-3300, PHONE: (615) 865-1555
151 MEDINAH RD., SUITE 2, ROMEOVILLE, IL 60446-2161, PHONE: (815) 293-0475

COPYRIGHT © BY BACON FARMER WORKMAN ENGINEERING & TESTING, INC.

WAIVER OF SUBDIVISION

PADUCAH & LOUISVILLE RAILROAD, INC. PROPERTY
TENNESSEE STREET
PADUCAH, KENTUCKY

FOR CITY OF PADUCAH, KENTUCKY FIRE DEPARTMENT

SHEET
SV1.0

BACON | FARMER | WORKMAN
ENGINEERING & TESTING, INC.
500 SOUTH 17TH STREET | PADUCAH, KY 42003

LEGAL DESCRIPTION - TRACT A

A certain tract of land as surveyed by Bacon Farmer Workman Engineering and Testing, Inc. under the direction of Kyrun Jett Wood, P.L.S.#3445 and being generally located east of Paducah & Louisville Railroad tracks, west of South 13th Street, and south of Adams Street, in Paducah, McCracken County, Kentucky, more particularly described as:

Beginning at a ½" rebar and cap stamped "BFW KJW #3445" (set), said point being in the south right-of-way of Tennessee Street, said point also being 33 feet from the centerline of Tennessee Street, said point also being approximately 867 feet from the western right-of-way of South 12th Street, said point also being the northwest corner of the Robert Harold Sorrell, Jr. and William Morris property (recorded in Deed Book 1399, Page 556);

Thence along the west property line of the above said Sorrell and Morris property, S59°34'49"E a distance of 261.64 ft. to a ½" rebar and cap stamped "BFW KJW #3445" (set);

Thence continuing along the west property line of the above said Sorrell and Morris property, S42°31'09"E a distance of 220.00 ft. to a 6" concrete monument with shiner (found);

Thence continuing along the west property line of the above said Sorrell and Morris property, S3°02'18"E a distance of 80.02 ft. to a 6" concrete monument with shiner (found), said point being the northeast corner of the D-Port Directional Drilling and Utilities, LLC property (recorded in Deed Book 1444, Page 261);

Thence along the north property line of the above said D-Port Directional Drilling and Utilities, LLC property, S45°11'25"W a distance of 220.21 ft. to a 6" concrete monument with shiner (found);

Thence continuing along the north property line of the above said D-Port Directional Drilling and Utilities, LLC property, S78°37'25"W a distance of 114.82 ft. to a 6" concrete monument with shiner (found), said point being the northwest corner of the D-Port Directional Drilling and Utilities, LLC property, said point also being the northeast corner of abandoned Paducah & Louisville Railroad right-of-way;

Thence along a new property line, S76°49'09"W a distance of 68.59 ft. to a ½" rebar and cap stamped "BFW KJW #3445" (set), said point being the northwest corner of abandoned Paducah & Louisville Railroad right-of-way, said point also being the northeast corner of the GJG Properties, LLC property (recorded in Deed Book 1115, Page 395);

Thence along the north property line of the above said GJG Properties, LLC property, S78°25'36"W a distance of 216.00 ft. to a ¾" rebar (found);

Thence continuing along the north property line of the above said GJG Properties, LLC property and along the north property line of the Mohammed & Denise Mourad property (recorded in Deed Book 1174, Page 29), N50°07'48"W a distance of 254.89 ft. to a 5/8" rebar;

Thence continuing along the north property line of the above said Mourad property, N74°06'40"W a distance of 224.00 ft. to a point, said point being 12 feet past a ½" rebar and cap stamped "BFW REF" (set), said point being 64.3 feet from the centerline of Paducah & Louisville Railroad tracks;

Thence along a new property line, N5°20'54"E a distance of 1,657.72 ft. to a railroad rail (found) and passing through a ½" rebar and cap stamped "BFW REF" (set) at 12.00 ft., said point being 50 feet from the centerline of Paducah & Louisville Railroad tracks, said point also being the southwest corner of the City of Paducah property (recorded in Deed Book 626, Page 467);

Thence along the south property line of the above said City of Paducah property, N65°14'52"E a distance of 71.33 ft. to a railroad rail (found), said point being northwest corner of the Mary O. Briles Estate property (recorded in Deed Book 569, Page 330);

Thence along the west property line of the above said Briles Estate property, S5°18'31"W a distance of 668.25 ft. to a ½" rebar and cap stamped "BFW KJW #3445" (set);

Thence continuing along the west property line of the above said Briles Estate property, S32°47'29"E a distance of 296.00 ft. to a ½" rebar and cap stamped "BFW KJW #3445" (set);

Thence continuing along the west property line of the above said Briles Estate property, S27°04'29"E a distance of 378.00 ft. to a railroad rail (found);

Thence continuing along the west property line of the above said Briles Estate property, S60°30'17"E a distance of 12.00 ft. to a railroad rail (found), said point being the southwest corner of the above said Briles Estate property, said point also being in the north right-of-way of Tennessee Street;

Thence, S25°01'08"E a distance of 67.16 ft. to a ½" rebar and cap stamped "BFW KJW #3445" (set), said point being in the south right-of-way of Tennessee Street;

Thence along the south right-of-way of Tennessee Street, N64°58'52"E a distance of 56.33 ft. to the point of beginning.

The above described Tract contains 14.864 acres.

The above described tract is part of the Paducah & Louisville Railroad, Inc. property (recorded in Deed Book 98, Page 192) and part of Paducah & Louisville Railroad, Inc. abandoned right-of-way.

JAN. 10, 2023

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

DEED OF CONVEYANCE

THIS DEED made and entered into this the ___ day of March, 2023, by and between PADUCAH & LOUISVILLE RAILWAY, INC., an Kentucky corporation, having a principal office at 200 Clark Street, Paducah, KY 42003, hereinafter "Grantor"; and the CITY OF PADUCAH, KENTUCKY, a municipal corporation of the Commonwealth of Kentucky, having a principal office at of 300 South 5th Street, Paducah, KY 42003, hereinafter "Grantee";

W I T N E S S E T H :

THAT FOR AND IN CONSIDERATION of the sum of $1.00, cash in hand paid by the Grantee to the Grantor, the receipt of which is hereby acknowledged, Grantor does hereby remise, release, and quitclaim unto the Grantee, its successors and assigns forever, together with all the improvements, appurtenances and rights thereunto belonging, the following described property, lying and being in McCracken County, Kentucky, and more particularly described as follows:

> Being Tract A, consisting of 14.864 acres, as depicted on Waiver of Subdivision Plat for Paducah & Louisville Railroad, Inc. Property, of record in Plat Section "M", page 1797, in the office of the McCracken County Court Clerk.
>
> Being a part of the same property conveyed to VMV Enterprises, Inc., a Kentucky corporation and Paducah & Louisville Railway, Inc., a Kentucky corporation, by deed dated August 27, 1986, of record in Deed Book 691, page 342. VMV Enterprises, Inc. conveyed its right, title and interest to Paducah & Louisville Railway, Inc. by deed dated August 27, 1986, of record in Deed Book 717, page 403. All records in the office of the McCracken County Court Clerk.
>
> This conveyance is subject to the terms of a Ri

TO HAVE AND TO HOLD the same, together with all improvements thereon and all rights and appurtenances thereunto pertaining unto Grantee, its successors and assigns forever.

Grantor and Grantee hereby swear and affirm, under penalty of perjury, that the foregoing transfer of real property is made for the purpose of conveying the property to the Grantee, further, that the estimated fair cash value for the property hereby transferred is: $60,000.00.

This conveyance is subject to Grantor's right of first refusal to purchase any or all of the above-described property and improvements thereon upon the following terms and conditions:

1. Term of the Right of First Refusal. The term of this right of first refusal shall commence on the date upon which it is executed by the parties hereto, and it shall continue in perpetuity. This right of first refusal shall remain in full force and effect unless terminated in writing by Grantor, or its successors and assigns.

