



**CITY COMMISSION MEETING
AGENDA FOR JUNE 11, 2024
5:00 PM
CITY HALL COMMISSION CHAMBERS
300 SOUTH FIFTH STREET**

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

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

ADDITIONS/DELETIONS

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 the May 28, 2024, Board of Commissioners Meeting
	B.	Receive & File Documents
	C.	Reappointment of Carol Young to the Paducah-McCracken County Senior Citizens Board
	D.	Personnel Actions
	E.	Position and Pay Schedule for upcoming Fiscal Year 2025 Cost of Living Adjustments - S. WILCOX
	F.	Job Grade Schedule Updated for Fiscal Year 2025 - S. WILCOX
	II.	<u>MUNICIPAL ORDERS</u>
	A.	Approve the Interim Planning Director Employment Agreement with Carol Gault - D. JORDAN
	B.	Approve Development Agreement with C.I.R.CO Construction for 318 Broadway Street - M. SMOLEN

		C.	Accept the 2024-2026 House Bill 1 Appropriation in the Amount of \$3.5 million for the Build Grant Project - H. REASONS & M. TOWNSEND
	III.	<u>ORDINANCE(S) - ADOPTION</u>	
		A.	Amend the Code of Ordinances to create a new section of the City of Paducah Zoning Code related to Reasonable Accommodation for Recovery Homes - J. SOMMER
		B.	Approve the Fiscal Year 2025 Budget (07/01/2024 -- 06/30/2025) for the City of Paducah - D. JORDAN & A. KYLE
	IV.	<u>ORDINANCE(S) - INTRODUCTION</u>	
		A.	Approve an Ordinance Creating a Real Estate Parcel Fee for the Funding of 911 Services, Maintenance, and Equipment - D. JORDAN
	V.	<u>DISCUSSION</u>	
		A.	Paducah Sports Park Discussion - Steve Ervin & Jeff Canter
	VI.	<u>COMMENTS</u>	
		A.	Comments from the City Manager
		B.	Comments from the Board of Commissioners
	VII.	<u>EXECUTIVE SESSION</u>	

May 28, 2024

At a Regular Meeting of the Paducah Board of Commissioners held on Tuesday, May 28, 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, the following answered to their names: Commissioners Guess, Henderson, Smith, Wilson and Mayor Bray (5).

INVOCATION

Commissioner Smith led the Invocation.

PLEDGE OF ALLEGIANCE

Mayor Bray led the pledge.

EMPLOYEE INTRODUCTIONS

Amie Clark introduced Taylor Morsching as Assistant Director of Parks & Recreation.

PUBLIC COMMENTS

T. J. Davison, Carla Berry, Keaven Moore, Dru Hardin, Tyler Summers, Amanda Otey and John Berry made comments regarding the Noise Ordinance.

MAYOR REMARKS

Communications Manager, Pam Spencer, offered the following summary:

Barkley Regional Airport

“Mayor George Bray was happy to announce that the City has received a check in the amount of \$361,000 from Barkley Regional Airport. The new airport terminal project was constructed under budget allowing for Barkley Regional Airport to return some of the City and County support funding. The City will use a portion of the funds to pay for the parking lot renovations at the Robert Cherry Civic Center.”

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 May 14, 2024, Board of Commissioners Meeting
I(B)	RECEIVE AND FILE DOCUMENTS: <u>Contract File:</u> 1. Contract with VanHooser Associates to conduct Leadership Training – Signed by City Manager, Daron Jordan

