



**SPECIAL CALLED CITY COMMISSION MEETING
AGENDA FOR APRIL 9, 2024
5:00 PM
THE NATIONAL QUILT MUSEUM
215 JEFFERSON STREET
PADUCAH, KY 42001**

*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

DELETIONS

PROCLAMATION Fair Housing Proclamation - Robert Hernandez, Human Rights Chairperson

PRESENTATION Community Scholarship Program (CSP) Update - Dr. Anton Reece, West Kentucky Community and Technical College

PUBLIC COMMENTS

MAYOR'S REMARKS

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

	I.	<u>CONSENT AGENDA</u>
	A.	Approve Minutes for March 26, 2024 Board of Commissioners Meeting
	B.	Receive & File Documents
	C.	Personnel Actions
	D.	Approval of the 2024 Annual Plan and Administrative Plan for Section 8 Program - Lasica McEwen & Joseph Anderson
	E.	Declaration and Sale of Surplus Property-815 South 5th Street - N. HUTCHISON
	F.	Authorize City Manager to issue a request for proposals for Custodial Services in City park restroom and rental facilities - A. CLARK
	G.	Approve the Application for a Kentucky Office of Homeland Security Grant in the amount of \$45,120 - E. STUBER
	II.	<u>MUNICIPAL ORDER(S)</u>

		A.	Approve the Application for a FEMA SAFER Grant in the amount of \$760,140. - S. KYLE
		B.	Supporting the Uppertown Heritage Foundation's Application for a Mellon Foundation Grant with the City of Paducah Serving as the Fiscal Agent and Pledging Matching Funds - H. REASONS
	III.	<u>ORDINANCE(S) - ADOPTION</u>	
		A.	Closure of an Alley west of South 16th Street between Kentucky Avenue and Washington Street - M. TOWNSEND
	IV.	<u>ORDINANCE(S) - INTRODUCTION</u>	
		A.	Amend the FY24 City Budget to Increase Revenues and Expenditures for the Community Development Block Grant Fund by \$200,000 - H. REASONS
		B.	Amend Code of Ordinances Chapter 14 Related to the Keeping of Fowl - L. PARISH & S. KYLE
	V.	<u>COMMENTS</u>	
		A.	Comments from the City Manager
		B.	Comments from the Board of Commissioners
	VI.	<u>EXECUTIVE SESSION</u>	

March 26, 2024

At a Regular Meeting of the Paducah Board of Commissioners held on Tuesday, March 26, 2024, at 5:00 p.m., in the Commission Chambers of City Hall located at 300 South 5th Street, Mayor George Bray presided. Upon call of the roll by the City Clerk, Lindsay Parish, the following answered to their names: Commissioners Guess, Henderson, Wilson and Mayor Bray (4). Commissioner Smith could not attend the meeting.

INVOCATION

Commissioner Henderson led the Invocation.

PLEDGE OF ALLEGIANCE

Mayor Bray led the pledge.

PROCLAMATION

Mayor Bray presented proclamations to CEO Lori Wells and representatives from LOTUS proclaiming April as Child Abuse Prevention Month and as Sexual Assault Awareness and Prevention Month.

PRESENTATION

Communications Manager Pam Spencer offered the following summary:

Joint Sewer Agency Update

“Paducah-McCracken County Joint Sewer Agency (JSA) Executive Director John Hodges gave an update on JSA’s finances. The current residential rate is \$6.61 per 1000 gallons with a 3000 gallon per month minimum. The average resident uses about 4500 gallons for a fee of \$29.74. JSA, a utility that was formed in 1999, has roughly 19,350 accounts. JSA’s operating revenue for the previous fiscal year was \$10,470,000, and its operating cost was a little more than \$5 million. JSA has a current debt of \$34.3 million which corresponds to an annual debt service payment of \$2.435 million. There are several upcoming large projects including the Woodlawn Wastewater Treatment Plant; the completion of projects at Outfall 003; Noble Park; and the Paducah Wastewater Treatment Plan Sludge Building.”

CONSENT AGENDA

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

I(A)	Approve Minutes for the March 12, 2024, Board of Commissioners Meeting
I(B)	Receive and File Documents
I(C)	Appointment of Joseph Benberry to the Paducah Area Transit System Authority Board to replace Zachary Hosman, who resigned. Said terms shall expire June 30, 2024.
I(D)	Appointment of Robert Bryant to the Paducah Golf Commission to replace John Gill, whose term expired. Said term shall expire March 26, 2028.

March 26, 2024

I(E)	Personnel Actions
I(F)	A MUNICIPAL ORDER APPROVING THE EXECUTION OF A GRANT APPLICATION FOR A 911 SERVICES BOARD GRANT IN THE AMOUNT OF \$110,725 TO BE USED BY THE PADUCAH POLICE DEPARTMENT FOR DATA CAPTURE/RECORDING HARDWARE AND SOFTWARE THAT WILL WORK IN CONJUNCTION WITH THE NEW RADIO SYSTEM UPGRADE (MO #2869; BK 13)
I(G)	A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE A GRANT APPLICATION AND ALL DOCUMENTS NECESSARY FOR A FIRST RESPONDERS GRANT THROUGH THE MARATHON PETROLEUM FOUNDATION IN THE AMOUNT OF \$5,000, TO BE USED BY THE PADUCAH FIRE DEPARTMENT FOR THE PURCHASE OF WATER REMOVAL EQUIPMENT, ICE SUITS AND OTHER VITAL WATER RESCUE GEAR AND AUTHORIZING THE ACCEPTANCE OF ALL GRANT FUNDS AWARDED (MO #2870; BK 13)
I(H)	A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE A KENTUCKY PRIDE FUND COMPOSTING GRANT APPLICATION IN THE AMOUNT OF \$602,071 AND ALL DOCUMENTS NECESSARY THROUGH THE DEPARTMENT FOR ENVIRONMENTAL PROTECTION, DIVISION OF WASTE MANAGEMENT FOR FUNDING TO PURCHASE A HORIZONTAL GRINDER FOR THE CITY'S COMPOSTING FACILITY (MO #2871; BK 13)
I(I)	A MUNICIPAL ORDER AUTHORIZING AN APPLICATION FOR AND ACCEPTANCE OF A 2024-2025 KENTUCKY HOUSEHOLD HAZARDOUS WASTE GRANT THROUGH THE KENTUCKY DIVISION OF WASTE MANAGEMENT IN AN AMOUNT OF \$44,995, 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 (MO #2872; BK 13)
I(J)	A MUNICIPAL ORDER APPROVING A FLEET MAINTENANCE, MOTORIZED EQUIPMENT AND EMERGENCY APPARATUS SERVICE AGREEMENT WITH THE CITY OF BARDWELL, TO PROVIDE FLEET MAINTENANCE SERVICES AT HOURLY RATES AND AUTHORIZING THE EXECUTION OF ALL DOCUMENTS RELATED TO SAME (MO #2873; BK 13)
I(K)	MUNICIPAL ORDER AUTHORIZING THE APPLICATION FOR A CRUMB RUBBER/TIRE-DERIVED PRODUCTS GRANT THROUGH THE ENERGY AND ENVIRONMENT CABINET IN THE AMOUNT OF \$36,000 FOR A POURED-IN-PLACE RUBBER SURFACING FOR THE FITNESS AREA OF THE PAT AND JIM BROCKENBOROUGH ROTARY HEALTH PARK AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATED TO SAME (MO #2874; BK 13)

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, Wilson, and Mayor Bray (4).

March 26, 2024

MUNICIPAL ORDERS

CONTRACT MODIFICATION #2 – DREDGE AMERICA, INC.

Commissioner Henderson offered Motion, seconded by Commissioner Guess, that the Board of Commissioners adopt a Municipal Order entitled, “A MUNICIPAL ORDER ADOPTING CONTRACT MODIFICATION NO. 2 TO THE CONSTRUCTION CONTRACT WITH DREDGE AMERICA, INC. FOR A DECREASE IN SCOPE AND A PRICE REDUCTION IN THE AMOUNT OF \$4,238.80, AND AUTHORIZING THE MAYOR TO EXECUTE THE CHANGE ORDER.”

Adopted on call of the roll yeas, Commissioners Guess, Henderson, Wilson, and Mayor Bray (4).
(MO # 2875; BK 13)

AUTHORIZE CITY MANAGER TO ISSUE REQUEST FOR PROPOSAL – TENNIS COURT RESURFACING

Commissioner Wilson offered Motion, seconded by Commissioner Guess, that the Board of Commissioners adopt a Municipal Order entitled, “A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE CITY MANAGER TO INITIATE A REQUEST FOR PROPOSALS FOR TENNIS COURT RESURFACING.”

Adopted on call of the roll yeas, Commissioners Guess, Henderson, Wilson, and Mayor Bray (4).
(MO # 2876; BK 13)

ORDINANCE INTRODUCTION

CLOSURE OF ALLEY WEST OF SOUTH 16TH STREET BETWEEN KENTUCKY AVENUE AND WASHINGTON STREET

Commissioner Guess offered Motion, seconded by Commissioner Henderson, that the Board of Commissioners introduce an Ordinance entitled, “AN ORDINANCE PROVIDING FOR THE CLOSURE OF 2,105 SQUARE FEET OF A 13.25 FOOT ALLEY WEST OF SOUTH 16TH STREET BETWEEN KENTUCKY AVENUE AND WASHINGTON STREET, AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATING TO SAME.” This Ordinance is summarized as follows: The City of Paducah does hereby authorize the closure of 2,105 square feet of a 13.25 foot alley West of South 16th Street Between Kentucky Avenue and Washington Street, and authorizes, empowers, and directs the Mayor to execute a Quitclaim Deed from the City of Paducah to the property owner in or abutting the public way to be closed and all other necessary documents to effectuate the closure.

EXECUTIVE SESSION

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

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

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

March 26, 2024

RECONVENE IN OPEN SESSION

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

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

ADJOURN

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

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

TIME ADJOURNED: 6:13 p.m.

ADOPTED: April 9, 2024.

George Bray, Mayor

ATTEST:

Lindsay R. Parish, City Clerk

April 9, 2024

RECEIVE AND FILE DOCUMENTS:

Deed File:

1. Commissioner's Deed 1024 North 10th Street, 1026, North 10th Street and 1030 North 10th Street

Contract File:

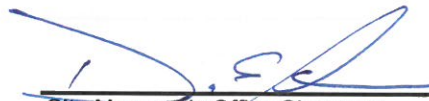
1. Changer Order #6 – Midstates Construction Company – Renovation of Robert Cherry Civic Center – MO #2835
2. Change Order #2 – Evrard - Road Remediation– Dog Park Relocation Project – MO #2868
3. Fleet Maintenance Agreement with the City of Bardwell – MO #2873

Financials:

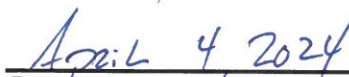
1. Paducah Water Works Month ended February 29, 2024

CITY OF PADUCAH
April 9, 2024

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.