2. Exercise of the Right of First Refusal. In the event the City of Paducah, Kentucky (hereinafter, the "City") shall receive a bona fide written offer to purchase all or any portion of the above-described property (the "Sale Property"), which Paducah & Louisville Railway, Inc. (hereinafter, "P&L") desires to accept (an "Offer"), P&L shall have an exclusive right of first refusal to purchase the Sale Property in accordance with the following provisions:

a. Within five days of receipt of an Offer, the City shall provide written notice to P&L of the price and other material terms and conditions of such Offer, and the City shall further cause to be delivered to P&L together with such written notice, copies of all documents exchanged between the City and the offeror which contain, interpret, or amplify the terms, conditions and provisions of such Offer.

b. Upon delivery of such written notice and documents described in Section (a), P&L shall have a period of 60 days (the "Offer Period") within which to exercise its right to purchase the Sale Property described in the Offer at the same price and upon the same terms as contained in the Offer.

c. P&L may exercise its right to purchase the Sale Property described in the Offer by providing written notice to the City of its intent to exercise this right of first refusal prior to 5:00 p.m. CST on the 60th day following receipt of the notice required in Section 2(a). In the event the P&L elects to exercise its right of first refusal herein, P&L shall be bound to complete the purchase in accordance with the closing terms provided in Section 2(e).

d. In the event P&L fails to exercise its right of first refusal during the Offer Period, P&L's right of first refusal to purchase the Sale Property described in the Offer shall terminate and be of no further legal force or effect, and the City may then sell the Sale Property to the offeror.

e. The closing date of P&L's purchase of the Sale Property described in the

Offer shall be within thirty (30) days following the City's receipt of P&L's written notice of its intent to exercise its right of first refusal, unless extended by the written mutual agreement of the parties. At time of closing, the City agrees to convey title to P&L by quitclaim deed. P&L shall be responsible for expenses related to closing, including reasonable attorneys' fees incurred by the City. The City shall tender to P&L a quitclaim deed of conveyance to the property described in the Offer simultaneous with P&L's tender of the purchase price described in the Offer.

3. Notices. All notices, requests, demands, and other communications under this right of first refusal shall be in writing and shall be deemed to have been duly given on the date of service if served personally on the party to whom notice is to be given, or on the third day after mailing if mailed to the party to whom notice is to be given at the address stated above, by first class mail, registered or certified, postage prepaid, and properly addressed.

IN WITNESS WHEREOF, the Grantor and Grantee have hereunto set their hands.

GRANTOR:

PADUCAH & LOUISVILLE RAILWAY, INC.,
a Kentucky corporation

By:_____
THOMAS GREENE, PRESIDENT & CEO

STATE OF KENTUCKY)

COUNTY OF MCCRACKEN)

The foregoing instrument was sworn and acknowledged before me this ____ day of March, 2023 by Thomas Greene, President & CEO of Paducah & Louisville Railway, Inc., a Kentucky corporation, on behalf of said corporation, Grantor.

My commission expires:_____.

_____
NOTARY PUBLIC, STATE AT LARGE

GRANTEE:

CITY OF PADUCAH, KENTUCKY

By:_____
GEORGE BRAY, MAYOR

STATE OF KENTUCKY)

COUNTY OF MCCRACKEN)

The foregoing instrument was sworn and acknowledged before me this ____ day of March, 2023 by George Bray, Mayor of the City of Paducah, Kentucky, Grantee.

My commission expires:_____.

_____
NOTARY PUBLIC, STATE AT LARGE

This instrument prepared by:

_____
KEULER, KELLY, HUTCHINS,
BLANKENSHIP & SIGLER, LLP
100 SOUTH 4th STREET
SUITE 400
PADUCAH, KY 42001

Send subsequent year tax bill to:
City of Paducah
300 South 5th St.
Paducah, KY 42002

276304

Agenda Action Form
Paducah City Commission

Meeting Date: March 14, 2023

Short Title: Approve an Application for a 911 Services Board Grant in the Amount of $8,828 **- B.LAIRD**

Category: Municipal Order

Staff Work By: Kimberly Clark, Anthony Copeland, Hope Reasons
Presentation By: Brian Laird

Background Information: The 911 Services Board Grant Program was created in 2006 to help PSAPs acquire E911 equipment, and is now focused on supporting the NG911 Road Map and enhanced NG911 Mapping Guide standards. One of the funding categories is Geospatial and Mapping Projects. The Paducah E911 Department is requesting funding to purchase GIS data professional services to support GIS datasets for use in Next Generation 9-1-1 (NG9-1-1)/Public Safety Answering Point (PSAP) mapping systems. There is no match required for this grant.

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: Approve the Application for the 911 Services Board Grant and authorize the Mayor to sign all documents required for the application.

Attachments:
1. MO - app – 911 Services Board Grant 2023

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER APPROVING THE EXECUTION OF A GRANT APPLICATION FOR A 911 SERVICES BOARD GRANT IN THE AMOUNT OF $8,828 TO BE USED BY THE PADUCAH 911 COMMUNICATION SERVICES DIVISION TO PURCHASE GIS DATA PROFESSIONAL SERVICES

BE IT ORDERED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. The City of Paducah hereby approves the execution of a grant application to obtain a grant for a 911 services board grant in the amount of $8,828, to be used by the Paducah 911 Communications Services Division to purchase GIS data professional services to support GIS datasets for use in next-generation 9-1-1 (NG9-1-1) Public Safety Answering Point (PSAP) mapping systems. This grant does not require a local cash match.

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, March 14, 2023
Recorded by Lindsay Parish, City Clerk, March 14, 2023
\mo\grants\app – 911 Services Board Grant 2023

Agenda Action Form
Paducah City Commission

Meeting Date: March 14, 2023

Short Title: Approve the Application and Acceptance of a 2023-24 Household Hazardous Waste Grant in the Amount of $40,632 **- C. YARBER**

Category: Municipal Order

Staff Work By: Chris Yarber, Latrisha Pryor, Hope Reasons, Pam Spencer
Presentation By: Chris Yarber

Background Information: The Kentucky Division of Waste Management, through the Household Hazardous Waste Award Program, funds cities across the commonwealth for annual clean-up days. This grant award program provides a partial reimbursement for the expenses incurred by the city for the disposal of hazardous waste and advertising/education of Spring Clean-up Day. For nearly 30 years, this project has been a collaborative effort between the McCracken County Fiscal Court and the City of Paducah. The Public Works Department desires to submit an application for the 2023-24 Kentucky Division of Waste Management Household Hazardous Waste Award Program. This grant requires a 25% cash or in-kind match. The City will act as the Lead Agency/Fiscal Agent and seeks an award of $40,632, which will be combined with the required local cash match of $13,544 for a project totaling $54,176. Local cash match will be divided equally between the city and the county. This Municipal Order will also approve the required Interlocal Agreement with McCracken County Fiscal Court for this grant. As in previous years, the City's share of the local cash match will be paid through 50002209 – 520040.

Does this Agenda Action Item align with a Commission Priority? Yes
If yes, please list the Commission Priority: Beautification.

Communications Plan:

Funds Available: Account Name:

Account Number: 50002209 – 520040

Staff Recommendation: Approve the application and acceptance of the Household Hazardous Waste Grant and authorize the Mayor to sign all documents associated with same.

Attachments:
1. MO - App & accept Household Hazardous Waste 2023-2024

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER AUTHORIZING AN APPLICATION FOR AND ACCEPTANCE OF A 2023-2024 KENTUCKY HOUSEHOLD HAZARDOUS WASTE GRANT THROUGH THE KENTUCKY DIVISION OF WASTE MANAGEMENT IN AN AMOUNT OF $40,632, TO ASSIST IN FUNDING THE CITY/COUNTY ANNUAL SPRING CLEAN-UP DAY, AND AUTHORIZING THE MAYOR TO EXECUTE ALL GRANT DOCUMENTS AND AN INTERLOCAL AGREEMENT WITH McCRACKEN COUNTY FOR SAID GRANT

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. The City of Paducah hereby authorizes the submission of a joint application with the McCracken County Fiscal Court for a Kentucky Household Hazardous Waste Grant through the Kentucky Division of Waste Management in the amount of $40,632 to assist in funding the City/County Annual Spring Clean-up Day.

SECTION 2. That the City of Paducah hereby accepts the 2023-2024 Kentucky Household Hazardous Waste Grant through the Kentucky Division of Waste Management in the amount of $40,632, to assist in funding the City/County Annual Spring Clean-up Day.

SECTION 3. The City of Paducah and the McCracken County Fiscal Court hereby agree that the City shall act as the lead government agency in meeting all grant requirements, including the local cash match of $13,544, which will be divided equally between the City and the McCracken County Fiscal Court. The Mayor is hereby authorized to enter into an Interlocal Agreement with McCracken County for match funding and administration of said grant.

SECTION 4. The City's match of $6,772 will be funded through the Public Works account number 5000 2209 520040. Funding for the local cash match will be subject to approval of appropriation in the Public Works FY2024 budget.

SECTION 5. That the Mayor is hereby authorized to execute the Grant Agreement, Interlocal Agreement and all related documents with the Kentucky Division of Waste Management.