May 28, 2024

	2. Contract Extension with Vestis Group (original contract was with Aramark) – MO #2476 3. Contract with Routeware, Inc. GPS hardware, etc. for Public Works Refuse Division MO #2514 4. Agreement to Provide Match For Metropolitan Transportation Planning – City of Paducah and Purchase Area Development District – MO #2885 5. Contract with Tennis Technology for the Tennis Court Resurfacing Project – MO #2889 6. Contract with Lake Assault Boats, LLC for purchase of fire and rescue boat for Fire Department – MO #2895 7. Contract with Complete Demolition – Demolition Project of 1501 Broadway (Katterjohn Building) – ORD 2024-03-8806 <u>Bids and Proposals File:</u> 1. Tennis Court Resurfacing Project a. Tennis Technology – MO #2889 b. Innovative Sports Surfacing c. Whitestone Bullitt LLC
	Personnel Actions
I(D)	A MUNICIPAL ORDER ACCEPTING THE BID OF RIGHTWAY JANITORIAL SERVICES, LLC IN THE BASE BID AMOUNT OF \$53,850 FOR CUSTODIAL SERVICES FOR PUBLIC RESTROOM FACILITIES IN PARKS WITH ADDITIONAL SERVICES AT UNIT PRICING AS REQUIRED BY THE PARKS AND RECREATION DEPARTMENT, AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR SAME (MO #2897; BK 13)
I(E)	A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE AN APPLICATION FOR A U. S. DEPARTMENT OF JUSTICE (DOJ) BULLETPROOF VEST GRANT PROGRAM IN THE AMOUNT OF \$7,550 FOR THE PURCHASE OF TWENTY (20) BODY ARMOR VESTS, ACCEPTING ANY GRANT FUNDS AWARDED BY THE U. S. DEPARTMENT OF JUSTICE, AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATED TO SAME (MO #2898; BK 13)
I(F)	A MUNICIPAL ORDER APPROVING A FLEET MAINTENANCE, MOTORIZED EQUIPMENT AND EMERGENCY APPARATUS SERVICE AGREEMENT WITH LIVINGSTON COUNTY EMERGENCY MANAGEMENT, TO PROVIDE FLEET MAINTENANCE SERVICES AT HOURLY RATES AND AUTHORIZING THE EXECUTION OF ALL DOCUMENTS RELATED TO SAME (MO #2899; BK 13)
I(G)	A MUNICIPAL ORDER APPROVING A FLEET MAINTENANCE, MOTORIZED EQUIPMENT AND EMERGENCY APPARATUS SERVICE AGREEMENT WITH BARKLEY REGIONAL AIRPORT AUTHORITY, TO PROVIDE FLEET MAINTENANCE SERVICES AT HOURLY RATES AND AUTHORIZING THE EXECUTION OF ALL DOCUMENTS RELATED TO SAME (MO #2900; BK 13)

May 28, 2024

I(H)	A MUNICIPAL ORDER ACCEPTING THE BID FOR SALE TO THE CITY OF ONE (1) ONE-HALF TON PICKUP 4X4 SSV IN THE TOTAL AMOUNT OF \$79,000, FOR USE BY THE FIRE DEPARTMENT, AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR SAME (MO #2901; 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, Smith, Wilson, and Mayor Bray (5).

MUNICIPAL ORDERS

KENTUCKY PRIDE FUND COMPOSTING GRANT

Commissioner Henderson offered Motion, seconded by Commissioner Guess, that the Board of Commissioners adopt a Municipal Order entitled, “A MUNICIPAL ORDER ACCEPTING A KENTUCKY PRIDE FUND COMPOSTING GRANT IN THE AMOUNT OF \$605,071 AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATED TO SAME.”

Adopted on call of the roll yeas, Commissioners Guess, Henderson, Smith, Wilson, and Mayor Bray (5). (**MO #2902; BK 13**)

CONTRACT FOR SERVICES – BEAUTIFUL PADUCAH – 2024 BBQ ON THE RIVER IN THE AMOUNT OF \$75,000

Commissioner Smith offered Motion, seconded by Commissioner Wilson, that the Board of Commissioners adopt a Municipal Order entitled, “A MUNICIPAL ORDER AUTHORIZING AND APPROVING AN AGREEMENT BETWEEN THE CITY OF PADUCAH AND BEAUTIFUL PADUCAH, INC., FOR BBQ ON THE RIVER 2024, IN AN AMOUNT OF \$75,000 AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT.”