City Manager's Office Signature



Date

CITY OF PADUCAH
PERSONNEL ACTIONS
April 9, 2024

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

<u>POLICE</u>	<u>PREVIOUS POSITION AND BASE RATE OF PAY</u>	<u>CURRENT POSITION AND BASE RATE OF PAY</u>	<u>NCS/CS</u>	<u>FLSA</u>	<u>EFFECTIVE DATE</u>
Hayes, Joseph A.	Assistant Chief of Police \$51.73/hr	Assistant Chief of Police \$53.02/hr	NCS	Non-Ex	April 4, 2024

TERMINATIONS - FULL-TIME (F/T)

<u>PARKS & RECREATION</u>	<u>POSITION</u>	<u>REASON</u>	<u>EFFECTIVE DATE</u>
Pritchard, Mitchell	Laborer	Resignation	March 29, 2024

Agenda Action Form

Paducah City Commission

Meeting Date: April 9, 2024

Short Title: Approval of the 2024 Annual Plan and Administrative Plan for Section 8 Program - **Lasica McEwen & Joseph Anderson**

Category: Municipal Order

Staff Work By: Lasica McEwen,
Joseph Anderson
Presentation By: Lasica McEwen ,
Joseph Anderson

Background Information: Required annually, this Administrative Plan outlines how the Housing Choice Voucher program, also known as Section 8, is to operate. While most of the program's regulations are established by HUD, a few local preferences can be made, however these elements must be found in the Administrative Plan. Current FMR and adjusted Utility Allowances are also included.

Paralleling the preferences of previous years, the 2024 plan gives local preference to recent victims of domestic violence, full-time students, families displaced by a federally declared disaster, working families, disabled and elderly households. Also, a local customization, the 2024 plan continues to require a minimum payment by the tenant of at least \$50.00.

Local preferences include continued participation in the HUD-Veterans Affairs Supportive Housing (HUD-VASH) program which continues to house 18 veterans, and continued promotion of both the Scholar House and the Merryman House Initiative.

The 2024 Administrative Plan includes a more detailed description and procedures regarding the VASH program. The Plan outlines the Emergency Transfer Plan for families under VAWA protection or may be a victim of VAWA crimes and use supporting documents: HUD-5382, LEP availability non-English speaking families , and update language to include eligibility determination based on arrest records, authorization and consent of release of records, background checks including criminal history and sex offender registry for all household members over 18 and the disclosure of all states in which the members have resided. Also, language for applicant denials and documentation to support the denial and an opportunity to dispute criminal records and confidential policy and procedures.

A public hearing for this Administrative Plan will be held on March 29, 2024.

Comment:

Requested information by member of Resident Advisory Board. What is the Fair Market Rent (FMR) for 1-bedroom voucher holder?

*Agency contacted RAB member to provide information about the FMR's. FMR's updated in the Admin Plan draft which was mailed to RAB members prior to Public Hearing held on 3/29/2024 for review of updates and comments

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 - sec8-annual plan & utility allowance 2024
2. 50077-ST-HCV-HP
3. 50077-SL
4. 50075-HCV
5. 2024 Admin Plan

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER ADOPTING THE CITY OF PADUCAH, KENTUCKY, ADMINISTRATIVE PLAN FOR 2024 HOUSING CHOICE VOUCHER PROGRAM, EFFECTIVE MAY 1, 2024, WITH SAID ADMINISTRATIVE PLAN INCLUDING REVISIONS TO THE UTILITY ALLOWANCES FOR THE SECTION 8 HOUSING PROGRAM AS REQUIRED BY THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS REVISED

WHEREAS, it is the intent of the City of Paducah to submit an Annual Plan, as required, to the U.S. Department of Housing & Urban Development to provide decent, safe, and sanitary rental housing assistance for eligible families and provide opportunities, promote self-sufficiency and economic independence for the Housing Choice Voucher program participants; and

WHEREAS, the Utility Allowances and the Fair Market Rent may be updated each year and as such are reflected in this Annual Plan.

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

SECTION 1. That the City of Paducah, Kentucky, Administrative Plan for 2024 Housing Choice Voucher Program, effective May 1, 2024, is hereby adopted in its entirety.

SECTION 2. That the City of Paducah adopts all revisions of the Utility Allowances for the Section 8 Housing Program reflecting certain changes in utility rates as outlined in the Administrative Plan for 2024 Housing Choice Voucher Program, effective May 1, 2024.

SECTION 3. That the Mayor is hereby authorized to execute the Civil Rights Certification, Certifications of Compliance with PHA Plan, Streamlined Annual PHA Plan and all other documents related to the adoption of the Administrative Plan.

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

George Bray, Mayor

ATTEST:

Lindsay Parish, City Clerk

Adopted by the Board of Commissioners, April 9, 2024
Recorded by Lindsay Parish, City Clerk, April 9, 2024

mo\sec8-annual plan & utility allowance 2024

Certifications of Compliance with PHA Plan and Related Regulations (Standard, Troubled, HCV-Only, and High Performer PHAs)

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 3/31/2024

PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations including PHA Plan Elements that Have Changed

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairperson or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the ___ 5-Year and/or ___ Annual PHA Plan, hereinafter referred to as "the Plan", of which this document is a part, and make the following certification and agreements with the Department of Housing and Urban Development (HUD) for the PHA fiscal year beginning _____, in connection with the submission of the Plan and implementation thereof:

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located (24 CFR § 91.2).
2. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments (AI) to Fair Housing Choice, or Assessment of Fair Housing (AFH) when applicable, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan (24 CFR §§ 91.2, 91.225, 91.325, and 91.425).
3. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Resident Advisory Board or Boards in developing the Plan, including any changes or revisions to the policies and programs identified in the Plan before they were implemented, and considered the recommendations of the RAB (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the Plan addresses these recommendations.
4. The PHA provides assurance as part of this certification that:
 - (i) The Resident Advisory Board had an opportunity to review and comment on the changes to the policies and programs before implementation by the PHA;
 - (ii) The changes were duly approved by the PHA Board of Directors (or similar governing body); and
 - (iii) The revised policies and programs are available for review and inspection, at the principal office of the PHA during normal business hours.
5. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.
6. The PHA certifies that it will carry out the public housing program of the agency in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d-2000d-4), the Fair Housing Act (42 U.S.C. 3601-19), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), title II of the Americans with Disabilities Act (42 U.S.C. 12101 et seq.), and other applicable civil rights requirements and that it will affirmatively further fair housing in the administration of the program. In addition, if it administers a Housing Choice Voucher Program, the PHA certifies that it will administer the program in conformity with the Fair Housing Act, title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, title II of the Americans with Disabilities Act, and other applicable civil rights requirements, and that it will affirmatively further fair housing in the administration of the program.
7. The PHA will affirmatively further fair housing, which means that it will take meaningful actions to further the goals identified in the Assessment of Fair Housing (AFH) conducted in accordance with the requirements of 24 CFR § 5.150 through 5.180, that it will take no action that is materially inconsistent with its obligation to affirmatively further fair housing, and that it will address fair housing issues and contributing factors in its programs, in accordance with 24 CFR § 903.7(o)(3). The PHA will fulfill the requirements at 24 CFR § 903.7(o) and 24 CFR § 903.15(d). Until such time as the PHA is required to submit an AFH, the PHA will fulfill the requirements at 24 CFR § 903.7(o) promulgated prior to August 17, 2015, which means that it examines its programs or proposed programs; identifies any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; and maintains records reflecting these analyses and actions.
8. For PHA Plans that include a policy for site-based waiting lists:
 - The PHA regularly submits required data to HUD's 50058 PIC/IMS Module in an accurate, complete and timely manner (as specified in PIH Notice 2011-65);

- The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
 - Adoption of a site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
 - The PHA shall take reasonable measures to assure that such a waiting list is consistent with affirmatively furthering fair housing; and
 - The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR 903.7(o)(1).
9. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
 10. In accordance with 24 CFR § 5.105(a)(2), HUD's Equal Access Rule, the PHA will not make a determination of eligibility for housing based on sexual orientation, gender identify, or marital status and will make no inquiries concerning the gender identification or sexual orientation of an applicant for or occupant of HUD-assisted housing.
 11. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
 12. The PHA will comply with the requirements of Section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
 13. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
 14. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
 15. The PHA will provide the responsible entity or HUD any documentation that the responsible entity or HUD needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58 or Part 50, respectively.
 16. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under Section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
 17. The PHA will keep records in accordance with 2 CFR 200.333 and facilitate an effective audit to determine compliance with program requirements.
 18. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992, and 24 CFR Part 35.
 19. The PHA will comply with the policies, guidelines, and requirements of 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Financial Assistance, including but not limited to submitting the assurances required under 24 CFR §§ 1.5, 3.115, 8.50, and 107.25 by submitting an SF-424, including the required assurances in SF-424B or D, as applicable.
 20. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.
 21. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.
 22. The PHA certifies that it is in compliance with applicable Federal statutory and regulatory requirements, including the Declaration of Trust(s).

PHA Name

PHA Number/HA Code

Annual PHA Plan for Fiscal Year 20

5-Year PHA Plan for Fiscal Years 20 - 20

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802).

Name of Executive Director

Name Board Chairman

Signature

Date

Signature

Date

The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality. This information is collected to ensure compliance with PHA Plan, Civil Rights, and related laws and regulations including PHA plan elements that have changed.

Public reporting burden for this information collection is estimated to average 0.16 hours per year per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

**Certification by State or Local
Official of PHA Plans Consistency
with the Consolidated Plan or
State Consolidated Plan
(All PHAs)**

U. S Department of Housing and Urban Development

Office of Public and Indian Housing

OMB No. 2577-0226

Expires 3/31/2024

**Certification by State or Local Official of PHA Plans
Consistency with the Consolidated Plan or State Consolidated Plan**

I, _____, the _____
Official's Name *Official's Title*

certify that the 5-Year PHA Plan for fiscal years _____ and/or Annual PHA Plan for fiscal
year _____ of the _____ is consistent with the
PHA Name

Consolidated Plan or State Consolidated Plan including the Analysis of Impediments (AI) to Fair
Housing Choice or Assessment of Fair Housing (AFH) as applicable to the

Local Jurisdiction Name

pursuant to 24 CFR Part 91 and 24 CFR § 903.15.

Provide a description of how the PHA Plan's contents are consistent with the Consolidated Plan or
State Consolidated Plan.

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will
prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official:	Title:
Signature:	Date:

The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S.
Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information
are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality. This information is collected to
ensure consistency with the consolidated plan or state consolidated plan.

Public reporting burden for this information collection is estimated to average 0.16 hours per year per response, including the time for reviewing
instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD
may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Streamlined Annual PHA Plan (HCV Only PHAs)	U.S. Department of Housing and Urban Development Office of Public and Indian Housing	OMB No. 2577-0226 Expires 03/31/2024
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Purpose. The 5-Year and Annual PHA Plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA’s operations, programs, and services, including changes to these policies, and informs HUD, families served by the PHA, and members of the public of the PHA’s mission, goals and objectives for serving the needs of low- income, very low- income, and extremely low- income families

Applicability. The Form HUD-50075-HCV is to be completed annually by **HCV-Only PHAs**. PHAs that meet the definition of a Standard PHA, Troubled PHA, High Performer PHA, Small PHA, or Qualified PHA do not need to submit this form. Where applicable, separate Annual PHA Plan forms are available for each of these types of PHAs.

Definitions.