SECTION 6. 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, March 14, 2023
Recorded by Lindsay Parish, City Clerk, March 14, 2023
MO\grants\App & accept Household Hazardous Waste 2023-2024

Agenda Action Form
Paducah City Commission

Meeting Date: March 14, 2023

Short Title: Authorize the Acceptance of a Community Development Block Grant in the amount of $200,000 on Behalf of Four Rivers Recovery Center **- H. REASONS**

Category: Municipal Order

Staff Work By: Hope Reasons
Presentation By: Hope Reasons

Background Information: The Department for Local Government (DLG) receives funding from the U.S. Housing and Urban Development's (HUD) Community Development Block Grant (CDBG) program. Funds are designated for various program areas including Community Projects, Community Emergency Relief Fund, Economic Development, Housing and Public Facilities. The CDBG program provides assistance to communities for use in revitalizing neighborhoods, expanding affordable housing and economic opportunities, providing infrastructure and/or improving community facilities and services. With the participation of their citizens, communities can devote these funds to a wide range of activities that best serve their own particular development priorities. All project activities must meet at least one of three national objectives:

- Benefit to low and moderate income persons;
- Prevention or elimination of slums or blight; and,
- Meeting particularly urgent community development needs

The Board of Commissioners approved the application for this grant with MO 2610 on July 26, 2022. This is the thirteenth year the City has received this award.

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: Authorize the acceptance of the CDB Grant and the Mayor to sign all documents associated with same.

Attachments:
1. MO - acceptance cdbg-four rivers Behavioral Health CenterPoint Recovery Center 2023

MUNICIPAL ORDER NO. _____

MUNICIPAL ORDER ACCEPTING A 2022 COMMUNITY DEVELOPMENT BLOCK GRANT IN THE AMOUNT OF $200,000 THROUGH THE DEPARTMENT FOR LOCAL GOVERNMENT FOR THE FOUR RIVERS BEHAVIORAL HEALTH'S CENTERPOINT RECOVERY CENTER AND AUTHORIZING THE MAYOR TO EXECUTE ALL REQUIRED GRANT AWARD DOCUMENTS

WHEREAS, the City of Paducah applied for a FY2022 Community Development Grant through the Department for Local Government, adopted by Municipal Order No. 2610, on July 26, 2022, on behalf of the Four Rivers Recovery Center; and

WHEREAS, The Department for Local Government has approved the application and is now ready to award this grant.

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

SECTION 1. That the City of Paducah hereby accepts grant funds for a Community Development Block Grant through the Department for Local Development in the amount of $200,000 on behalf of Four Rivers Behavioral Health for the Four Rivers Recovery Center (CenterPoint Recovery Center). Funds are designated for various program areas, including Community Projects, Community Emergency Relief Fund, Economic Development, Housing and Public Services. Four Rivers will provide matching funds from various sources. An administration fee of $2,500 will be paid to the City of Paducah for maintaining and monitoring this funding. (this isn't mentioned in the AAF – I've sent a note to Hope)

SECTION 2. That the City of Paducah hereby authorizes and directs the Mayor to execute the Grant Agreement with the Department for Local Government, Residential Anti-Displacement and Relocation Assistance Plan, KCDBG Procurement Code, and Legally Binding Agreement with Four Rivers Behavioral Health Recovery Center and all required grant award documents.

SECTION 3. 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 March 14, 2023
Recorded by Lindsay Parish, City Clerk, March 14, 2023
\mo\grants\acceptance cdbg-four rivers Behavioral Health CenterPoint Recovery Center 2023

Agenda Action Form
Paducah City Commission

Meeting Date: March 14, 2023

Short Title: Authorize Opioid Settlement Participation Agreements - **D. JORDAN & L. PARISH**

Category: Municipal Order

Staff Work By: Lindsay Parish, Daron Jordan
Presentation By: Lindsay Parish

Background Information: In July 2021, J&J and Distributors McKesson, Cardinal Health, and AmerisourceBergen entered into National Opioids Settlements. The City of Paducah authorized participation agreements on November 23, 2021, and has received settlement funds from the Janssen and Distributor settlements.

More recently, between November and December of 2022, five additional groups have entered into National Opioids Settlements including Teva, Allergan, CVS, Walgreens, and Walmart. In order for the City of Paducah to be a party to any opioid remediation settlement dollars, the Mayor must sign Participation Agreements for these settlements. This Municipal Order ratify's the Mayor's execution of Opioid Settlement Participation Agreements for the Teva, Allergan, CVS, Walgreens, Walmart National Opioid Settlements. Full copies of the settlement agreements can be found at https://nationalopioidsettlement.com/.

Additionally, this Municipal Order authorizes the Mayor to execute any and all future Opioid Settlement Participation Agreements, if and when additional settlement agreements are reached.

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. MO - Opioid Settlement Participation Forms – Teva Allergan CVS Walgreens Walmart
2. Participation Agreement - Walmart Teva Walgreens Allergen CVS

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER RATIFYING THE MAYOR'S EXECUTION OF SETTLEMENT PARTICIPATION AGREEMENTS FOR THE TEVA, ALLERGAN, CVS, WALGREENS, AND WALMART OPIOID SETTLEMENTS AND AUTHORIZING THE MAYOR TO EXECUTE ALL FUTURE OPIOID SETTLEMENT PARTICIPATION AGREEMENTS

WHEREAS, in 2017, the city engaged Bryant Law Center for legal representation in pursuit of damages incurred as a result of the sale, distribution and marketing of opioid and opioid derivative drugs in the City of Paducah; and

WHEREAS, on July 21, 2021, Attorney General Daniel Cameron announced a $26 billion agreement with Cardinal, McKesson, and AmerisourceBergen – the nation's three major pharmaceutical distributors – and Johnson & Johnson (Janssen), which manufactured and marketed opioids, for the companies' role in creating and fueling the opioid epidemic; and

WHEREAS, between November and December of 2022, five additional groups have entered into National Opioids Settlements including Teva, Allergan, CVS, Walgreens, and Walmart; and

WHEREAS, Kentucky cities have until April 18, 2023, to sign on to the settlement agreements and become a participating subdivision if the settlement agreements move forward; and

WHEREAS, the City of Paducah wishes to opt-in to the settlement agreements by authorizing the execution of Settlement Participation Agreements; and

WHEREAS, the City of Paducah also wishes to authorize the execution of all future Opioid Settlement Participation Agreements.

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. Authorization. The Board of Commissioners of the City of Paducah hereby ratifies the Mayor's execution of Opioid Settlement Participation Agreements for the Teva, Allergan, CVS, Walgreens, and Walmart Settlements in order to opt-in as a participating subdivision in the National Opioid Settlement. Further, the City hereby authorizes the Mayor to execute all other documentation related to the same.

SECTION 2. Future Participation Agreements. The Board of Commissioners of the City of Paducah hereby authorizes the Mayor to execute all future Opioid Settlement

Participation Agreements and associated documentation with the same or substantially similar terms and which are not substantially adverse to the City.

SECTION 3. Effective Date. This Order shall be in full force and effect on and after the date as approved by the Board of Commissioners of the City of Paducah, Kentucky.

_____
George Bray, Mayor

ATTEST:

_____
Lindsay Parish, City Clerk

Adopted by the Board of Commissioners, March 14, 2023
Recorded by Lindsay Parish, City Clerk, March 14, 2023
\mo\Opioid Settlement Participation Forms – Teva Allergan CVS Walgreens Walmart

Agenda Action Form
Paducah City Commission

Meeting Date: March 14, 2023

Short Title: Approve the Consensual Annexation of 2631 Holt Road **- J. SOMMER**

Category: Ordinance

Staff Work By: Josh Sommer,
Nicholas Hutchison
Presentation By: Josh Sommer

Background Information: The property owner, Dr. Daniel Jones, has requested annexation into the City of Paducah. The total area proposed to be annexed is 3.71 acres. Upon annexation, the property will be referred to the Paducah Planning Commission to assign an initial zoning classification, said classification is proposed to be B-3 General Business Zone at this time.

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

If yes, please list the Commission Priority: Commission Priorities List Yes, Community Growth

Communications Plan:

Funds Available: Account Name:
Account Number:

Staff Recommendation: Approval

Attachments:

1. City Annex 2631 Holt Rd
2. ANNEXATION PLAT NEW HOLT ROAD
3. LEGAL DESCRIPTION - ANNEXATION
4. ORD Annex – Consensual 2631 Holt Road

October 12, 2022

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

Re: Annexation request

Dear Josh:

I, Dr. Daniel Jones, am requesting annexation of 2631 Holt Road into the City of Paducah, pursuant to KRS 81A.412. This parcel totals approximately 3.7 acres 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 the sanitation incentive for my property at 2670 New Holt Road. It is further requested that this parcel be zoned General Business Zone (B-3).

Thank you,

10-19-22

Dr. Daniel Jones

LEGEND

- STEEL ROD, 1/2"x24" WITH PLASTIC CAP STAMPED "3861" SET AT TIME OF SURVEY.
- PROPERTY CORNER FOUND
- CONCRETE MONUMENT FOUND
- EXISTING ROAD CENTERLINE
- CITY LIMITS LINE
- SUBJECT PROPERTY LINE
- NO CORNER SET
- PROPERTY LINE
- CENTERLINE
- R.O.W — RIGHT-OF-WAY

GRAPHIC SCALE

40 0 20 40 80 160

(IN FEET)
1 inch = 40 ft.