Adopted on call of the roll yeas, Commissioners Guess, Henderson, Smith, Wilson, and Mayor Bray (5). (**MO # 2903; BK 13**)

RESOLUTIONS

RESOLUTION IN SUPPORT OF MEDICAL CANNABIS BUSINESSES

Commissioner Wilson offered Motion, seconded by Commissioner Smith, that the Board of Commissioners adopt a resolution entitled, “A RESOLUTION SUPPORTING MEDICAL CANNABIS BUSINESSES LOCATING IN PADUCAH, KENTUCKY.”

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

May 28, 2024

RESOLUTION SUPPORTING GOODWILL INDUSTRIES OF KENTUCKY

Commissioner Guess offered Motion, seconded by Commissioner Henderson, that the Board of Commissioners adopt a resolution entitled, “A RESOLUTION REQUESTING THE KENTUCKY ECONOMIC DEVELOPMENT FINANCE AUTHORITY TO ADOPT A RESOLUTION ISSUING INDUSTRIAL BUILDING REVENUE BONDS TO FINANCE THE GOODWILL INDUSTRIES OF KENTUCKY, INC. INDUSTRIAL BUILDING PROJECT LOCATED WITHIN THE BOUNDARIES OF THE CITY OF PADUCAH.”

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

RESOLUTION SUPPORTING PADUCAH HOUSING AUTHORITY IN APPLYING FOR A CHOICE NEIGHBORHOOD INITIATIVE (CNI) GRANT

Commissioner Henderson offered Motion, seconded by Commissioner Guess that the Board of Commissioners adopt a resolution entitled, “A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF PADUCAH, KENTUCKY SUPPORTING THE HOUSING AUTHORITY OF PADUCAH’S CHOICE NEIGHBORHOODS PLANNING GRANT APPLICATION AND COMMITTING FUNDS TO ITS GRANT MATCH REQUIREMENT IF AWARDED.”

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

ORDINANCE ADOPTIONS

CLOSING OF 2,826 SQUARE FEET OF a 10’ ALLEY WEST OF S. 24th STREET BETWEEN CENTER STREET AND SEITZ STREET AND THE CLOSING OF 4,046 SQUARE FEET OF A 10” ALLEY WEST OF S. 24TH STREET BETWEEN SEITZ STREET AND BARNETT STREET

Commissioner Smith offered Motion, seconded by Commissioner Wilson, that the Board of Commissioners adopt an Ordinance entitled, “AN ORDINANCE PROVIDING FOR THE CLOSURE OF TWO 10’ ALLEYS WEST OF 24TH STREET BETWEEN CENTER STREET AND SEITZ STREET AND BETWEEN SEITZ STREET AND BARNETT 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 2,826 square feet of a 10’ alley west of South 24th street between Center Street and Seitz Street, and the closing of 4,046 square feet of a 10’ alley west of South 24th Street between Seitz Street and Barnett Street, and authorizes, empowers, and directs the Mayor to execute quitclaim deeds from the City of Paducah to the property owners in or abutting the public way to be closed and all other necessary documents to effectuate the closure.

Adopted on call of the roll yeas, Commissioners Guess, Henderson, Smith, Wilson, and Mayor Bray (5). (ORD NO. 2024-05-8812; BK 37)

May 28, 2024

APPROVE AN INTERLOCAL AGREEMENT FOR PROVISIONS OF EMERGENCY 911 SERVICES WITH McCRACKEN COUNTY

Commissioner Wilson offered Motion, seconded by Commissioner Smith, that the Board of Commissioners adopt an Ordinance entitled, “AN ORDINANCE OF THE CITY OF PADUCAH, KENTUCKY, APPROVING AND AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATIVE AGREEMENT BETWEEN THE CITY OF PADUCAH, KENTUCKY AND THE COUNTY OF MCCRACKEN, KENTUCKY FOR THE PROVISION OF 911 SERVICES.” This Ordinance is summarized as follows: This Ordinance authorizes the Mayor to execute an Interlocal Cooperation Agreement between the City of Paducah, Kentucky, and the County of McCracken, Kentucky, for the provision of 911 Services to be served jointly by both public agencies.