- (1) **High-Performer PHA** – A PHA that owns or manages more than 550 combined public housing units and housing choice vouchers, and was designated as a high performer on both the most recent Public Housing Assessment System (PHAS) and Section Eight Management Assessment Program (SEMAP) assessments if administering both programs, or PHAS if only administering public housing.
- (2) **Small PHA** - A PHA that is not designated as PHAS or SEMAP troubled, that owns or manages less than 250 public housing units and any number of vouchers where the total combined units exceed 550.
- (3) **Housing Choice Voucher (HCV) Only PHA** - A PHA that administers more than 550 HCVs, was not designated as troubled in its most recent SEMAP assessment and does not own or manage public housing.
- (4) **Standard PHA** - A PHA that owns or manages 250 or more public housing units and any number of vouchers where the total combined units exceed 550, and that was designated as a standard performer in the most recent PHAS and SEMAP assessments.
- (5) **Troubled PHA** - A PHA that achieves an overall PHAS or SEMAP score of less than 60 percent.
- (6) **Qualified PHA** - A PHA with 550 or fewer public housing dwelling units and/or housing choice vouchers combined and is not PHAS or SEMAP troubled.

A. PHA Information.					
A.1	PHA Name: _____ PHA Code: _____ PHA Plan for Fiscal Year Beginning: (MM/YYYY): _____ PHA Inventory (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above) Number of Housing Choice Vouchers (HCVs) _____ PHA Plan Submission Type: ☐ Annual Submission ☐ Revised Annual Submission				
	Availability of Information. In addition to the items listed in this form, PHAs must have the elements listed below readily available to the public. A PHA must identify the specific location(s) where the proposed PHA Plan, PHA Plan Elements, and all information relevant to the public hearing and proposed PHA Plan are available for inspection by the public. Additionally, the PHA must provide information on how the public may reasonably obtain additional information of the PHA policies contained in the standard Annual Plan but excluded from their streamlined submissions. At a minimum, PHAs must post PHA Plans, including updates, at the main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on their official website.				
	☐ PHA Consortia: (Check box if submitting a joint Plan and complete table below)				
	Participating PHAs	PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program
	Lead HA:				

B.	Plan Elements.
B.1	Revision of Existing PHA Plan Elements. a) Have the following PHA Plan elements been revised by the PHA since its last Annual Plan submission? Y N ☐ ☐ Statement of Housing Needs and Strategy for Addressing Housing Needs. ☐ ☐ Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions. ☐ ☐ Financial Resources. ☐ ☐ Rent Determination. ☐ ☐ Operation and Management. ☐ ☐ Informal Review and Hearing Procedures. ☐ ☐ Homeownership Programs. ☐ ☐ Self Sufficiency Programs and Treatment of Income Changes Resulting from Welfare Program Requirements. ☐ ☐ Substantial Deviation. ☐ ☐ Significant Amendment/Modification. (b) If the PHA answered yes for any element, describe the revisions for each element(s):
B.2	New Activities. – Not Applicable
B.3	Progress Report. Provide a description of the PHA’s progress in meeting its Mission and Goals described in its 5-Year PHA Plan.
B.4	Capital Improvements. – Not Applicable
B.5	Most Recent Fiscal Year Audit. (a) Were there any findings in the most recent FY Audit? Y N N/A ☐ ☐ ☐ (b) If yes, please describe:
C.	Other Document and/or Certification Requirements.
C.1	Resident Advisory Board (RAB) Comments. (a) Did the RAB(s) have comments to the PHA Plan? Y N ☐ ☐ (b) If yes, comments must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.
C.2	Certification by State or Local Officials. Form HUD 50077-SL, <i>Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.
C.3	Civil Rights Certification/ Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan. Form HUD-50077-ST-HCV-HP, <i>PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.
C.4	Challenged Elements. If any element of the PHA Plan is challenged, a PHA must include such information as an attachment with a description of any challenges to Plan elements, the source of the challenge, and the PHA’s response to the public. (a) Did the public challenge any elements of the Plan? Y N ☐ ☐ If yes, include Challenged Elements.

D.	Affirmatively Furthering Fair Housing (AFFH).									
D.1	Affirmatively Furthering Fair Housing (AFFH). Provide a statement of the PHA’s strategies and actions to achieve fair housing goals outlined in an accepted Assessment of Fair Housing (AFH) consistent with 24 CFR § 5.154(d)(5). Use the chart provided below. (PHAs should add as many goals as necessary to overcome fair housing issues and contributing factors.) Until such time as the PHA is required to submit an AFH, the PHA is not obligated to complete this chart. The PHA will fulfill, nevertheless, the requirements at 24 CFR § 903.7(o) enacted prior to August 17, 2015. See Instructions for further detail on completing this item. <table><tr><td>Fair Housing Goal:</td></tr><tr><td><u>Describe fair housing strategies and actions to achieve the goal</u></td></tr><tr><td></td></tr></table> <table><tr><td>Fair Housing Goal:</td></tr><tr><td><u>Describe fair housing strategies and actions to achieve the goal</u></td></tr><tr><td></td></tr></table> <table><tr><td>Fair Housing Goal:</td></tr><tr><td><u>Describe fair housing strategies and actions to achieve the goal</u></td></tr><tr><td></td></tr></table>	Fair Housing Goal:	<u>Describe fair housing strategies and actions to achieve the goal</u>		Fair Housing Goal:	<u>Describe fair housing strategies and actions to achieve the goal</u>		Fair Housing Goal:	<u>Describe fair housing strategies and actions to achieve the goal</u>	
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Instructions for Preparation of Form HUD-50075-HCV

Annual PHA Plan for HCV-Only PHAs

A. PHA Information. All PHAs must complete this section. (24 CFR §903.4)

- A.1 Include the full **PHA Name**, **PHA Code**, **PHA Type**, **PHA Fiscal Year Beginning** (MM/YYYY), **Number of Housing Choice Vouchers (HCVs)**, **PHA Plan Submission Type**, and the **Availability of Information**, specific location(s) of all information relevant to the public hearing and proposed PHA Plan.

PHA Consortia: Check box if submitting a Joint PHA Plan and complete the table. ([24 CFR §943.128\(a\)](#))

B. Plan Elements. All PHAs must complete this section. ([24 CFR §903.11\(c\)\(3\)](#))

B.1 Revision of Existing PHA Plan Elements. PHAs must:

Identify specifically which plan elements listed below that have been revised by the PHA. To specify which elements have been revised, mark the “yes” box. If an element has not been revised, mark “no.”

☐ **Statement of Housing Needs and Strategy for Addressing Housing Needs.** Provide a statement addressing the housing needs of low-income, very low-income and extremely low-income families and a brief description of the PHA’s strategy for addressing the housing needs of families who reside in the jurisdiction served by the PHA and other families who are on the Section 8 tenant-based assistance waiting lists. The statement must identify the housing needs of (i) families with incomes below 30 percent of area median income (extremely low-income); (ii) elderly families (iii) households with individuals with disabilities, and households of various races and ethnic groups residing in the jurisdiction or on the public housing and Section 8 tenant-based assistance waiting lists. The statement of housing needs shall be based on information provided by the applicable Consolidated Plan, information provided by HUD, and generally available data. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location. Once the PHA has submitted an Assessment of Fair Housing (AFH), which includes an assessment of disproportionate housing needs in accordance with 24 CFR 5.154(d)(2)(iv), information on households with individuals with disabilities and households of various races and ethnic groups residing in the jurisdiction or on the waiting lists no longer needs to be included in the Statement of Housing Needs and Strategy for Addressing Housing Needs. (24 CFR § 903.7(a)).

The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location. ([24 CFR §903.7\(a\)\(2\)\(i\)](#)) Provide a description of the ways in which the PHA intends, to the maximum extent practicable, to address those housing needs in the upcoming year and the PHA’s reasons for choosing its strategy. ([24 CFR §903.7\(a\)\(2\)\(ii\)](#))

☐ **Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.** A statement of the PHA’s policies that govern resident or tenant eligibility, selection and admission including admission preferences for HCV. ([24 CFR §903.7\(b\)](#))

☐ **Financial Resources.** A statement of financial resources, including a listing by general categories, of the PHA’s anticipated resources, such as PHA HCV funding and other anticipated Federal resources available to the PHA, as well as tenant rents and other income available to support tenant-based assistance. The statement also should include the non-Federal sources of funds supporting each Federal program, and state the planned use for the resources. ([24 CFR §903.7\(c\)](#))

☐ **Rent Determination.** A statement of the policies of the PHA governing rental contributions of families receiving tenant-based assistance, discretionary minimum tenant rents, and payment standard policies. ([24 CFR §903.7\(d\)](#))

☐ **Operation and Management.** A statement that includes a description of PHA management organization, and a listing of the programs administered by the PHA. ([24 CFR §903.7\(e\)](#)).

☐ **Informal Review and Hearing Procedures.** A description of the informal hearing and review procedures that the PHA makes available to its applicants. ([24 CFR §903.7\(f\)](#))

☐ **Homeownership Programs.** A statement describing any homeownership programs (including project number and unit count) administered by the agency under section 8y of the 1937 Act, or for which the PHA has applied or will apply for approval. ([24 CFR §903.7\(k\)](#))

☐ **Self Sufficiency Programs and Treatment of Income Changes Resulting from Welfare Program Requirements.** A description of any PHA programs relating to services and amenities coordinated, promoted, or provided by the PHA for assisted families, including those resulting from the PHA’s partnership with other entities, for the enhancement of the economic and social self-sufficiency of assisted families, including programs provided or offered as a result of the PHA’s partnerships with other entities, and activities subject to Section 3 of the Housing and Community Development Act of 1968 (24 CFR Part 135) and under requirements for the Family Self-Sufficiency Program and others. Include the program’s size (including required and actual size of the FSS program) and means of allocating assistance to households. ([24 CFR §903.7\(l\)\(i\)](#)) Describe how the PHA will comply with the requirements of section 12(c) and (d) of the 1937 Act that relate to treatment of income changes resulting from welfare program requirements. ([24 CFR §903.7\(l\)\(iii\)](#)).

☐ **Substantial Deviation.** PHA must provide its criteria for determining a “substantial deviation” to its 5-Year Plan. ([24 CFR §903.7\(r\)\(2\)\(i\)](#))

☐ **Significant Amendment/Modification.** PHA must provide its criteria for determining a “Significant Amendment or Modification” to its 5-Year and Annual Plan.

If any boxes are marked “yes”, describe the revision(s) to those element(s) in the space provided.

B.2 New Activities. This section refers to new capital activities which is not applicable for HCV-Only PHAs.

B.3 Progress Report. For all Annual Plans following submission of the first Annual Plan, a PHA must include a brief statement of the PHA's progress in meeting the mission and goals described in the 5-Year PHA Plan. (24 CFR §903.11(c)(3), 24 CFR §903.7(r)(1))

B.4 Capital Improvements. This section refers to PHAs that receive funding from the Capital Fund Program (CFP) which is not applicable for HCV-Only PHAs

B.5 Most Recent Fiscal Year Audit. If the results of the most recent fiscal year audit for the PHA included any findings, mark "yes" and describe those findings in the space provided. (24 CFR §903.7(p))

C. Other Document and/or Certification Requirements.

C.1 Resident Advisory Board (RAB) comments. If the RAB had comments on the annual plan, mark "yes," submit the comments as an attachment to the Plan and describe the analysis of the comments and the PHA's decision made on these recommendations. (24 CFR §903.13(c), 24 CFR §903.19)

C.2 Certification by State of Local Officials. Form HUD-50077-SL, *Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan*, must be submitted by the PHA as an electronic attachment to the PHA Plan. (24 CFR §903.15). Note: A PHA may request to change its fiscal year to better coordinate its planning with planning done under the Consolidated Plan process by State or local officials as applicable.