SURVEYOR'S CERTIFICATE

TO: GO BIG BLUE PROPERTIES, LLC
2670-D NEW HOLT ROAD
PADUCAH, KENTUCKY 42001

I HEREBY CERTIFY THAT THE SURVEY DEPICTED BY THIS PLAT WAS DONE BY PERSONS UNDER MY DIRECT SUPERVISION. THE SURVEY AS SHOWN HEREON IS A CLASS "URBAN" SURVEY AND THE ACCURACY AND PRECISION OF SAID SURVEY MEETS ALL SPECIFICATIONS OF THIS CLASS.

THIS PLAT REPRESENTS A SURVEY MADE UNDER MY SUPERVISION IN ACCORDANCE WITH ACCEPTABLE PROFESSIONAL STANDARDS BY THE METHOD OF RANDOM TRAVERSE WITH SIDESHOTS HAVING AN UNADJUSTED CLOSURE RATIO OF 1: _____ WITH NO ADJUSTMENT OF THE ANGULAR AND LINEAR DIMENSIONS HEREON INDICATED, FOR AN URBAN SURVEY AS DEFINED BY THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN KENTUCKY, THE INFORMATION SHOWN BY THIS PLAT BEING TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

JANUARY 12, 2023
DATE OF SURVEY COMPLETION

DATE OF SIGNATURE

KENTUCKY PROFESSIONAL LAND SURVEYOR #3861

LOCATION MAP
NOT TO SCALE

BASIS OF BEARINGS:
ALL BEARINGS SHOWN ON THIS DRAWING ARE BASED UPON KENTUCKY SOUTH ZONE-1602, NAD 83

L & H PROPERTIES, INC
D.B. 856, PAGE 680
1555 CANTERBURY DRIVE
MURRAY, KY. 42071

O.J. REAL ESTATE LLC
DEED BOOK 1293, PAGE 698
P.O. BOX 9245
PADUCAH, KY. 42002

CITY OF PADUCAH
MU ZONE (MIXED USE)

CITY LIMITS LINE

TO VILLAGE SQUARE DRIVE

25'

EXISTING 1/2" REBAR W/ALUM. CAP

S 81°11'47" E 516.88'

21.1'

APPROXIMATE CITY LIMITS LINE

TO VILLAGE SQUARE DRIVE

RICHARD AND TARA MONTGOMERY
D.B. 1115, PAGE 299
2665 NEW HOLT ROAD
PADUCAH, KY 42001

DEED BOOK 753, PAGE 787

NEW HOLT ROAD
50' RIGHT-OF-WAY

L=307.09'
CH=N 39°46'53" E 306.47'

℄ CURVE DATA
Δ=12°30'07"
R=1407.39'

McCRACKEN COUNTY
COMMERCIAL ZONE

1/2" REBAR W/CAP 3861 SET AT PROPERTY CORNER THIS SURVEY. ORIGINAL CONCRETE MONUMENT DESCRIBED IN D.B. 1425, PAGE 691 NOT FOUND THIS SURVEY.

HOLT 2650 LLC
DEED BOOK 1455, PAGE 363
2650 HOLT ROAD
PADUCAH, KY. 42001

3.71 ACRES
161,490 SQUARE FEET

S 03°54'47" W 263.93'

BREWER LANE (FORMERLY HOLT ROAD)
RIGHT-OF-WAY VARIES

BRUCE WARD BROWN
DEED BOOK 1397, PAGE 102
2640 HOLT ROAD
PADUCAH, KY. 42001

MONTGOMERY PROPERTY DEVELOPMENT LLC
D.B. 1467, PG.687
1228 MAYFAIR PLACE
PADUCAH, KY. 42001

25'

EXISTING 1/2" REBAR W/CAP 2105

N 81°04'55" W 361.71'

POINT OF BEGINNING
EXISTING 5"X 12" STONE
N:1921504.730
E:782538.672
KY. STATE PLANE COORDINATES
(KY. SOUTH 1602 - NAD 83)

N 81°17'04" W 335.41'

TRACT 1
PLAT SECTION "M", PAGE 624

EXISTING 4" IRON PIPE (DISTURBED) LIES 1' SOUTH OF CORNER

KEITH BROOKING & ELLEN PACE & MARIANNE HAWES
DEED BOOK 1451, PAGE 497
2630 HOLT ROAD
PADUCAH, KY 42001

N 81°17'04" W 18.22'

M. & N. REAL ESTATE LLC
DEED BOOK 1400, PAGE 213
4129 COUNTY ROAD 1024
CUNNINGHAM, KY. 42035

427.9'

℄ WILLOW SPRING COVE

BREWER LANE NOTE:

BREWER LANE (FORMERLY HOLT ROAD) RIGHT-OF-WAY WAS ESTABLISHED PER DEED RECORDS (DEED BOOK 1425, PAGE 691) AND PREVIOUS SURVEY PERFORMED BY KYRUN JET WOOD (PLS #3445) IN CORRELATION WITH EXISTING MONUMENTS. NO SOURCE OF TITLE WAS FOUND FOR ANY RIGHT-OF-WAY CONVEYANCE.

GENERAL NOTES

FLOOD NOTE:

THIS PROPERTY IS LOCATED IN FLOOD ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS SHOWN ON FLOOD INSURANCE RATE MAP FOR McCRACKEN COUNTY – PANEL NUMBER 21145C0129F, DATED NOVEMBER 2, 2011.

SOURCE OF TITLE:

McCRACKEN COUNTY KENTUCKY COURT CLERKS OFFICE
DEED BOOK 1425, PAGE 691

OWNERS:
GO BIG BLUE PROPERTIES, LLC
2670-D NEW HOLT ROAD
PADUCAH, KENTUCKY 42001

CLIENT:
CITY OF PADUCAH
300 SOUTH 5TH STREET
P.O. BOX 2267
PADUCAH, KENTUCKY 42002-2267

SANITARY SEWER & PUBLIC WATER NOTE:

SUBJECT PROPERTY IS SERVED WITH SANITARY SEWERS BY PADUCAH-McCRACKEN JOINT SEWER AGENCY.

SUBJECT PROPERTY IS SERVED BY PADUCAH WATER.

THERE WERE NO CEMETERIES OR GRAVE SITES FOUND DURING INSPECTION OF THIS PROPERTY DURING THIS SURVEY.

PROPERTY ZONE:
THE PROPERTY SHOWN HEREON IS ZONED COMMERCIAL BY THE McCRACKEN COUNTY ZONING ORDINANCE.
MINIMUM YARD REQUIREMENTS ARE AS FOLLOWS:

FRONT YARD: 50 FEET
SIDE YARD: 8 FEET
REAR YARD: 25 FEET

MINIMUM AREA REQUIREMENTS
MINIMUM LOT AREA: 7,500 SQUARE FEET

THIS SURVEY WAS CONDUCTED WITHOUT THE BENEFIT OF A TITLE OPINION. A DILIGENT EFFORT WAS MADE AT THE TIME OF THIS SURVEY TO OBTAIN AND SHOW RIGHTS OF WAY, EASEMENTS, AND RESTRICTIONS PERTAINING TO THIS PROPERTY, HOWEVER THIS SURVEY IS SUBJECT TO THE FINDINGS THAT WOULD BE REVEALED IN AN ACCURATE TITLE OPINION.

MAYOR'S CERTIFICATE OF DEDICATION APPROVAL

UNDER AUTHORITY PROVIDED BY CHAPTER 81A OF THE KENTUCKY REVISED STATUTES. I, _____, MAYOR, ON BEHALF OF THE CITY OF PADUCAH, HEREBY CERTIFY THAT THE PROPOSED PLAT OF ANNEXATION S SHOWN HEREON HAS BEEN FOUND TO BE BENEFICIAL TO THE PUBLIC INTEREST AND IS ACCEPTED BY THE CITY OF PADUCAH, KENTUCKY IN ACCORDANCE WITH ORDINANCE _____ ADOPTED AT A MEETING HELD ON _____.

_____
MAYOR, CITY OF PADUCAH

CERTIFICATE OF RECORDING

"STATE OF KENTUCKY, COUNTY OF McCRACKEN"

I, _____, CLERK FOR THE COUNTY AND STATE AFORESAID DO HEREBY CERTIFY THAT THIS PLAT WAS THIS DAY LODGED IN MY OFFICE FOR RECORD AND THAT I HAVE RECORDED SAME WITH THIS AND THE FOREGOING CERTIFICATE IN MY OFFICE.