Adopted on call of the roll yeas, Commissioners Guess, Henderson, Smith, Wilson, and Mayor Bray (5). **(ORD NO. 2024-05-8813; BK 37)**

ORDINANCE INTRODUCTIONS

APPROVE FISCAL YEAR 2025 BUDGET (07/01/2024 – 06/30/2025) FOR THE CITY OF PADUCAH

Commissioner Guess offered Motion, second by Commissioner Henderson, that the Board of Commissioners introduce an Ordinance entitled, “AN ORDINANCE ADOPTING THE CITY OF PADUCAH, KENTUCKY, ANNUAL OPERATING BUDGET FOR THE FISCAL YEAR JULY 1, 2024, THROUGH JUNE 30, 2025, BY ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS FOR THE OPERATION OF CITY GOVERNMENT.” This Ordinance is summarized as follows: Adopting the City of Paducah annual budget for Fiscal Year July 1, 2024, through June 30, 2025, by estimating revenues and resources and appropriating funds for the operation of City Government at \$120,854,935, and summarized by fund as follows:

	<u>FUNDS</u>	<u>APPROPRIATIONS</u>
1000	GENERAL	\$57,637,779
2300	MAP	2,501,705
2400	INVESTMENT	8,315,330
2500	TIF	0
2000	E911	3,721,817
2200	OPIOID	64,200
2700	COURT AWARDS	116,165
2800	ROOM TAX	1,850,650
3000	DEBT	3,617,780
4000	CIP	11,296,250
4200	BOND FUND	15,000,000
5000	SOLID WASTE	6,937,075
	TRANSIENT BOAT	
5300	DOCK	442,681
1100	RENTAL	154,482
1200	RADIO DEPR	25,035
7000	FLEET MAINTENANCE	879,981

May 28, 2024

7100	FLEET LEASE TRUST	2,425,255
7200	INSURANCE	1,348,140
7300	HEALTH INSURANCE	3,659,420
8100	PFPF	786,765
8400	OTHER TRUSTS	<u>74,425</u>

\$120,854,935

REPEAL AND REPLACE CHAPTER 42, ARTICLE IV, NOISE ORDINANCE OF THE PADUCAH CODE OF ORDINANCES

Commissioner Henderson offered Motion, second by Commissioner Guess, that the Board of Commissioners introduce an Ordinance entitled, “**AN ORDINANCE REPEALING AND REPLACING CHAPTER 42, ARTICLE IV, NOISE ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF PADUCAH, KENTUCKY.**” This ordinance is summarized as follows: It shall be unlawful for any person to intentionally cause any unreasonably loud and disturbing sound in the City, particularly near a school, religious institution, and health care facility. All sounds except music shall be measured using the A weighted decibel scale. Music shall be measured using the C decibel weighted scale, as it has been determined that the C weighted decibel scale is more appropriate in the measurement of mixed sounds such as music.

This ordinance establishes decibel levels applicable to residentially-zoned areas, commercially-zoned areas, and manufacturing zoned areas on certain days and certain times. It also sets forth when outdoor speakers and live music are permitted. This ordinance also establishes a procedure in which the Chief of Police can deem a commercial, construction, or industrial area as a chronic noise producer. Finally, this ordinance establishes a process whereby a special permit for noise variance can be obtained by persons with Special Event Permits.

The penalty for violation of this ordinance is as follows:

In addition to the civil penalties set forth in Section 42-108, any person violating any of the provisions of this Article shall be deemed guilty of a Class B misdemeanor, and upon conviction thereof, shall receive a fine not to exceed \$250.00 or a jail sentence not to exceed ninety (90) days for each offense.

DISCUSSION:

QUARTERLY GRANTS UPDATED

Grants Administrator Hope Reasons provided an update of grant activity for the past quarter and a year-to-date summary. (Information can be found in the Minutes File for the 05/28/2024 Meeting)

ADDITIONAL PUBLIC COMMENTS

Mayor Bray inadvertently omitted Blake Calhoun and Chrystal Galloway from the Public Comments section at the beginning of the meeting. He gave them an opportunity to speak, and they both made comments about the Noise Ordinance.