C.3 Civil Rights Certification/ Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan. Provide a certification that the following plan elements have been revised, provided to the RAB for comment before implementation, approved by the PHA board, and made available for review and inspection by the public. This requirement is satisfied by completing and submitting form HUD-50077 ST-HCV-HP, *PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed*. Form HUD-50077-ST-HCV-HP, *PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed* must be submitted by the PHA as an electronic attachment to the PHA Plan. This includes all certifications relating to Civil Rights and related regulations. A PHA will be considered in compliance with the certification requirement to affirmatively further fair housing if the PHA fulfills the requirements of §§ 903.7(o)(1) and 903.15(d) and: (i) examines its programs or proposed programs; (ii) identifies any fair housing issues and contributing factors within those programs, in accordance with 24 CFR 5.154; or 24 CFR 5.160(a)(3) as applicable (iii) specifies actions and strategies designed to address contributing factors, related fair housing issues, and goals in the applicable Assessment of Fair Housing consistent with 24 CFR 5.154 in a reasonable manner in view of the resources available; (iv) works with jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; (v) operates programs in a manner consistent with any applicable consolidated plan under 24 CFR part 91, and with any order or agreement, to comply with the authorities specified in paragraph (o)(1) of this section; (vi) complies with any contribution or consultation requirement with respect to any applicable AFH, in accordance with 24 CFR 5.150 through 5.180; (vii) maintains records reflecting these analyses, actions, and the results of these actions; and (viii) takes steps acceptable to HUD to remedy known fair housing or civil rights violations, impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with the local jurisdiction to implement any of the jurisdiction's initiatives to affirmatively further fair housing; and assures that the annual plan is consistent with any applicable Consolidated Plan for its jurisdiction. (24 CFR §903.7(o)).

C.4 Challenged Elements. If any element of the Annual PHA Plan or 5-Year PHA Plan is challenged, a PHA must include such information as an attachment to the Annual PHA Plan or 5-Year PHA Plan with a description of any challenges to Plan elements, the source of the challenge, and the PHA's response to the public.

D. Affirmatively Furthering Fair Housing (AFFH).

D.1 Affirmatively Furthering Fair Housing. The PHA will use the answer blocks in item D.1 to provide a statement of its strategies and actions to implement each fair housing goal outlined in its accepted Assessment of Fair Housing (AFH) consistent with 24 CFR § 5.154(d)(5) that states, in relevant part: "To implement goals and priorities in an AFH, strategies and actions shall be included in program participants' ... PHA Plans (including any plans incorporated therein) Strategies and actions must affirmatively further fair housing" Use the chart provided to specify each fair housing goal from the PHA's AFH for which the PHA is the responsible program participant – whether the AFH was prepared solely by the PHA, jointly with one or more other PHAs, or in collaboration with a state or local jurisdiction – and specify the fair housing strategies and actions to be implemented by the PHA during the period covered by this PHA Plan. If there are more than three fair housing goals, add answer blocks as necessary.

Until such time as the PHA is required to submit an AFH, the PHA will not have to complete section D., nevertheless, the PHA will address its obligation to affirmatively further fair housing in part by fulfilling the requirements at 24 CFR 903.7(o)(3) enacted prior to August 17, 2015, which means that it examines its own programs or proposed programs; identifies any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; and maintain records reflecting these analyses and actions. Furthermore, under Section 5A(d)(15) of the U.S. Housing Act of 1937, as amended, a PHA must submit a civil rights certification with its Annual PHA Plan, which is described at 24 CFR 903.7(o)(1) except for qualified PHAs who submit the Form HUD-50077-CR as a standalone document.

This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced the Annual PHA Plan. The Annual PHA Plan provides a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public for serving the needs of low- income, very low- income, and extremely low- income families.

Public reporting burden for this information collection is estimated to average 6.02 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Privacy Act Notice. The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality

Agenda Action Form

Paducah City Commission

Meeting Date: April 9, 2024

Short Title: Declaration and Sale of Surplus Property-815 South 5th Street - **N. HUTCHISON**

Category: Municipal Order

Staff Work
By: Nancy
Upchurch
Presentation
By: Nicholas
Hutchison

Background Information: The City of Paducah acquired this property in June 2017. The structure on the lot was demolished. The intended use for the property was to market to a developer that would construct a home on the lot.

This property has been advertised several times, the last time being in May 2022. There has never been a bid submitted on this property. KRS 82.083(5) states “If a city receives no bids for real or personal property, either at public or electronic auction or by sealed bid the property may be disposed of, consistent with the public interest, in any manner deemed appropriate by the City. In those instances, a written description of the property, the method of disposal, and the amount of compensation, if any, shall be made.”

Typically, it is in the best interest of the City to transfer ownership of underutilized parcels to a responsible citizen, thereby placing the property back on the tax rolls and eliminating the maintenance and liability costs. Property disposal method: Accept the sole offer and transfer as recommended by Planning Staff.

Donald Hollowell of Black Owl Home Builders LLC submitted a request to purchase the property for \$1 to construct an energy-efficient 3-bedroom 2-bath home on the vacant lot. Landscaping will be provided upon completion of the home. The value of the proposed investment is \$200,000. Mr. Hollowell stated that he hopes to begin construction in May with completion in 6 months, but it could take up to one year as allowed by the surplus property disposal guidelines. He plans to use one of the available plans offered by the City, a specific plan to be determined later.

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

If yes, please list the Commission Priority: Housing

Continued investment in the improvement of our housing stock to help grow our community.

Communications Plan:

Funds Available: Account Name:
Account Number:

Staff Recommendation: It is recommended to determine that the property is surplus and accept the request of the Black Owl Home Builders LLC and transfer the vacant lot for \$1, subject to the standard clause applied in the Fountain Avenue Revitalization Area stating that the property would revert back to the City if the owner fails to comply with the submitted proposal and fails to substantially complete the project within one year.

Attachments:

1. MO prop sale– 815 South Fifth Street
2. SOA2024-0001 Staff Report 815 S 5th Street
3. SOA2024-0001 Bid 815 S 5th St

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER DECLARING THE REAL PROPERTY LOCATED AT 815 SOUTH FIFTH STREET, PADUCAH, KENTUCKY TO BE SURPLUS PROPERTY, ACCEPTING THE BID OF DONALD HOLLOWELL OF BLACK OWL HOME BUILDERS, LLC IN THE AMOUNT OF ONE DOLLAR (\$1) AND AUTHORIZING THE MAYOR TO EXECUTE THE DEED AND ALL DOCUMENTS RELATED TO SAME

WHEREAS, pursuant to KRS 82.083 a written determination has been made that the City does not have any use at this time or in the future for properties located at 815 South Fifth Street, Paducah, Kentucky, which constitutes surplus real estate; and

WHEREAS, the City advertised for bids on several occasions, the last time being in May, 2022, and no bids were received; and

WHEREAS, KRS 82.083(5) states that “if a city received no bids for real or personal property, either at public or electronic auction or by sealed bid, the property may be disposed of, consistent with the public interest, in any manner deemed appropriate by the City;” and

WHEREAS, Donald Hollowell of Black Owl Home Builders, LLC submitted a request to purchase the property for \$1 to construct an energy-efficient 3-bedroom, 2-bath home on the vacant lot with a total proposed investment of \$200,000; and

WHEREAS, the City desires to accept the proposal for sale to Donald Hollowell of Black Owl Home Builders LLC, in the total amount of One Dollar (\$1).

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

SECTION 1. The Board of Commissioners hereby declares the property located at 815 South Fifth Street, Paducah, Kentucky to be surplus property as it relates to the operations of the City. Further, the Board of Commissioners hereby accepts the bid of Donald Hollowell of Black Owl Home Builders, LLC in the amount of One Dollar (\$1) for the purchase of real property located at 815 South Fifth Street, Paducah, Kentucky.

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

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

Mayor

ATTEST:

Lindsay Parish, City Clerk

Adopted by the Board of Commissioners, April 9, 2023
Recorded by Lindsay Parish, City Clerk, April 9, 2023

\mo\prop sale- 815 South Fifth Street

SOA**STAFF REPORT
PADUCAH CITY COMMISSION**

APPLICATION INFORMATION

ADDRESS	815 South 5 th Street
CASE NO.	SOA2024-0001
OWNER	City of Paducah
APPLICANT	Black Owl Home Builders, LLC
AGENT	---
REQUEST	Sale of Asset
HEARING DATE	April 9, 2024

GENERAL SITE INFORMATION

CURRENT ZONING	B-3
CURRENT LAND USE	Vacant
COMPREHENSIVE PLAN	Neighborhood Conservation
CURRENT IMPROVEMENTS	None
FLOODPLAIN	No
PUBLIC UTILITIES	Power, gas, water
PUBLIC SERVICES	Paducah Fire, Paducah Police

SURROUNDING AREA INFORMATION

	SURROUNDING ZONING	SURROUNDING LAND USE
NORTH	B-3	Single-family
SOUTH	B-3	Vacant Lot
EAST	B-3	Single-family
WEST	B-3	Commercial

GENERAL INFORMATION

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

ACQUISITION OF THE PROPERTY

The City of Paducah acquired this property in June 2017. The structure on the lot was demolished. The intended use for the property was to market to a developer that would construct a home on the lot.

This property has been advertised several times, the last time being in May, 2022. There has never been a bid submitted on this property. KRS 82.083(5) states "If a city receives no bids for the real or personal property, either at public or electronic auction or by sealed bid the property

may be disposed of, consistent with the public interest, in any manner deemed appropriate by the City. In those instances, a written description of the property, the method of disposal, and the amount of compensation, if any, shall be made."

DESCRIPTION OF THE PROPERTY: 815 South 5th Street



DISPOSITION OF THE PROPERTY

Typically, it is in the best interest of the City to transfer ownership of underutilized parcels to a responsible citizen, thereby placing the property back on the tax rolls and eliminating the maintenance and liability costs. Property disposal method: Accept the sole offer and transfer as recommended by Planning Staff.

BID INFORMATION

BID #1	Black Owl Home Builders LLC	Bid Amount: \$1
	Donald Hollowell of Black Owl Home Builders LLC submitted a request to purchase the property for \$1 to construct energy-efficient 3-bedroom 2-bath home on the vacant lot. Landscaping will be provided upon completion of the home. The value of the proposed investment is \$200,000. Mr. Hollowell stated that he hopes to begin construction in May with completion in 6 months, but it could take up to one year as allowed by the surplus property disposal guidelines. He plans to use one of the available plans offered by the City, a specific plan to be determined later.	

STAFF RECOMMENDATION

It is recommended to determine that the property is surplus and accept the request of the Black Owl Home Builders LLC and transfer the vacant lot for \$1, subject to the standard clause applied in the Fountain Avenue Revitalization Area stating that the property would revert back to the City if the owner fails to comply with the submitted proposal and fails to substantially complete the project within one years.



City of Paducah Sealed Bid Form



Property Available for Investment

Date: 03-13-2024

I/we propose to purchase property located at: 815 S. 5th, Paducah KY

BID AMOUNT

I/we offer to pay the City of Paducah \$ 1.00 for the property.