GIVEN UNDER MY HAND AND SEAL THIS THE _____ DAY OF _____

BY _____

_____

ALL RIGHTS RESERVED - SITEWORX SURVEY & DESIGN, LLC RESERVES ALL RIGHTS TO THE INFORMATION SHOWN HEREON. THESE PLANS MAY NOT BE REPRODUCED OR COPIED WITHOUT THE EXPRESS WRITTEN CONSENT OF SITEWORX SURVEY & DESIGN, LLC.

siteworx
SURVEY & DESIGN, LLC
124 South 31st Street - Paducah, KY 42001 - Ph: (270) 443-8491
www.siteworxdesign.com

ANNEXATION PLAT
THE PLAT OF SURVEY SHOWN HEREON REPRESENTS A BOUNDARY SURVEY AND COMPLIES WITH 201 KAR 18:150

PROPERTY OF:
GO BIG BLUE PROPERTIES, LLC
LOCATED AT : 2631 HOLT ROAD
McCRACKEN COUNTY, KENTUCKY

PROJECT NO. :	22204
DATE:	01/12/2023
DRAWN BY:	DG
CHECKED BY:	SCC

REV.	DESCRIPTION

SHEET
1
OF 1

ORDINANCE NO. 2023-____-_____

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 3.71 acres of land located at 2631 Holt 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, Dr. Daniel Jones, has requested said consensual annexation in writing to the Board of Commissioners; 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

Lying between New Holt Road and Brewer Lane (formerly Holt Road) and being the Go Big Blue Properties, LLC property recorded in Deed Book 1425, page 691, McCracken County Clerk's office, McCracken County, Kentucky and more particularly bounded and described as follows to wit:

Beginning at an existing 5" x 12" stone in the West right-of-way line of Brewer Lane, said point being N 81°17'04" W 18.22 feet from a point in the centerline of said Brewer Lane that is 427.9 feet as measured Northwardly along said centerline from its intersection with the centerline of Willow Spring Cove and also having

Kentucky State Plane Coordinates (South Zone 1602 – NAD 83) of Northing 1921504.730 and Easting 782538.672; THENCE FROM SAID POINT OF BEGINNNING N 81°17'04" W with the North line of the M & N Real Estate LLC property per Deed Book 1400, page 213 a distance of 335.41 feet to a ½" rebar with cap 3861 set at property corner and witnessed by a 4" disturbed iron pipe lying 1 foot South of said property corner; thence N 81°04'55" W and continuing with the North line of said M & N Real Estate LLC property per Deed Book 1400, page 213 and shown as Tract 1 per Plat Section "M", page 624 a distance of 361.71 feet to an existing ½" rebar with cap 2105 at the Northwest corner of said M & N Real Estate LLC property per Tract 1, Plat Section "M" and in the Southeasterly right-of-way line of New Holt Road; thence Northeastwardly with the Southeasterly right-of-way line of said New Holt Road (a chord being N 39°46'53" E 306.47 feet) a distance of 307.09 feet to an existing ½" rebar with aluminum cap at the Southwesterly corner of the O.J. Real Estate LLC property per Deed Book 1293, page 698; thence S 81°11'47" E with the South line of said O.J. Real Estate LLC Property 516.88 feet to a ½" rebar with cap 3861 set at the Southeast corner thereof and in the West right-of-way line of aforesaid Brewer Lane; thence S 3°54"47" W with the West right-of-way line of said Brewer Lane 263.93 feet to the Point of Beginning and containing 3.71 Acres as shown on Annexation Plat for "Go Big Blue Properties, LLC" prepared by Siteworx Survey and Design LLC dated January 13, 2023.

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, February 28, 2023
Adopted by the Board of Commissioners, _____
Recorded by Paducah City Clerk, _____
Published by *The Paducah Sun*, _____
ORD\Plan\Annex – Consensual 2631 Holt 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 _____ 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 _____, 2023.

_____
Lindsay Parish, City Clerk

Agenda Action Form
Paducah City Commission

Meeting Date: March 14, 2023

Short Title: Approve a Telecommunications Franchise Agreement with OpenFiber Kentucky Company, LLC dba Accelecom - **M. SMOLEN**

Category: Ordinance

Staff Work By: Daron Jordan, Michelle Smolen, Lindsay Parish, Rick Murphy
Presentation By: Michelle Smolen

Background Information: On August 9, 2022, the City Commission adopted Ordinance No. 2022-08-8745 which repealed and replaced Chapter 108 "Telecommunications" of the Code of Ordinances of the City of Paducah. The City issued and advertised a Request for Proposals for non-exclusive telecommunications franchises in accordance with Municipal Order No. 2658 on October 21, 2022. The City of Paducah received an application from OpenFiber Kentucky and requested an addendum. The City found their application with the addendum to be in compliance with Chapter 108. The working group recommends the Board of Commissioners execute a ten-year, non-exclusive franchise agreement with OpenFiber Kentucky Company.

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: Approve a Telecommunications Franchise Agreement with OpenFiber Kentucky Company, LLC dba Accelecom

Attachments:
1. ORD Telecommunications Open Fiber Kentucky 2023
2. OFKY Paducah Franchise Agreement

ORDINANCE 2023-_____-_____

AN ORDINANCE GRANTING A NON-EXCLUSIVE FRANCHISE FOR A TERM OF TEN (10) YEARS FOR A TELECOMMUNICATIONS SYSTEM WITHIN THE CONFINES OF THE CITY OF PADUCAH, KENTUCKY TO OPENFIBER KENTUCKY COMPANY, PURSUANT TO THE TERMS AND PROVISIONS OF CHAPTER 108 "TELECOMMUNICATIONS" OF THE CODE OF ORDINANCES, AND APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE FRANCHISE AGREEMENT WITH OPENFIBER KENTUCKY COMPANY AND ALL OTHER DOCUMENTS RELATED TO SAME

WHEREAS, by Chapter 108 "Telecommunications" of the Code of Ordinances, which was repealed and replaced on August 9, 2022, the City of Paducah, Kentucky (the "City") created a ten (10) year, non-exclusive franchise for a telecommunications system within the confines of Paducah; and

WHEREAS, on October 21, 2022, the City offered at bid a non-exclusive telecommunications franchise pursuant to Chapter 108 "Telecommunications" of the Code of Ordinances; and

WHEREAS, after publication of said advertisement, the City received a bid from OpenFiber Kentucky Company, LLC dba Accelecom (hereinafter "Accelecom").

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

SECTION 1. Bid Acceptance. That the City of Paducah hereby accepts the bid of Accelecom for a non-exclusive telecommunications franchise within the City of Paducah, said bid being in substantial compliance with bid specifications, and as contained in the bid of Accelecom of November 11, 2022.

SECTION 2. Franchise Award. That a ten (10) year, non-exclusive telecommunications franchise created by Chapter 108 "Telecommunications" of the Code of Ordinances be, and it hereby is, awarded to Accelecom.

SECTION 3. Authorized Signatures. The Mayor is hereby authorized, by and on behalf of the City, to execute the Franchise Agreement between the City of Paducah,

Kentucky, and Accelecom, in substantially the form attached hereto and made part hereof (Exhibit A), and all other documents related to same.

SECTION 4. Incorporation by Reference. That the statements set forth in the Preamble to this Ordinance are hereby incorporated in this Ordinance by reference, the same as if set forth at length herein.

SECTION 5. Severability. That if any section, paragraph or provision of this ordinance 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 ordinance to make each and every section paragraph and provision hereof separable from all other sections, paragraphs and provisions.

SECTION 6. Open Meetings. 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 7. Effective Date. This ordinance shall be read on two separate days and will become effective upon summary publication pursuant to KRS Chapter 424.

_____
George P. Bray, Mayor

ATTEST:

_____
Lindsay Parish, City Clerk

Introduced by the Board of Commissioners, _____
Adopted by the Board of Commissioners, _____
Recorded by Lindsay Parish, City Clerk, _____
Published by The Paducah Sun, _____
\ord\Telecommunications OpenFiber Kentucky 2023

Exhibit A
Franchise Agreement

FRANCHISE AGREEMENT

THIS FRANCHISE AGREEMENT is effective this _____ day of _____, 2023, by and between the City of Paducah, a political subdivision of the Commonwealth of Kentucky, and OpenFiber Kentucky Company, LLC dba Accelecom (hereinafter "Accelecom"), a Kentucky limited liability company.

WITNESSETH:

WHEREAS, on August 9, 2022, the Paducah City Commission repealed and replaced Chapter 108 "Telecommunications" of the Code of Ordinances and created a ten (10) year, non-exclusive franchise for a telecommunications system within the confines of the City of Paducah; and

WHEREAS, on October 21, 2022, the City of Paducah offered at bid a non-exclusive telecommunications franchise pursuant to Chapter 108 "Telecommunications" of the Code of Ordinances; and

WHEREAS, by Ordinance No. _____, the City of Paducah accepted the bid of Accelecom to acquire said franchise; and

WHEREAS, The City of Paducah and Accelecom have entered into this Franchise Agreement to memorialize the grant by the City of Paducah to Accelecom of said franchise subject to the terms and conditions reflected in Chapter 108 "Telecommunications" of the Code of Ordinances.