May 28, 2024

COMMENTS FROM CITY MANAGER

City Manager Jordan commented that hearts go out to neighboring communities following this weekend's severe weather. Hopkins County requested assistance and the City sent a crew to that area.

EXECUTIVE SESSION

Commissioner Smith offered Motion, seconded by Commissioner Wilson, that the Board of Commissioners go into closed session for discussion of matters pertaining to the following topics:

- Issues that might lead to the appointment, dismissal, or disciplining of an employee or officer as permitted by KRS 61.810(1)(f).

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

Mayor Bray left the meeting from Executive Session at 7:30 p.m. Mayor Pro Tem Sandra Wilson presided over the remaining meeting.

RECONVENE IN OPEN SESSION

Commissioner Henderson 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, Smith, Mayor Pro Tem Wilson (4).

ETHICS COMPLAINT ACTION

Commissioner Henderson offered Motion, seconded by Commissioner Guess that "Having received an Ethics Complaint, the City Commission has determined that there is no standing under the provisions of KRS. Furthermore, since the Board of Ethics is charged with the investigation of such complaint in strict confidence, the Board of Commissioners and staff cannot comment on this matter until the investigation is concluded so as to not prejudice the investigation by the Board of Ethics."

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

ADJOURN

Commissioner Smith offered Motion, seconded by Commissioner Henderson, that the meeting be adjourned. All in favor (4).

TIME ADJOURNED: 7:53 p.m.

ADOPTED: June 11, 2024

May 28, 2024

George Bray, Mayor

ATTEST:

Lindsay Parish, City Clerk

June 11, 2024

RECEIVE AND FILE DOCUMENTS:

Minute File:

1. Notification by Jet Insurance Company regarding Bond cancellation for Quad State Internet, LLC

Contract File:

1. Resignation and Release – Nic Hutchison
2. Letter to Automated Merchant Systems regarding termination of services provided by AMS_Corebt. Signed by Assistant City Manager Michelle Smolen
3. Contract with Jim Smith Contracting – Cherry Civic Center Parking Lot Rehabilitation – MO #2888
4. LaBarri Subdivision - Termination of Residential Infill Development Agreement – EMD Properties, LLC – MO #2892
5. LaBarri Subdivision - Residential Infill Development Agreement – Willett Enterprises, Inc. MO #2893
6. Contract For Services – Rightway Janitorial Services – City Park Facilities MO #2897
7. Fleet Maintenance Service Agreement with Livingston County Emergency Management – MO #2899
8. Fleet Maintenance Service Agreement with Barkley Regional Airport Authority – MO #2900
9. Agreement to Purchase ½ ton pickup 4x4 SSV for Fire Department – MO #2901
10. Contract For Services – Beautiful Paducah – BBQ on the River 2024 – MO #2903

Deed File:

1. Quitclaim Deed – City of Paducah to Paducah-McCracken County Senior Citizens – Alley Closure – ORD 2024-04-8807

Financials:

1. Paducah Water Works – Month ended April 30, 2024

Bids and Proposals File:

1. Robert Cherry Civic Center Parking Lot Rehabilitation
 - a. Jim Smith Contracting (MO #2888)
 - b. Central Paving Co. of Paducah
2. Custodial Services for City Park Facilities
 - a. Rightway Janitorial Services (MO #2897)
3. Purchase of one ½ ton pickup 4x4 SSV for Fire Department
 - a. Linwood Motors (MO #2901)
 - b. John Jones Auto Group

CITY OF PADUCAH
June 11, 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
June 11, 2024**

NEW HIRES - PART-TIME (P/T)