Total value of all proposed improvements to the property: \$ 200K

PROPOSAL SUBMITTED BY:

Legal Name(s): Black Owl Home Builders, LLC

Address: 4845 Pear East Cir Ste 118 # 693949
Boulder, CO 80301-6112

Day-time Phone Number: _____ Mobile Number: 323-919-3728

Email: blackowlhomebuilders@gmail.com

INTENDED USE

I/we propose to use the property for: ☒ Residential ☐ Commercial ☐ Both Commercial & Residential

If residential or combination; will the residential unit be your primary residence? ☐ Yes ☒ No

If no above, what do you intend to develop the property for: ☐ Rental ☒ Resale ☐ Other

If other, please explain _____

IMPROVEMENTS

In consideration for the City of Paducah transferring the property, I/we propose to make the following improvements. (Provide a detailed description of the project outlining intended use of the property with a description of rehabilitation, renovation, modifications or new construction):

Black Owl Home Builders mission with the proposed property is to build attractive well suited and energy efficient new construct of a single family dwelling that will improve the community. 3 bedroom 2 bath
Land scaping will be installed upon completion of home
Completed within 1 year

5105 Hill Terrace, Paducah KY 42001
mailing address

(Attach pages as needed)

REQUIRED INFORMATION

To be considered complete, the following documentation/information must be submitted. Please indicate if the information is included as attachments to this submittal. Only complete proposals will be considered.

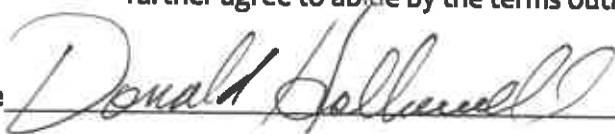
- ☒ Yes ☐ No **Detailed construction plans.** All changes and improvements necessary both to meet code requirements as well as to provide for the intended use must be specified and detailed.
- ☐ Yes ☐ No **Cost Estimate** of improvements by a knowledgeable & experienced third-party professional, e.g. an engineer, architect or experienced contractor. Complex projects should be broken down by cost centers.
- ☒ Yes ☐ No **Proof of financial ability** to complete the project. Proof may be letter of credit, loan commitment, or proof on cash on hand, or some other form as approved by the City. Grants or special financing must be listed but cannot be counted as proof of financial ability unless a copy of the award notice or other acceptable guarantee is provided.
- ☒ Yes ☐ No **Description of landscape improvements:** plan drawings may be necessary.
- ☒ Yes ☐ No **Project timeline.** (Completion within 1 year with 1-year extension granted if substantial progress has been made on your project)

AGREEMENT

- All property is sold as is and with no implied warranty of clear title. The buyer is responsible for insuring clear title prior to purchase. If the purchaser decides to purchase without the benefit of a title exam, a quitclaim deed will be granted.
- The deed will include a clause stating that the property reverts back to the City of Paducah if substantial compliance with the provisions of the proposal are not met within two years or according to an agreed upon timeline. **Property will only be sold if immediate development is proposed and the probability of such activity is high.**
- To be considered for the properties the bidders must be current on City taxes and have no existing liens on any property currently owned in the City of Paducah,
- If a structure on the site and is in need of repair or removal, the building must be removed, or structural integrity reached with 60 days of receiving of the property, or as otherwise delineated by the Paducah Fire Prevention Department work progression order (timeline).
- Required permits for the proposed improvements shall be obtained prior to work beginning. New property owner must establish and maintain appropriate groundcover and at least one shade tree on the site, which includes mowing and watering. Property **MUST** be secured at all times.
- Priority will be given to proposals that address the entire building/site, not just a portion.
- Priority will be given owner-occupied buildings.

Acknowledgement: By signing below I acknowledge that I have read and agree to all the requirements for the sale of City of Paducah/Urban Renewal and Community Development Agency owned property and further agree to abide by the terms outlined in my proposal.

Signature



Date 09-13-2024

This bid form along with all the attachments must be submitted in a sealed envelope with the words "SEALED BID", the address of the property, your name and contact information clearly printed on the outside of the envelope.

Mail or submit in person to: City of Paducah, Department of Planning
Attn: Nancy Upchurch
Post Office Box 2267, 300 South 5th Street
Paducah, KY 42002-2267

If you have additional questions, please contact
Nancy Upchurch by phone 270-444-8690 or at nupchurch@paducahky.gov

All bids will be evaluated by a point system as outlined below. Any bid scoring less than 100 will be considered incomplete. Incomplete bids will be rejected and returned to the bidder. Use the column for "Bidders self-scoring" to evaluate your bid to insure it meets the minimum requirements to be accepted as a complete bid package.

Scoring Criteria For Acceptance of Submittals	Possible Points	Bidders self-score	Points Awarded (for office use only)
Property Developed for Residential Use			
First-time Property Buyer/Home Owner Occupied	40		
Owner Occupied (not first-time owner)	30		
Develop for Resale	20		
Develop as Rental Property	10		
Property Developed for Business/Commercial Uses			
Development will create new jobs paying above minimum wage	30		
Development will create new jobs paying minimum wage	20		
Development will not create new jobs	10		
Timeline to Complete the Project			
Within one year	30		
Between 1 to 2 years	20		
More than 2 years but less than 3 years	10		
Landscape Improvements including at least 1 new tree	20		
Cost Estimates			
Detailed 3 rd party estimates/bid	20		
Bidder estimated costs with no 3 rd party back-up	10		
Proof of Financial Ability/Letter from Financial Institution	30		
Drawings of Plans			
Detailed plans including elevations, floor plans, facades	30		
Sketches of plans to be developed	20		
Detailed description with no drawings	10		
If the property contains a structure			
Complete rehab of the structure	20		
Address major issues, minimal rehab	10		
Total Project Score (minimum score 100)			

The City of Paducah reserves the right to reject any or all proposals submitted.

Agenda Action Form

Paducah City Commission

Meeting Date: April 9, 2024

Short Title: Authorize City Manager to issue a request for proposals for Custodial Services in City park restroom and rental facilities - **A. CLARK**

Category: Municipal Order

Staff Work
By: Amie Clark
Presentation
By: Amie Clark

Background Information: Contract for Custodial Services for FY24, expires June 30, 2024. Request for authorizing the CM to issue an RFP for Custodial Services for city park facilities for FY25. Custodial Contract includes and is not limited to cleaning 7 public restroom facilities located in city parks, as well as additional service needs for city co-sponsored events.

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

If yes, please list the Commission Priority:

Communications Plan:

Funds Available: Account Name: Operations

Account Number: 1000-24-2402-523070

Staff Recommendation: Approve

Attachments:

1. MO - RFQ Custodial Services – Parks FY2025

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE CITY
MANAGER TO ISSUE A REQUEST FOR BIDS FOR CUSTODIAL
SERVICES FOR THE PARKS AND RECREATION DEPARTMENT

WHEREAS, The Parks and Recreation Department manages the maintenance and operations of seven (7) public restroom facilities and two rental facilities located in City parks; and

WHEREAS, the existing custodial contract expires in June 30, 2024; and

WHEREAS, the City now desires to authorize the City Manager to issue a new Request for Bids for custodial services for the 2025 fiscal year; and

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

SECTION 1. The City Manager is hereby authorized and directed to issue a Request for Bids for custodial services for the 2025 fiscal year for the Parks and Recreation Department.

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

George Bray, Mayor

ATTEST:

Lindsay Parish, City Clerk

Adopted by the Board of Commissioners, April 9, 2024
Recorded by Lindsay Parish, City Clerk, April 9, 2024
MO\RFQ Custodial Services – Parks FY2025

Agenda Action Form

Paducah City Commission

Meeting Date: April 9, 2024

Short Title: Approve the Application for a Kentucky Office of Homeland Security Grant in the amount of \$45,120 - **E. STUBER**

Category: Municipal Order

Staff Work By: Eric Stuber, Chris Yarber,
Hope Reasons
Presentation By: Eric Stuber

Background Information: The State Homeland Security Grant Program (SHSGP) assist states to build, sustain, and deliver capabilities necessary to prevent, prepare for, protect against, and respond to acts of terrorism. To be funded, projects MUST (1) demonstrate a terroristic preparedness nexus, (2) address threats and hazards identified in the State's Threat and Hazards Identification and Risk Assessments (THIRAs) and the corresponding National Core Capabilities, and (3) fall under an identified National Priority Area or Enduring Security Need. The Technology Department is requesting \$45,120 in funding for security cameras and systems for the Public Works Department. The Department would receive an Access Control System for their building, a security and access system for their gates, and four security cameras. 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 a Kentucky Office of Homeland Security grant and authorize the Mayor to sign all documents related to same.

Attachments:

1. MO - app-Homeland Security Grant – Public Works

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE A GRANT APPLICATION AND ALL DOCUMENTS NECESSARY TO APPLY FOR A STATE HOMELAND SECURITY GRANT PROGRAM (SHSGP) CYBERSECURITY GRANT THROUGH THE KENTUCKY OFFICE OF HOMELAND SECURITY IN THE AMOUNT OF \$45,120 FOR SECURITY CAMERAS AND SYSTEMS FOR THE PUBLIC WORKS DEPARTMENT.

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. The Mayor is hereby authorized to execute a grant application and all documents necessary to apply for a State Homeland Security Grant through the Kentucky Office of Homeland Security in the amount of \$45,120 for security cameras and systems for the Public Works Department. The Department would receive an Access Control System for their building, a security and access system for their gates and four security cameras.

SECTION 2. There is no match required for this grant.

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, April 9, 2024
Recorded by Lindsay Parish, City Clerk, April 9, 2024
\\mo\grants\app-Homeland Security Grant – Public Works

Agenda Action Form

Paducah City Commission

Meeting Date: April 9, 2024

Short Title: Approve the Application for a FEMA SAFER Grant in the amount of \$760,140. - **S. KYLE**

Category: Municipal Order

Staff Work By: Hope Reasons, Steve
Kyle, Chris Owen

Presentation By: Steve Kyle

Background Information: The SAFER Grant Program is one of three grant programs that constitute FEMA's focus on enhancing the safety of the public and firefighters with respect to fire and fire-related hazards. The SAFER Program provides funding directly to fire departments to assist in increasing the number of firefighters to help communities meet industry minimum standards and attain 24-hour staffing to provide adequate fire protection from fire and fire-related hazards, and to fulfill traditional missions of fire departments.

The Paducah Fire Department is requesting \$760,140 for three additional firefighters for a three-year period. 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 a FEMA SAFER Grant and authorize the Mayor to sign all documents related to same.

Attachments:

1. MO APP - SAFER Grant – Fire FY2023-2024

MUNICIPAL ORDER _____

A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO APPLY FOR AN FY2023-2024 STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT FUNDED THROUGH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) IN THE AMOUNT OF \$760,140 FOR THE HIRING OF THREE FIREFIGHTERS

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1: The Mayor is hereby authorized to execute all documents necessary to apply for an FY2023-2024 Staffing for Adequate Fire and Emergency Response (SAFER) Grant funded through the Federal Emergency Management Agency (FEMA) in the amount of \$760,140 for the hiring of three (3) firefighters for a three-year period. No local or in-kind match is required.

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

George Bray, Mayor

ATTEST:

Lindsay Parish, City Clerk

Adopted by the Board of Commissioners, April 9, 2024
Recorded by Lindsay Parish, City Clerk, April 9, 2024
\\mo\grants\ APP - SAFER Grant – Fire FY2023-2024

Agenda Action Form

Paducah City Commission

Meeting Date: April 9, 2024

Short Title: Supporting the Uppertown Heritage Foundation's Application for a Mellon Foundation Grant with the City of Paducah Serving as the Fiscal Agent and Pledging Matching Funds - **H. REASONS**

Category: Municipal Order

Staff Work
By: Hope
Reasons
Presentation
By: Hope
Reasons

Background Information: In February of this year, the Uppertown Heritage Foundation was invited to submit a proposal to the Mellon Foundation for a grant in the amount of \$1.34 million. The Mellon Foundation Humanities in Place Grant Program "supports a fuller, more complex telling of American histories and lived experiences by deepening the range of how and where our stories are told and by bringing a wider variety of voices into the public dialogue. Working with media, heritage and public spaces, history museums and other institutions, and conveners of shared experiences—including the digital or ephemeral—we strive to expand the public expression of the histories that have made us and the values we hold. Our program works across and within diverse communities, encouraging bold, innovative rethinking of past practice, as well as visionary new approaches for how to collectively understand, uplift, and celebrate more complete stories about who we are."