NOW THEREFORE, for and in consideration of the mutual covenants and agreements contained herein the receipt and sufficiency of which are hereby acknowledged, the City of Paducah and Accelecom hereby agree to incorporate the foregoing recitals as if fully set forth herein and further agree as follows:

1. Chapter 108 "Telecommunications" of the Code of Ordinances is incorporated herein by reference in its entirety and shall apply as if fully set forth herein.

2. Accelecom's bid for said franchise, Accelcom's application, and any addendum to said application, which are attached hereto as Exhibit "A", is incorporated herein by reference in its entirety and shall apply as if fully set forth herein.

3. Ordinance No. _____, by which the Paducah Board of Commissioners approved this Franchise Agreement, is incorporated herein by reference in its entirety and shall apply as if fully set forth herein.

4. The City of Paducah has granted unto Accelcom a non-exclusive franchise for a telecommunications system within the confines of the City of Paducah, for a term of ten (10) years, subject to the provisions of Chapter 108 "Telecommunications" of the Code of Ordinances.

5. The franchise memorialized in this Franchise Agreement shall commence upon the effective date of this agreement, and shall expire as provided in the terms and provisions of Chapter 108 "Telecommunications" of the Code of Ordinances.

6. Accelecom does hereby bind itself, its successors and assigns, to faithfully and fully perform each and every condition of said franchise as memorialized in this Franchise Agreement, and further to faithfully perform all acts required of it pursuant to said franchise.

7. This Franchise Agreement memorializes the agreement between the parties contained and embodied in Chapter 108 "Telecommunications" of the Code of Ordinances and shall be binding upon and inure to the benefit of the respective successors in interest to the parties hereto.

8. Notwithstanding any other provision in Chapter 108 "Telecommunications" of the Code of Ordinances to the contrary, the parties agree that ninety (90) days prior to any proposed construction in the City of Paducah, Accelecom shall submit all applicable engineering drawings and documents required to comply with Chapter 98 Article III of the City of Paducah's Code of Ordinances for review by the City of Paducah's Engineering Department. Before proceeding with any construction in the City's rights of ways, Accelecom shall be required to obtain written approval from the City of Paducah's Engineering Department for said proposed construction.

IN WITNESS, WHEREOF, The City of Paducah and Accelecom have executed this Franchise Agreement as their free and voluntary act and deed effective as of the day and year first above written.

[Signatures on following page]

City of Paducah

BY: _____
MAYOR

ATTEST:

_____
CITY CLERK

OpenFiber Kentucky Company, LLC dba Accelecom

BY: _____

TITLE: CEO

STATE OF KY)
)
COUNTY OF Jefferson)

The foregoing Franchise Agreement was subscribed, sworn to and acknowledged before me by Brad Kilbey, as CEO (title), of OpenFiber Kentucky Company, LLC dba Accelecom on this the 21 day of March, 2023.

My commission expires: _____

DIANA BARTLETT
Notary Public - State At Large
KENTUCKY - Notary ID # KYNP23938
My Commission Expires 02-18-2025

Diana Bartlett
NOTARY PUBLIC

Exhibit A
Bid Application and any Addendum

Agenda Action Form
Paducah City Commission

Meeting Date: March 14, 2023

Short Title: Approve a Budget Amendment for the Fleet Plan Budget FY2023 in an amount of $156,870 - **C. YARBER**

Category: Ordinance

Staff Work By: Jim Scutt, Debbie Collins
Presentation By: Chris Yarber

Background Information: Funds need to be transferred/moved to the Fleet Plan Budget for FY2023 for Fleet Trust Vehicles. One (1) SUV for use by the Fire Department in the amount of $48,000 and Two (2) Patrol SUV's for use by the Police Department in the amount of $48,935 each, due to wrecked losses. Also, in accordance with the adopted Fleet Plan Budget for FY2023 Two (2) Pickups for use by the Facility Division and Parks Department were authorized to be purchased. Due to bid received over budget, additional funds of $11,000 (Facility $4,000 and Parks $7,000) need to be added for purchase.

Does this Agenda Action Item align with a Commission Priority? No
If yes, please list the Commission Priority:

Communications Plan:

Funds Available: Account Name: Rolling Stock/Vehicle Fleet Lease Trust Fund
Fleet Trust Fund Balance

Account Number: 71000210 540050

Staff Recommendation: To authorize an Ordinance for a budget amendment to add $156,870 from Fleet Trust Fund Balance to Account 71000210 540050 (Fleet Trust Budget) in order to purchase fleet vehicles out of the FY2023 budget.

Attachments:
1. ORD - budget amend FY2023 – Fleet – vehicle purchases - March

ORDINANCE NO. 2023-_____-_____

AN ORDINANCE AMENDING ORDINANCE NO. 2022-06-8740, 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"

WHEREAS, due to wrecks of City fleet vehicles, it is necessary to amend the budget to replace one (1) SUV for the use by the Fire Department in the amount of $48,000, and two patrol SUVs for use by the Police Department in the amount of $48,935 each.; and

WHEREAS, due to bid received over budget, additional funds of $11,000 (Facility $4,000 and Parks $7,000) need to be added for the purchase of two (2) Pickups for use by the Facility Division and Parks Department; and

WHEREAS, KRS prohibits expenses to exceed the budget in any department and it is therefore necessary to amend the City's FY2023 budget to include these expenditures.

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

SECTION 1. That the annual budget for the fiscal year beginning July 1, 2022, and ending June 30, 2023, as adopted by Ordinance No. 2022-06-8740, be amended by the following re-appropriations in order to purchase said vehicles out of the FY2023 budget:

- Transfer $156,870 from Fleet Trust Fund Balance to Account Number 71000210 540050 (Fleet Trust Budget)

SECTION 2. 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, March 14, 2023
Adopted by the Board of Commissioners,
Recorded Lindsay Parish, City Clerk,
Published by *The Paducah Sun*,
\ord\finance\budget amend FY2023 – Fleet – vehicle purchases March

Agenda Action Form
Paducah City Commission

Meeting Date: March 14, 2023

Short Title: Amend the FY23 City Budget to Increase Revenues and Expenditures for the Community Development Block Grant Fund by $200,000 **- H. REASONS**

Category: Ordinance

Staff Work
By: Hope
Reasons
Presentation
By: Hope
Reasons

Background Information: The City of Paducah applied for and received a Community Development Block Grant in the amount of $200,000 on behalf of the Four Rivers Recovery Center to assist with residential alcohol and drug treatment services. The Grant Agreement between the Commonwealth of Kentucky and City of Paducah requires:

Evidence of a budget ordinance/amendment indicating inclusion of CDBG-CV funds into the City's budget.

This ordinance will satisfy the Grant Agreement requirement for the budget amendment.

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: Approve the budget amendment to increase revenues and expenditures by $200,000.

Attachments:
1. ORD - budget amend FY2023 – Four Rivers Recovery Center
2. 22-006 Paducah Four Rivers RKY Exhibits

ORDINANCE NO. 2023-____-_____

AN ORDINANCE AMENDING ORDINANCE NO. 2022-06-8740, 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"

WHEREAS, the City of Paducah applied for and received a Community Development Block Grant in the amount of $200,000 on behalf of Four Rivers Recovery Center to assist with residential alcohol and drug treatment services; and

WHEREAS, the Grant Agreement between the Commonwealth of Kentucky and City of Paducah requires evidence of a budget ordinance/amendment indicating inclusion of CDBG-CV funds into the City's budget; and

WHEREAS, the City Commission now wishes to amend the FY2023 budget to satisfy the requirement of the Commonwealth.

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

SECTION 1. That the annual budget for the fiscal year beginning July 1, 2022, and ending June 30, 2023, as adopted by Ordinance No. 2022-06-8740, be amended by the following re-appropriations:

- Increase revenues and expenditures for the CDBG Fund by $200,000.