<u>HUMAN RESOURCES</u>	<u>POSITION</u>	<u>RATE</u>	<u>NCS/CS</u>	<u>FLSA</u>	<u>EFFECTIVE DATE</u>
Benjamin, Dwayne	Admin Assistant - Temp	\$12.00/hr	NCS	Non-Ex	June 3, 2024
<u>PARKS & RECREATION</u>					
Board, Jada	Lifeguard	\$12.00/hr	NCS	Non-Ex	May 30, 2024
Hunter, Alaya	Recreation Leader - Camp Counselor	\$12.00/hr	NCS	Non-Ex	May 31, 2024
Kolb, Blane	Lifeguard	\$12.00/hr	NCS	Non-Ex	May 24, 2024
Lamoureux, Nicholas	Parks Maintenance Laborer	\$12.00/hr	NCS	Non-Ex	June 3, 2024
McClellan, Kaytlynn R.	Recreation Leader - Camp Counselor	\$12.00/hr	NCS	Non-Ex	June 3, 2024
Phil, Dkyan Q.	Recreation Leader	\$12.00/hr	NCS	Non-Ex	June 3, 2024
Reed, Jayla	Pool Attendant	\$11.00/hr	NCS	Non-Ex	June 6, 2024
Stanley, Kyla S.	Pool Attendant	\$11.00/hr	NCS	Non-Ex	June 1, 2024
Swenson, Ian	Pool Attendant	\$11.00/hr	NCS	Non-Ex	May 23, 2024
Travis, Gabrielle	Pool Attendant	\$11.00/hr	NCS	Non-Ex	June 9, 2024
<u>PUBLIC WORKS</u>					
Fitzgerald, Ny'Yon	Maintenance Technician	\$12.00/hr	NCS	Non-Ex	June 3, 2024

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

<u>PARKS & RECREATION</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>
Do Nascimento, Micaela M.	Pool Attendant \$11.00/hr	Facility Coordinator \$12.00/hr	NCS	Non-Ex	May 28, 2024

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

<u>PARKS & RECREATION</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>
Kirks, Kennedy	Recreation Specialist \$21.92/hr	Recreation Specialist \$22.14/hr	NCS	Ex	April 26, 2024

TERMINATIONS - FULL-TIME (F/T)

<u>E911</u>	<u>POSITION</u>	<u>REASON</u>	<u>EFFECTIVE DATE</u>
Loyd, Cierra M.	Telecommunicator	Resignation	May 28, 2024
<u>PARKS & RECREATION</u>			
Shockley, David	Parks Laborer	Retirement	May 31, 2024
<u>PUBLIC WORKS</u>			
Williams, Sean	Truck Driver	Resignation	May 31, 2024

Agenda Action Form

Paducah City Commission

Meeting Date: June 11, 2024

Short Title: Position and Pay Schedule for upcoming Fiscal Year 2025 Cost of Living Adjustments - S.
WILCOX

Category: Municipal Order

Staff Work
By: Stefanie
Wilcox
Presentation
By: Stefanie
Wilcox

Background Information: The Position and Pay Schedule is updated to include a four percent (4%) cost of living adjustment (COLA) for all employees based on budgeted amounts for fiscal year 2025. This increase will take effect on June 27, 2025. Additionally, the position and pay schedule is updated to account for all filled and vacant positions, it removes the Recreation Superintendent position and allocates an additional supervisor to the Maintenance Division, and creates two new Recreation Supervisor positions. One Recreation Supervisor position was previously a Senior Recreation Specialist. Newly budgeted positions for fiscal year 2025 are adding a Customer Experience Representative to the Customer Experience Department and an Engineering Technician II position to the Engineering Department.

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

If yes, please list the Commission Priority:

Communications Plan:

Funds Available: Account Name:
Account Number:

Staff Recommendation: To approve the Position and Pay Scheduled with recommended cost of living adjustments for employees and other position related changes.