The Uppertown Heritage Foundation is requesting \$1.34 million for capital improvements to the Hotel Metropolitan and Purple Room and to build the capacity of their Board and organization. As part of this grant agreement, the City of Paducah would serve as the fiscal agent for the grant and would be jointly responsible for the programmatic oversight of the grant program. The details of this partnership will be further defined by the completion of a co-stewardship agreement if the grant is awarded. The City of Paducah is also pledging a \$250,000 match for the grant for FY25 contingent upon the award of the grant and completion of the co-stewardship agreement. Further, the City pledges additional funding in an amount of \$250,000 in FY26 and FY27 contingent upon approval through the annual budgeting process and approval of a co-stewardship agreement.

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 grant support – Mellon Foundation

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER SUPPORTING THE UPPERTOWN HERITAGE FOUNDATION GRANT APPLICATION TO THE MELLON FOUNDATION IN THE AMOUNT OF \$1,340,000 FOR CAPITAL IMPROVEMENTS AND CAPACITY BUILDING FOR THE HOTEL METROPOLITAN, PLEDGING MATCHING FUNDS, AND AUTHORIZING THE CITY OF PADUCAH TO ACT AS THE FISCAL AGENT FOR SAID GRANT

SECTION 1. That the City of Paducah hereby supports the Uppertown Heritage Foundation in applying for a Mellon Foundation Grant in the amount of \$1,340,000 for capital improvements and capacity building for the Hotel Metropolitan.

SECTION 2. If received, the City of Paducah shall act as the grant's fiscal agent, and the Uppertown Heritage Foundation and the City of Paducah shall be jointly responsible for programmatic oversight.

SECTION 3. This grant will be funded over a period of three years. If the grant is received, the City pledges an amount of \$250,000 in year one (FY25), contingent upon approval of a Co-Stewardship Agreement between the City of Paducah and Uppertown Heritage Foundation. Further, the City pledges \$250,000 per year in FY26 and FY27, contingent upon approval through the annual budgeting process and the successful implementation of a Co-Stewardship Agreement between the City of Paducah and the Uppertown Heritage Foundation.

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

George P. Bray, Mayor

ATTEST:

Lindsay Parish, City Clerk

Adopted by the Board of Commissioners, April 9, 2024
Recorded by Lindsay Parish, April 9, 2024
\\MO\Grant\grant support – Mellon Foundation

Agenda Action Form

Paducah City Commission

Meeting Date: April 9, 2024

Short Title: Closure of an Alley west of South 16th Street between Kentucky Avenue and Washington Street -
M. TOWNSEND

Category:

Staff Work By: Josh Sommer, Melanie
Townsend
Presentation By: Melanie Townsend

Background Information: Background Information: The following adjacent property owner has submitted an executed application requesting the closure of 2,105 square feet of a 13.25' alley west of South 16th Street between Kentucky Avenue and Washington Street

- David Troutman

On March 4, 2024, the Paducah Planning Commission held a public hearing and positively recommended these closures to the City Commission. All of the utility companies have agreed to this closure.

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 adopt an ordinance authorizing the closing of a of 2,105 square feet of a 13.25' alley west of South 16th Street between Kentucky Avenue and Washington Street, and authorizing the Mayor to execute the closure plat and all necessary documents to complete the transfer of property to the adjacent property owner.

Attachments:

1. ORD - alley – West of South 16th Street between Kentucky Avenue and Washington Street
2. Alley Closure_16th_btw Washington-Kentucky_Appl
3. 23101 Paducah McCracken Co Senior Center - proposed alley closure
4. Alley Closure_16th_btw Washington-Kentucky_PC Res

ORDINANCE NO. 2024-____ - _____

AN ORDINANCE PROVIDING FOR THE CLOSURE OF 2,105 SQUARE FEET OF A 13.25 FOOT ALLEY WEST OF SOUTH 16TH STREET BETWEEN KENTUCKY AVENUE AND WASHINGTON STREET, AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATING TO SAME

BE IT ORDAINED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. That the City of Paducah does hereby authorize the closing of 2,105 square feet of a 13.25' alley west of South 16th Street between Kentucky Avenue and Washington Street as follows:

13.25' ALLEY CLOSURE - LEGAL DESCRIPTION

A certain tract of land as surveyed by Kyrin Jett Wood, P.L.S.#3445 and being generally located on the west side of South 16th Street and south of Kentucky Avenue, in Paducah, McCracken County, Kentucky, more particularly described as follows:

Beginning at a mag nail with shiner stamped "BFW KJW #3445" (found), being 30.0 ft. west from the centerline of South 16th Street and 33 ft. south of the centerline of Kentucky Avenue, said point also being the northeast corner of the Paducah McCracken County Senior Citizens, Inc. property (recorded in Deed Book 1481, Page 775);

Thence along the west right-of-way of South 16th Street, S24°59'49"E a distance of 173.25 ft. to a mag nail with shiner stamped "BFW KJW #3445" (found), said point being in the north line of a 13.25' wide alley, said point also being the TRUE POINT OF BEGINNING;

Thence continuing along the above said right-of-way and with a new property line, S24°59'49"E a distance of 13.25 ft. to a mag nail with shiner stamped "BFW KJW #3445" (found), said point being the southeast corner of said 13.25' wide alley;

Thence along the south right-of-way of the 13.25' wide alley, S64°59'41"W a distance of 158.86 ft. to a point, said point being the southwest corner of said 13.25' wide alley, said point also being in the east property line of the JAR Investments, LLC property (recorded in Deed Book 1454, Page 385);

Thence along the east property line of the above said JAR Investments, LLC property, N24°59'49"W a distance of 13.25 ft. to a point, said point being the northwest corner of said 13.25' wide alley;

Thence along the north right-of-way of the 13.25' wide alley, N64°59'41"E a distance of 158.86 ft. to the TRUE POINT OF BEGINNING

The above described Tract contains 2,105 square feet (0.048 acres).

SECTION 2. In support of its decision to close the aforesaid public way, the Board of Commissioners hereby makes the following findings of fact:

a. On the 4th day of March, 2024, the Paducah Planning Commission of the City of Paducah adopted a resolution recommending to the Mayor and Board of Commissioners of the City of Paducah closure of the aforesaid public way.

b. David Troutman is the only property owner in or abutting the public way; and therefore, has given his written and notarized consent to the closing as is evidenced by the Public Right-of-Way Closure Application attached hereto and made part hereof (Exhibit A).

SECTION 3. All requirements of KRS 82.405(1) and (2) having been met, the Board of Commissioners of the City of Paducah hereby concludes that the aforesaid public way, as described above, should be closed in accordance with the provisions of KRS 82.405.

SECTION 4. The Mayor is hereby authorized, empowered, and directed to execute a quitclaim deed from the City of Paducah to David Troutman, the property owner in or abutting the public way to be closed to acquire title to that portion of the public way contiguous to the property now owned by said property owner up to center line of the said public way. Provided, however, that the City shall reserve such easements upon the above described real property as it deems necessary. Said deed shall provide the reservation by the City of Paducah any easements affecting the herein described real property as described in Section 1 above. Further, the Mayor is hereby authorized, empowered, and directed to execute all documents related to the street closing as authorized in Section 1 above.

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, March 26, 2024

Adopted by the Board of Commissioners, _____, 2024

Recorded by Lindsay Parish, City Clerk, _____, 2024

Published by The Paducah Sun, _____, 2024

Ordinance to close alley – West of South 16th Street between Kentucky Avenue and Washington Street

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 No. 2024-____ - ____ adopted by the Board of Commissioners of the City of Paducah at a meeting held on _____, 2024.

City Clerk

Exhibit A

City of Paducah, Kentucky
Public Right-of-Way Closure Application



CITY OF PADUCAH, KENTUCKY
PUBLIC RIGHT-OF-WAY CLOSURE APPLICATION

Date: 2-6-2024

Application is hereby made to the Mayor and Board of Commissioners for the closing of:

Public Right-of-Way: 13.25' public alley (west of South 16th Street)

Included herewith is a filing fee of Five Hundred Dollars (\$500) together with twenty (20) copies of a Plat showing the Public Right-of-Way to be closed. This Application indicating consent of the Public Right-of-Way closure, has been signed and notarized by all real property owners whose land adjoins the portion of Public Right-of-Way proposed to be closed. If the application is not signed by all adjoining real property owners, the "Public Right-of-Way Closure Guarantee" must be attached.

Respectfully submitted by all adjoining property owners:

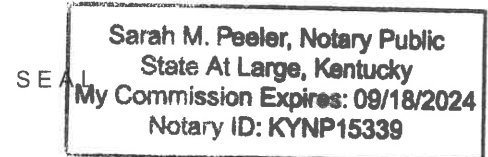
[Signature]
Signature of Property Owner
DAVID TROUTMAN
Property Owner's Name Printed
1400 H.C. MATHIS DR
Address
PADUCAH, KY 47001

STATE OF KENTUCKY)
COUNTY OF McCRACKEN)

The foregoing instrument was sworn to and acknowledged
before me this 6th day of February, 2024,
by Sarah M. Peeler

My Commission expires 09/18/2024

Sarah M. Peeler
Notary Public, State at Large



Signature of Property Owner

Property Owner's Name Printed

Address

STATE OF KENTUCKY)
COUNTY OF McCRACKEN)

The foregoing instrument was sworn to and acknowledged
before me this _____ day of _____, 20____,
by _____

My Commission expires _____

Notary Public, State at Large

SEAL

PROPERTY NOTES:

CLIENT:
PECK FLANNERY GREAM WARREN INC.
101 SOUTH FOURTH STREET
P.O. BOX 510
PADUCAH, KENTUCKY 42002-0510

OWNERS:
MATTHEW SCOTT MITCHELL
P.O. BOX 100
MELBER, KENTUCKY 42069

SOURCE OF TITLE:
DEED BOOK 1202, PAGE 533

PLAT REFERENCES:
NONE

AREA SUMMARY:

TOTAL AREA:
SEE TRACT AREA TABLE

INTENT:

THE INTENT OF THIS PLAT IS TO RETRACE THE BOUNDARY AND PROVIDE TOPOGRAPHIC INFORMATION FOR THE PROPERTY AS SHOWN HEREON.

FLOOD ZONE INFORMATION:

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

BENCHMARK INFORMATION:

NOTE: ELEVATIONS ARE BASED FROM U.S.G.S. DATUM (NAVD 88)

BM  ARROWHEAD ON ADV HYDRANT
ELEVATION = 339.31

CONTROL POINT COORDINATES:

ΔCP-1
NORTHING: 3565006.7112
EASTING: 4085613.0466

ΔCP-2
NORTHING: 3564654.0355
EASTING: 4085773.4356

ΔCP-3
NORTHING: 3564593.3093
EASTING: 4085540.4146

ΔCP-4
NORTHING: 3564921.0544
EASTING: 4085411.2655

ZONING INFORMATION:

THE PROPERTY SHOWN HEREON IS CURRENTLY ZONED "B-3" ZONE "B-3" = GENERAL BUSINESS ZONE.