SECTION 2. 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, March 14, 2023
Adopted by the Board of Commissioners, _____
Recorded Lindsay Parish, City Clerk, _____
Published by *The Paducah Sun*, _____
\ord\finance\budget amend FY2023 – Four Rivers Recovery Center

EXHIBIT A

SUPPLEMENTARY PROVISIONS

Rider to Section 1-B (2). In addition to Recipient's Application for Commonwealth Small Cities Community Development Block Grant Assistance, "Application" shall include the following submittals:

Cost Summary (Exhibit C)

Rider to Section 1-B (12). The terms "Subrecipient" and "Participating Party" consist of the following persons, entities, firms, corporations and funding sources:

Subrecipient:

Four Rivers CenterPoint Behavioral Health
425 Broadway
Paducah, Kentucky 42001

Rider to Section 2-A. The amount of this CDBG grant is:

$200,000

Rider to Section 8-A. The address of the Recipient for the purposes of communications relating to this Agreement shall be the following:

Recipient:

The Honorable George Bray
Mayor, City of Paducah
PO Box 2267
Paducah, Kentucky 42002-2267

Contact:

Daron Jordan
City of Paducah
PO Box 2267
Paducah, KY 42002

EXHIBIT B

DESCRIPTION OF RECIPIENT ACTIVITIES

Rider to Section 1-B (16). "Recipient Activities" for this Project shall consist of the following:
1. The Recipient agrees to perform activities as stated in the CDBG application and given preliminary approval on January 24, 2023 as summarized below:

a. The Recipient shall provide the Subrecipient with CDBG funds for the CenterPoint Recovery Center (Recovery Kentucky) operational costs, which are limited to CenterPoint on-site staff salaries.

b. The Recipient shall ensure that the Subrecipient implements the social recovery program model as outlined in the Recovery Kentucky Guidelines.

c. The Recipient shall ensure that the Subrecipient meets the National Objective of 51 percent low and moderate-income (LMI) benefit during the CDBG funding period.

d. The Recipient shall be responsible for determining the objectives of each activity, measuring the outcomes of each activity funded with CDBG funds utilizing a performance measurement system provided by DLG. This data shall be reported to DLG on an annual basis and/or made available upon request until the project is closed.

2. The Recipient shall provide necessary administration of the project to assure compliance with all applicable state, federal and local statutes, as set forth in the KCDBG Statement of Assurances signed by Mayor George Bray on August 15, 2022 and submitted on or about that date as part of the project application.

3. The Recipient shall expend no more than $2,500/program year in CDBG funds to cover costs of providing administration of the project.

EXHIBIT B-2

DESCRIPTION OF SUB-RECIPIENT ACTIVITIES

Rider to Section 1-B (14). "Subrecipient Activities" for this Project shall consist of the following:

1. The Sub-recipient shall perform activities as stated in the CDBG application and given preliminary approval on January 24, 2022 as summarized below:

a. The Subrecipient shall use CDBG funds for the CenterPoint Recovery Center (Recovery Kentucky) operational costs, which are limited to CenterPoint on-site staff salaries

b. The Subrecipient shall implement the social recovery program model as outlined in the Recovery Kentucky Guidelines and application.

c. The Subrecipient shall collect and compile the necessary client income data and provide evidence that the project meets the National Objective of 51 percent low and moderate-income (LMI) benefit during the CDBG funding period. This information shall be reported to DLG on an annual basis and/or made available upon request.

d. The Subrecipient shall collect and compile the necessary data (payrolls and receipts and performance measures) and provide evidence that the CDBG funds were used as stated in paragraph a. The Subrecipient shall also measure the outcomes of each activity funded with CDBG funds utilizing a performance measurement system provided by DLG. This data shall be reported to DLG on an annual basis and/or made available upon request until the project is closed.

EXHIBIT C

PROJECT BUDGET – SUMMARY OF PROPOSED EXPENDITURES
Attached (as marked Exhibit C containing one page)

EXHIBIT D

REQUIRED EVIDENTIARY MATERIALS

Recipient agrees to submit the following evidentiary materials for the approval of the Commonwealth in the manner and form described by the applicable provisions of Section 7 of this Agreement:

- Environmental Certification per 24 CFR, Part 58
- Environmental Review Status Sheet – Determination of Exemption
- Copy of and evidence that a Residential Anti-displacement and Relocation Assistance Plan has been adopted
- Evidence of budget ordinance/amendment indicating inclusion of CDBG funds into the Recipient's budget
- Copy of and evidence of adoption of a procurement code meeting the CDBG requirements
- Copy of an agreement between the City of Paducah and Four Rivers CenterPoint Behavioral Health concerning the use of CDBG funds for operational costs and the type of services provided (social recovery program model), as it was proposed and stated in the application, during the CDBG funding period. The agreement will also state that at no time will the facility be utilized for general government purposes.
- Authorized Signature Form
- Electronic Transfer of Funds Form

Fair Housing/Equal Opportunity Requirements:

- Fair Housing Resolution or Ordinance
- Section 504 Accessibility Self-Evaluation and Transition Plan (if applicable)
- Drug Free Workplace Statement
- Title VI Self Survey and Statement of Assurance or Title VI Implementation Plan
- Policy of Non-Discrimination on the Basis of Disability Status (for grantees with 15 or more employees)
- Letter of designation of local fair housing/EEO responsible official
- A written assurance (on grantee letterhead, signed by a designated grantee official) regarding:
    - Maintenance of a copy of the State's Fair Housing Analysis of Impediments (AI)
    - Carrying out of fair housing activities (see list in handbook)
    - Maintenance of demographic records
    - Required posters will be displayed
    - Adoption of the State Title VI Plan
    - Adoption of drug-free workplace policy

Agenda Action Form
Paducah City Commission

Meeting Date: March 14, 2023

Short Title: Approve 2023-2024 Resurfacing Program Contract with Jim Smith Contracting, LLC. - **R. MURPHY**

Category: Ordinance

Staff Work
By: Brandy
Topper-Curtiss
Presentation
By: Rick Murphy

Background Information: On February 16, 2023, sealed bids were received for the City of Paducah's 2023-2024 Street Resurfacing Program. This program consists primarily of the bituminous resurfacing and milling of city streets in accordance with the yearly street resurfacing program. Jim Smith Contracting Company, LLC, submitted the only bid for the unit bid prices shown on the attached bid tab. The contract unit prices shall begin upon execution of the contract and end December 31, 2024. The contract has the option for an additional one-year renewal, ending December 31, 2025, upon the mutual agreement of both parties.

In accordance with the Specifications, the Contract unit prices may be adjusted in accordance with Section 109.07 "Price Adjustments" of the Kentucky Transportation Cabinet Department of Highways Standard Specifications for Road and Bridge Construction, latest edition.

Does this Agenda Action Item align with a Commission Priority? No
If yes, please list the Commission Priority:

Communications Plan: Coordinate with Communications Manager to provide public notice of projects.

Funds Available: Account Name: MAP Account

Account Number: 22002217-542270

Staff Recommendation: To receive and file the bid submitted for the 2023-2024 Street Resurfacing Program and adopt an Ordinance authorizing the Mayor to enter into an agreement with Jim Smith Contracting Company, LLC., for the unit prices listed on the attached bid tab for the 2023 and 2024 calendar year ending December 31, 2024, and allow "Price Adjustments" in accordance with the Kentucky Transportation Cabinet Department of Highways Standard Specifications for Road and Bridge Construction, latest edition; and to authorize the Mayor, subsequent to the recommendation of the City Engineer, to execute a "One-Year Renewal Agreement" extending the contract time period for the 2025 calendar year ending December 31, 2025, upon the mutual agreement of both parties.

Attachments:
1. ORD - resurfacing 2023-2024 – Jim Smith Contracting
2. Ad
3. Bid Tab
4. Paducah_2023-2024_Resurfacing Contract Bid Documents

5. 0000 - Ad for Resurfacing Bid

ORDINANCE NO. 2023-_____-_____

AN ORDINANCE ACCEPTING THE BID OF JIM SMITH CONTRACTING COMPANY, LLC, FOR THE CITY OF PADUCAH'S 2023-2024 STREET RESURFACING PROGRAM, AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR SAME

BE IT ORDAINED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. That the City of Paducah accepts the bid of Jim Smith Contracting Company, LLC, for the City of Paducah's calendar years 2023 and 2024 street resurfacing program with the option of a one-year renewal agreement upon the mutual agreement of both parties, said bid being in substantial compliance with the bid specifications and advertisement for bids, and as contained in the bid of Jim Smith Contracting Company, LLC, of February 16, 2023.

SECTION 2. The City of Paducah accepts the bid of Jim Smith Contracting Company, LLC, for roadway resurfacing, repair, and miscellaneous construction of various streets within the City of Paducah at the following unit bid prices:

RESURFACING

ITEM	DESCRIPTION	UNIT	UNIT PRICE
1.	Bituminous Surface/Base	Ton	$103.00
2.	Milling Texture	Ton	$60.00
3.	Shoulder Construction	Ton	$50.00

PAVEMENT MARKINGS

ITEM			UNIT BID
NO	DESCRIPTION	UNIT	PRICE
1	Paint – 4" Line	L.F.	$0.55
2	Paint – 12" Stop Lines	L.F.	$1.20
3	Paint – 24" Stop Lines	L.F.	$2.10
4	Paint – Straight Arrow	Each	$50.00
5	Paint - Turn Arrow	Each	$50.00

6	Paint - Combination Arrow	Each	$90.00
7	Paint – 8” Crosswalks	L.F.	$0.75
8	Paint - "School"	Each	$70.00
9	Paint - RR Crossings	Each	$230.00
10	Paint – “STOP”	Each	$70.00
11	Paint – “ONLY”	Each	$70.00
12	Paint – Handicap Symbol	Each	$70.00
13	Paint – 4” Parking Lot Lines	L.F.	$0.65
14	Thermo – 4” Line	L.F.	$1.40
15	Thermo – 12” Stop Lines	L.F.	$8.00
16	Thermo – 24” Stop Lines	L.F.	$16.00
17	Thermo – Straight Arrow	Each	$150.00
18	Thermo - Turn Arrow	Each	$150.00
19	Thermo – Combination Arrow	Each	$250.00
20	Thermo – 8” Crosswalks	L.F.	$5.00
21	Thermo - "School"	Each	$295.00
22	Thermo - RR Crossings	Each	$850.00
23	Thermo – “STOP”	Each	$225.00
24	Thermo – “ONLY”	Each	$225.00

EQUIPMENT RENTAL

ITEM NO	DESCRIPTION	UNIT	HOURLY PRICE
1	Excavator – Small	HR	$165.00
2	Excavator - Medium	HR	$195.00
3	Excavator with Mulching Head	HR	$235.00
4	Skid Steer Loader	HR	$135.00
5	Dump Truck -Tandem	HR	$100.00
6	Dump Truck – Tri-axle	HR	$115.00
7	Motor Grader - Medium	HR	$195.00
8	Dozer- Small	HR	$175.00

9	Dozer- Medium	HR	$195.00
10	Laborer	HR	$83.00
11	Vibratory Roller – Small	HR	$170.00
12	Vibratory Roller - Medium	HR	$170.00

Said bid prices may be adjusted in accordance with Section 109.07 "Price Adjustments" of the Kentucky Transportation Cabinet Department of Highways Standard Specifications for Road and Bridge Construction, latest edition.

SECTION 3. That the Mayor is hereby authorized to execute a contract with Jim Smith Contracting Company, LLC, for roadway resurfacing, repair, and miscellaneous construction of various streets as accepted in Sections 1 and 2 above, according to the specifications, bid proposal and all contract documents heretofore approved and incorporated in the bid.

SECTION 4. The contract shall be binding upon the City and the Contractor, his partners, successors, assigns and legal representatives for the remaining portion of the 2023 calendar year and the 2024 calendar year ending December 31, 2024. Neither the City nor the Contractor shall have the right to assign, transfer, or sublet their interests or obligations hereunder without consent of the other party. Further, the Mayor is hereby authorized, subsequent to the recommendation of the City Engineer-Public Works Director, to execute an additional one-year renewal agreement extending the contract period for the 2025 calendar year ending December 31, 2025, upon the mutual agreement of both parties. If agreed, this renewal option will be exercised by both parties executing and delivering the written one-year renewal agreement. The City reserves the right to have said contract work completed at the quoted prices until the one-year renewal agreement has been executed by the parties.

SECTION 5. This expenditure shall be charged to the MAP Account No. 2200-2217-542270.

SECTION 6. 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, March 14, 2023
Adopted by the Board of Commissioners, March _____
Recorded by Lindsay Parish, City Clerk, March ____
Published by The Paducah Sun, _____
\ord\eng\resurfacing 2023-2024 – Jim Smith Contracting

City of Paducah – Engineering Department
2023-2024 Resurfacing Program
Bid Opening – February 16, 2023 2:00 p.m.

BID TABULATION

ONE BIDDER – RECOMMEND ACCEPTANCE:

Jim Smith Contracting Co., LLC
1108 Dover Road
Grand Rivers, KY 42045

RESURFACING

ITEM	DESCRIPTION	UNIT	UNIT PRICE
1.	Bituminous Surface/Base	Ton	$103.00
2.	Milling Texture	Ton	$60.00
3.	Shoulder Construction	Ton	$50.00

PAVEMENT MARKINGS

ITEM			UNIT BID
NO	DESCRIPTION	UNIT	PRICE
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3	Paint – 24” Stop Lines	L.F.	$2.10
4	Paint – Straight Arrow	Each	$50.00
5	Paint - Turn Arrow	Each	$50.00
6	Paint - Combination Arrow	Each	$90.00
7	Paint – 8” Crosswalks	L.F.	$0.75
8	Paint - "School"	Each	$70.00
9	Paint - RR Crossings	Each	$230.00
10	Paint – “STOP”	Each	$70.00
11	Paint – “ONLY”	Each	$70.00

12	Paint – Handicap Symbol	Each	$70.00
13	Paint – 4” Parking Lot Lines	L.F.	$0.65
14	Thermo – 4” Line	L.F.	$1.40
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EQUIPMENT RENTAL

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1	Excavator – Small	HR	$165.00
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7	Motor Grader - Medium	HR	$195.00
8	Dozer- Small	HR	$175.00
9	Dozer- Medium	HR	$195.00
10	Laborer	HR	$83.00
11	Vibratory Roller – Small	HR	$170.00
12	Vibratory Roller - Medium	HR	$170.00

Agenda Action Form
Paducah City Commission

Meeting Date: March 14, 2023

Short Title: Amend the City Police Officers Educational Incentive Plan Ordinance **- S. WILCOX**

Category: Ordinance

Staff Work
By: Stefanie Wilcox
Presentation
By: Stefanie Wilcox

Background Information: To promote higher education and to assist with recruitment and retention of Police Officers to the Paducah Police Department, the City is increasing the educational incentive payments by fifty percent to equal the following: Associates, $75.00 per month; Bachelors, $112.50 per month; and Masters, $150.00 per month. There currently are fourteen (14) Officers with an Associates degree, thirty-six (36) Officers with a Bachelors degree, and five (5) with a Master's degree. The increased amounts will result in a twenty-three thousand and four hundred dollar ($23,400) impact.

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: Approve the recommended increase in the educational incentive plan payments to Police Officers for those who have completed higher education.

Attachments:
1. ORD - 2-278 – Educational incentive plan - Police

ORDINANCE NO. 2023-____-_____

AN ORDINANCE AMENDING CHAPTER 2, SECTION 2-278 "EDUCATIONAL INCENTIVE PLAN" OF THE CODE OF ORDINANCES OF THE CITY OF PADUCAH, KENTUCKY

WHEREAS, this Ordinance amends Chapter 2 of the Code of Ordinances of the City of Paducah, regarding the City Police Officers Educational Incentive Plan.

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 2-278(f) "Educational Incentive Plan" of the Paducah Code of Ordinances as follows:

Sec. 2-278 Educational Incentive Plan.

(a) The City hereby establishes an educational incentive plan, hereinafter referred to as the City Police Officers Educational Incentive Plan, which is to be funded by the City.

(b) All police officers, as defined by KRS 15.420 , of the City Police Department shall have an equal opportunity to participate in the City Police Officers Educational Incentive Plan. All officers may obtain the maximum load incentive through continued education.

(c) In order to be eligible to participate in the City Police Officers Educational Plan, an officer must:

(1) Enroll in a degree program at an accredited college or university for the purpose of achieving an associate, baccalaureate, or higher degree in an area related to law enforcement or suitable for persons employed in law enforcement; or

(2) Have been awarded such a degree by an accredited college or university.

(d) In order to receive educational incentive monies under the City Police Officers Educational Incentive Plan, an officer must cause an official current transcript to be sent to the Paducah Chief of Police.

(e) For the purpose of the City Police Officers Educational Incentive Plan, only those college credit hours which have been certified and accepted toward an associate, baccalaureate, or higher degree by the accredited college or university at which the police officer is, or was, classified as a matriculated student will be applicable for educational incentive payment. Furthermore, educational incentive payments shall be made only on the basis of successfully completed college hours. According to this educational incentive plan, the term "successfully completed" (as used above) shall be defined as earning at least a "C" on a letter grade basis or a pass on a pass-fail basis. Once an officer has earned a degree, any grade accepted by the college or university toward that degree may be used to qualify the police officer for educational incentive monies.

(f) Educational incentive payments shall be disbursed by the City in accordance with the following: Associates, [~~$50.00~~] $75.00 per month; Bachelors, [~~$75.00~~] $112.50 per month and Masters, [~~$100.00~~] $150.00 per month.

(g) Credit hours earned will be retotaled annually on June 30. No officer shall be reclassified to a higher level of educational incentive payment except on this date. In order to be eligible for reclassification, an officer's official transcript must be received by the Chief of Police no later than fifteen (15) days prior to the respective classification date.

(h) No officer shall be reclassified to a higher level of educational incentive payment until the officer causes a current official transcript to be submitted to the Chief of Police, who shall verify reclassification through a review of the officer's official transcript.

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, March 14, 2023
Adopted by the Board of Commissioners, _____
Recorded by the City Clerk, _____
Published by *The Paducah Sun*, _____

Ord\2-278 – Educational incentive plan - Police