MINIMUM YARD REQUIREMENTS:
1. FRONT YARD: NONE
2. SIDE YARD: NONE
3. REAR YARD: NONE

MINIMUM AREA REQUIREMENTS:
1. MINIMUM LOT AREA: NONE
2. MINIMUM LOT WIDTH: NONE

MAXIMUM BUILDING HEIGHT:
NONE
MAXIMUM LOT COVERAGE:
NONE

TRACT AREA SUMMARY:

TRACT 1
0.632 ACRES (27,522 SQUARE FEET)

TRACT 2
0.169 ACRES (7,360 SQUARE FEET)

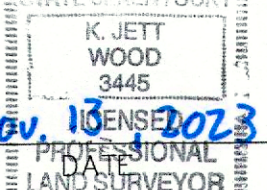
TRACT 3
0.143 ACRES (6,240 SQUARE FEET)

TRACT 4
0.121 ACRES (5,280 SQUARE FEET)

TRACT 5
0.143 ACRES (6,240 SQUARE FEET)

SURVEYOR'S CERTIFICATE:

I DO HEREBY CERTIFY THAT THIS REPRESENTS A BOUNDARY AND TOPOGRAPHIC 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: FEBRUARY 24, 2023


K. JETT WOOD, P.L.S. #3445
Nov 13, 2023

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

BURIED UTILITIES NOTE

BURIED UTILITIES ARE SHOWN AT THEIR APPROXIMATE LOCATION BASED UPON INFORMATION OBTAINED FROM UTILITY COMPANIES AND FIELD EVIDENCE. OTHER BURIED UTILITIES MIGHT EXIST ON THE SUBJECT SITE WHICH ARE NOT SHOWN ON THIS DRAWING. USE EXTREME CAUTION DURING EXCAVATION PROCEDURES AND CONTACT KENTUCKY 811 @ 811 OR 1-800-752-6007 FOR EXACT LOCATION OF BURIED FACILITIES PRIOR TO EXCAVATION OPERATIONS.

Kentucky 811
Know what's below.
Call before you dig.

Call 811 or 800-752-6007
www.kentucky811.com
Two Business Days Before You Dig
IT'S THE LAW

SANITARY MANHOLE
RIM 334.00
INV. 328.45

JAR INVESTMENTS, LLC
DEED BOOK 1454, PAGE 385

MATTHEW SCOTT MITCHELL
DEED BOOK 1202, PAGE 533

TRACT 1
0.632 ACRES
(27,522 SQ. FT.)

TRACT 5
0.143 ACRES
(6,240 SQ. FT.)

TRACT 4
0.121 ACRES
(5,280 SQ. FT.)

TRACT 3
0.143 ACRES
(6,240 SQ. FT.)

TRACT 2
0.169 ACRES
(7,360 SQ. FT.)

JAR INVESTMENTS, LLC
DEED BOOK 1454, PAGE 385

MATTHEW SCOTT MITCHELL
DEED BOOK 1202, PAGE 533

SEE GENERAL NOTE 1

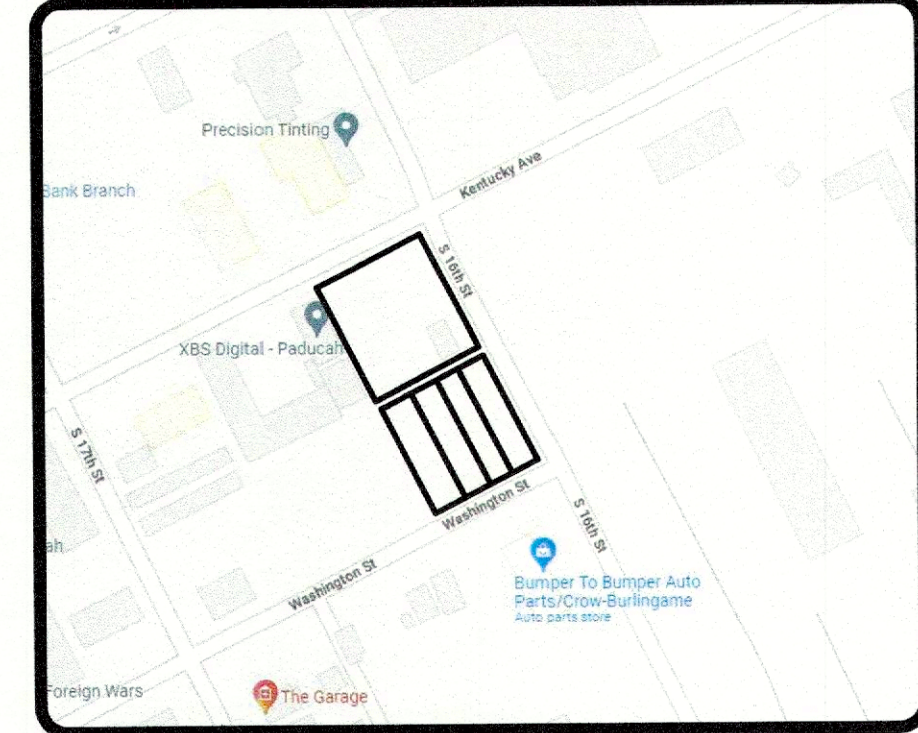
SEE DETAIL 1

COMBINATION MANHOLE
RIM 337.38
INV. 330.06
8" CLAY INV. 330.37 (NW)
8" CLAY INV. 330.34 (NE)
10" CLAY INV. 330.61 (SE)
8" CLAY INV. 330.37 (S)

GRAPHIC SCALE
30 0 15 30 60 120
(IN FEET)
1 INCH = 30 FT



BEARINGS/COORDINATES
SHOWN HEREON BASED ON
KENTUCKY STATE PLANE
COORDINATE SYSTEM
(SINGLE ZONE)



VICINITY MAP

GENERAL NOTES:

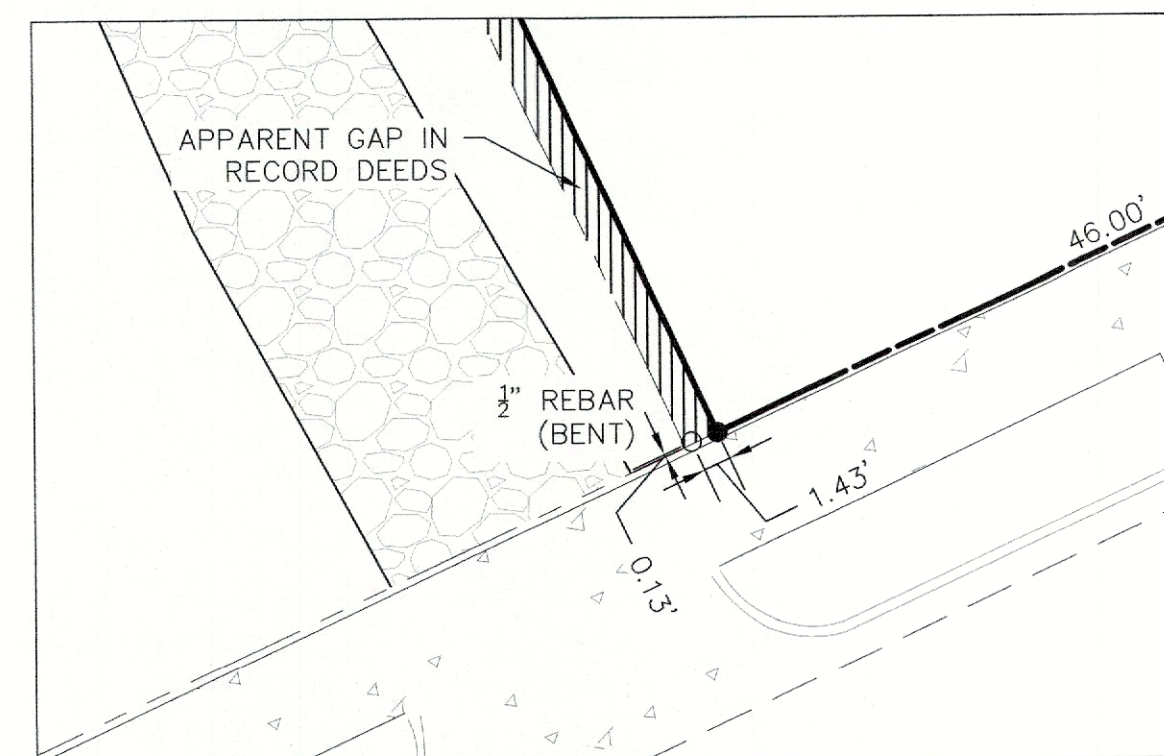
1. THE EXISTING GRAVEL ACCESS IS BEING OR HAS BEEN USED FOR INGRESS AND EGRESS OVER TIME. IT IS UNDETERMINED WHO IS USING THIS ACCESS.
2. BOUNDARY LINES SHOWN HEREON ARE BASED FROM CITY MONUMENTS AND DEED DISTANCES.

STATEMENT OF ENCROACHMENTS:

Ⓐ ASPHALT PARKING ENCROACHES ONTO CITY RIGHT-OF-WAY.
Ⓑ GRAVEL SURFACE ENCROACHES ONTO ADJACENT PROPERTY.
Ⓒ ASPHALT SURFACE ENCROACHES ONTO SUBJECT PROPERTY.

LEGEND

- PROPERTY LINE
- RIGHT-OF-WAY
- ADJOINING PROPERTY LINE
- BUILDING
- CURB AND GUTTER
- EDGE OF GRAVEL
- EDGE OF PAVEMENT
- ROADWAY CENTERLINE
- FENCE
- UNDERGROUND COMMUNICATIONS
- OVERHEAD ELECTRIC
- GAS LINE
- SANITARY SEWER
- STORM SEWER
- WATER LINE
- MAJOR CONTOUR
- MINOR CONTOUR
- EXISTING ASPHALT PAVEMENT
- EXISTING BUILDING
- EXISTING CONCRETE PAVEMENT
- EXISTING GRAVEL SURFACE
- 1/2" DIAMETER x 18" LONG REBAR & CAP STAMPED "BFW KJW #3445" (SET), UNLESS OTHERWISE NOTED
- BOUNDARY LINE ANGLE POINT
- BOUNDARY MARKER AS NOTED SIGN
- CLEAN OUT
- SANITARY SEWER MANHOLE
- TELEPHONE PEDESTAL
- GAS METER
- GAS VALVE
- GUY WIRE
- UTILITY POLE
- LIGHT POLE
- FIRE HYDRANT
- WATER METER
- WATER VALVE



DETAIL 1

BACON | FARMER | WORKMAN
ENGINEERING & TESTING, INC.



BOUNDARY AND TOPOGRAPHIC SURVEY
PADUCAH/MCGRACKEN COUNTY SENIOR CENTER
1600 KENTUCKY AVENUE
PADUCAH, KENTUCKY 42003

FOR PECK FLANNERY GREAM WARREN INC.

SHEET
SV1.0

A RESOLUTION CONSTITUTING THE FINAL REPORT OF THE PADUCAH PLANNING COMMISSION ON THE PROPOSED CLOSING OF 2,105 SQUARE FEET OF A 13.25' ALLEY OFF SOUTH 16TH STREET BETWEEN KENTUCKY AVENUE AND WASHINGTON STREET.

WHEREAS, a public hearing was held on March 4, 2024 by the Paducah Planning Commission after advertisement pursuant to law, and

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

WHEREAS, this Commission adopted a proposal to vacate and close 2,105 square feet of a 13.25' alley off South 16th Street between Kentucky Avenue and Washington Street.

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

SECTION 1. That this Commission recommend to the Mayor and the Board of Commissioners of the City of Paducah to close said Right-of-Way as follows:

13.25' ALLEY CLOSURE - LEGAL DESCRIPTION

A certain tract of land as surveyed by Kyrun Jett Wood, P.L.S.#3445 and being generally located on the west side of South 16th Street and south of Kentucky Avenue, in Paducah, McCracken County, Kentucky, more particularly described as follows:

Beginning at a mag nail with shiner stamped "BFW KJW #3445" (found), being 30.0 ft. west from the centerline of South 16th Street and 33 ft. south of the centerline of Kentucky Avenue, said point also being the northeast corner of the Paducah McCracken County Senior Citizens, Inc. property (recorded in Deed Book 1481, Page 775);

Thence along the west right-of-way of South 16th Street, S24°59'49"E a distance of 173.25 ft. to a mag nail with shiner stamped "BFW KJW #3445" (found), said point being in the north line of a 13.25' wide alley, said point also being the TRUE POINT OF BEGINNING;

Thence continuing along the above said right-of-way and with a new property line, S24°59'49"E a distance of 13.25 ft. to a mag nail with shiner stamped "BFW KJW #3445" (found), said point being the southeast corner of said 13.25' wide alley;

Thence along the south right-of-way of the 13.25' wide alley, S64°59'41"W a distance of 158.86 ft. to a point, said point being the southwest corner of said 13.25' wide alley, said point also being in the east property line of the JAR Investments, LLC property (recorded in Deed Book 1454, Page 385);

Thence along the east property line of the above said JAR Investments, LLC property, N24°59'49"W a distance of 13.25 ft. to a point, said point being the northwest corner of said 13.25' wide alley;

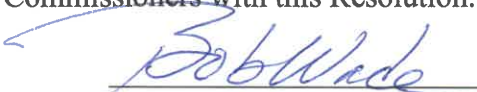
Thence along the north right-of-way of the 13.25' wide alley, N64°59'41"E a distance of 158.86 ft. to the TRUE POINT OF BEGINNING.

The above described Tract contains 2,105 square feet (0.048 acres).

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

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

SECTION 4. Any agreements between the parties that are affected by the closure of these Right-of-Ways shall be forwarded to the Board of Commissioners with this Resolution.


Bob Wade, Chairman

Adopted by the Paducah Planning Commission on March 4, 2024

Agenda Action Form

Paducah City Commission

Meeting Date: April 9, 2024

Short Title: Amend the FY24 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 Four Rivers Centerpoint Recovery Center to assist with inpatient substance abuse treatment. The Commission authorized Municipal Order 2852 on February 13, 2024 to accept the grant award.

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 an ordinance to amend the FY24 City of Paducah budget to increase revenue and expenses for the CDBG fund by \$200,000.

Attachments:

1. ORD - budget amend FY2024 – CDBG Four Rivers Centerpoint Recovery

ORDINANCE NO. 2024-____ - _____

AN ORDINANCE AMENDING ORDINANCE NO. 2023-06-8777, ENTITLED, “AN ORDINANCE ADOPTING THE CITY OF PADUCAH, KENTUCKY, ANNUAL OPERATING BUDGET FOR THE FISCAL YEAR JULY 1, 2023, THROUGH JUNE 30, 2024, 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 the Four Rivers Centerpoint Recovery Center to assist with inpatient substance abuse treatment; and

WHEREAS, the Commission authorized acceptance of this grant award by adopting Municipal Order 2852 on February 13, 2024; 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 FY2024 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, 2023, and ending June 30, 2024, as adopted by Ordinance No. 2023-06-8777, 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, April 9, 2024

Adopted by the Board of Commissioners, _____

Recorded Lindsay Parish, City Clerk, _____

Published by *The Paducah Sun*, _____

\\ord\\finance\\budget amend FY2024 – CDBG Four Rivers Centerpoint Recovery

Agenda Action Form

Paducah City Commission

Meeting Date: April 9, 2024

Short Title: Amend Code of Ordinances Chapter 14 Related to the Keeping of Fowl - **L. PARISH & S. KYLE**

Category: Ordinance

Staff Work By: Lindsay
Parish, Greg Cherry
Presentation By: Lindsay
Parish, Steve Kyle

Background Information: On February 27, 2024, the City Commission was asked to review the City's ordinance regarding the keeping of fowl in the City of Paducah. Staff compared the Paducah Ordinance with the ordinances of 6 other Kentucky cities and also researched best practices related to keeping fowl inside city limits. Based on this research, staff has made certain recommendations for changes if the City Commission wishes to amend the ordinance. The goal of the recommended changes is to allow people to keep fowl on smaller lots by reducing the distance requirement but strengthening wording around noise, maximum fowl numbers, and cleanliness, to make sure that the keeping of fowl does not become a nuisance to neighbors.

Recommended changes include:

- **Proximity** - Reduce the distance requirement from another residence from 300 feet to 100 feet.
- **Maximum Number of Fowl** - Most cities set a maximum number of fowl that can be kept on a property (typically between 5 and 8). Paducah currently does not have any limit on this number. Since we are reducing proximity requirements, staff recommends limiting the number of fowl to eight (8).
- **Noise** - Noise is already addressed in the current Code section 14-1. Animals that emit excessive noise are considered a nuisance.
- **Cleanliness** - Strengthen language around cleanliness and maintenance of coops to address any neighbor concerns about odor and pests. Language has been added that only allows coops in the rear yard of a property.
- **Penalty & Abatement** - The recommended ordinance updates the penalty section to include a notice of violation, followed by 30 days to remedy, a fine of not more than \$500, and another 30 days to remedy the issue. If the violation still exists after 60 days from the initial notification, there is an additional fine of not more than \$500 and abatement procedures. A new section has been added for the abatement of pens and coops. Abatement of fowl-related issues will be in accordance with the McCracken County Animal Control Ordinance. The City will conduct follow-up inspections every thirty days until the violation is remedied, with each subsequent inspection incurring an additional \$500 fine, not to exceed \$2,500 in total fines. Appeals to violations would be routed to the Code Enforcement Board.

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. 14-3 Fowl Ordinance

ORDINANCE NO. 2024-_____
AN ORDINANCE AMENDING CHAPTER 14
OF THE CODE OF ORDINANCES OF THE CITY OF PADUCAH

WHEREAS, the City of Paducah recognizes that urban backyard chickens and other fowl are increasing in popularity and that there is a need for appropriate regulation of said urban backyard fowl to ensure protection of the public health, safety, and welfare;

WHEREAS, Chapter 14 of the Paducah Code of Ordinances must be amended in order to better serve the aesthetic and health interests of the City of Paducah and its citizens,

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

SECTION A. That the City of Paducah, Kentucky, hereby amends Chapter 14 of the Paducah Code of Ordinances by amending and adding the following sections:

Sec. 14-3. - Keeping of fowl; fowl running at-large.

(a) It shall be unlawful for any person to keep or maintain any chickens, turkeys, domestic ducks or other domestic fowl within the City unless such fowl be kept **in the rear yard of the property** within ~~an~~ **a fence or other** enclosure **that prevents the fowl from running at large in the streets, public places, or on other private property.** Such fowl shall not be within ~~three hundred (300)~~ **one hundred (100)** feet of any dwelling house, except the dwelling house of the owner of such fowl. **The number of fowl per property should not exceed a total of eight (8) fowl.** All pens and enclosures permitted to be kept in the City shall be kept **in a** clean and ~~in a~~ sanitary condition and **in good repair so as to deter pests and shall have proper ventilation as to decrease odors.** **All pens and enclosures housing fowl within the City** shall be open to inspection by the City, County or State officials.

(b) It shall be unlawful for the owner or person in possession of any chickens, turkeys, ducks or other fowl to suffer or permit the same to go or run at-large upon any of the streets, alleys, unenclosed lots or grounds in the City.

Sec. 14-9. - Penalty.

Whoever violates any provision of this chapter for which another penalty is not already otherwise provided shall be ~~guilty of a misdemeanor and shall, upon conviction, be subject to a fine of not more than \$500.00, or imprisonment for not more than thirty (30) days, or both, for each offense~~ **issued a notice of violation and shall have thirty (30) days to remedy the violation. If the violation is not remedied within thirty (30) days, upon follow up inspection the City shall issue a fine of not more than five hundred dollars (\$500.00), after which offender shall have an additional thirty (30) days to remedy the violation. If the violation still exists upon follow up inspection sixty (60) days following the initial notice, the violation shall result in additional fine of not more than five hundred dollars (\$500.00), abatement pursuant to Sec. 14-11 for any coop, pen, or enclosure in violation**

of this Chapter, and for any fowl in violation of this Chapter, may result in abatement and impoundment pursuant to Sec. 14-10 or penalty as provided for in Section 50.02(I) of the McCracken County Animal Control Ordinance Number 2004-12. The City shall conduct follow up inspections every thirty (30) days until such time as any violation has been remedied, with each subsequent inspection incurring an additional five hundred dollar (\$500.00) fine, not to exceed two-thousand five hundred dollars (\$2,500) in total fines for the continuing violation. Notwithstanding the foregoing, a violation of this chapter is declared to be a public nuisance which may be abated ~~by the City or its designated agents~~ and impounded by the McCracken County Animal Control officer pursuant to Sec. 14-10 and the McCracken County Animal Control Ordinance Number 2004-12 and/or any amendments made to Ordinance Number 2004-12, by restraining order, preliminary and permanent injunction or other means provided by law. The City shall have the right to recover all reasonable costs incurred in bringing any enforcement action under this chapter.

[...]

Sec. 14-10.- Redemption of impounded animals; fees; disposition of unclaimed animals.

Redemption fees and disposition of impounded and unclaimed animals within the City shall be as set forth in McCracken County Animal Control Ordinance Number 2004-12 and/or any amendments made to Ordinance Number 2004-12.

Sec 14-11. –Abatement of Pens and Coops.

Pens, coops, and all other enclosures housing fowl not kept in accordance with the provisions of this chapter may be removed and disposed of by the City. Fowl located in pens, coops, and other enclosures at the time of removal shall be subject to Sec. 14-10. The City shall have the right to recover all reasonable costs incurred in the removal and disposal of any enclosure housing fowl not in accordance with the provisions of this chapter.

Sec. 14-38.- Redemption of impounded ~~animals~~ dogs; fees; disposition of unclaimed ~~animals~~ dogs.

Redemption fees and disposition of impounded and unclaimed ~~animals~~ dogs within the City shall be ~~as set forth in McCracken County Animal Control Ordinance Number 2004-12 and/or any amendments made to Ordinance Number 2004-12~~ as set forth in Sec. 14-10.

SECTION B. 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 its committees, if any, which resulted in formal action, were in meetings open to the public, in full compliance with applicable legal requirements.

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

George Bray, Mayor

ATTEST:

City Clerk

Introduced by the Board of Commissioners, _____, 2024

Adopted by the Board of Commissioners, _____, 2024

Recorded by the City Clerk, _____, 2024

Published by *The Paducah Sun*, _____, 2024