Attachments:

1. MO Position and Pay Schedule FY2023-2024 Amendment 3
2. Position and Pay Schedule - Jun 27 2024

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER AMENDING THE FY2023-2024 POSITION AND
PAY SCHEDULE FOR THE FULL-TIME EMPLOYEES OF THE CITY OF
PADUCAH, KENTUCKY

WHEREAS, the City of Paducah adopted the FY2023-2024 Position and Pay
Schedule by Municipal Order No. 2737 on May 23, 2023; and

WHEREAS, the City of Paducah amended the FY2023-2024 Position and Pay
Schedule by Municipal Order No. 2816 on October 24, 2023; and

WHEREAS, the City of Paducah amended the FY2023-2024 Position and Pay

WHEREAS, the City of Paducah now desires to amend the Position and Pay
Schedule to include a four percent (4%) cost of living adjustment (COLA) for all employees,
remove the Recreation Superintendent position, allocate an additional supervisor to the
Maintenance Division, create two new Recreation Supervisor positions, a Customer Experience
Representative position, and an Engineering Technician II position.

WHEREAS, in order to implement the changes, it is necessary to amend the
FY2023-2024 Position and Pay Schedule.

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. That the City of Paducah hereby approves an amendment to the
FY2023-2024 Position and Pay Schedule for the employees of the City of Paducah as attached
hereto.

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

George Bray, Mayor

ATTEST:

Lindsay Parish, City Clerk

Adopted by the Board of Commissioners, June 11, 2024
Recorded by Lindsay Parish, City Clerk, June 11, 2024
mo/Position and Pay Schedule FY2023-2024 Amendment 3

Section A.									
ADMINISTRATION		AUTHORIZED POSITIONS			FY 25	FY24			
POSITIONS	BUDGET TOTAL	FILLED		VACANT	HOURLY WAGE ADJ.	HOURLY WAGE ADJ.	HOURS WORK	EXEMPT NON-EXEMPT	PAY GRADE
		NON-CS	RCSS/CS		RATE	RATE			
City Manager	1	1			<u>90.07</u>	86.61	40	E	18
Assistant City Manager	1	1			<u>62.05</u>	59.66	40	E	17
Assistant to the City Manager							40	E	
Grants Administrator	1	1			<u>30.27</u>	29.11	40	E	10
Senior Administrative Assistant	1	1			<u>29.97</u>	28.82	40	NE	9
Communications Manager	1	1			<u>47.73</u>	45.89	40	E	13
Total Budgeted/Filled for Department	5	5	0	0					

Note: Moved ERP Manager and BA Positions to Technology Department (02/23)

Note: Moved Grants Administrator position from Finance to Administration

Section B.									
CITY CLERK / CUSTOMER EXPERIENCE DEPT.		AUTHORIZED POSITIONS			FY 25	FY24			
POSITIONS	BUDGET TOTAL	FILLED		VACANT	HOURLY WAGE ADJ.	HOURLY WAGE ADJ.	HOURS WORK	EXEMPT NON-EXEMPT	PAY GRADE
		NON-CS	RCSS/CS		RATE	RATE			
City Clerk / Customer Experience Director	1	1			<u>50.36</u>	48.42	40	E	15
Assistant City Clerk	1	1			<u>32.86</u>	31.60	40	NE	10
Senior Customer Experience Representative	1	1			<u>28.27</u>	27.18	40	E	9
Customer Experience Representatives	<u>2</u>			<u>1</u>	<u>0.00</u>	0.00	40	NE	7
		1			<u>23.67</u>	22.76	40	NE	7
Total Budgeted/Filled for Department	5	4	0	1					

Note: Moved Customer Experience Representative position from CX/Clerk to IT

Section C.									
FINANCE DEPARTMENT		AUTHORIZED POSITIONS			FY 25	FY24			
POSITIONS	BUDGET TOTAL	FILLED		VACANT	HOURLY WAGE ADJ.	HOURLY WAGE ADJ.	HOURS WORK	EXEMPT NON-EXEMPT	PAY GRADE
		NON-CS	RCSS/CS		RATE	RATE			
Administration									
Director of Finance	1	1			<u>89.88</u>	86.42	40	E	17
Senior Administrative Assistant	1	1			<u>25.50</u>	24.52	40	NE	9
Accounting/Payroll									
Controller	1	1			<u>57.53</u>	55.32	40	E	15
Senior Accountant	1	1			<u>37.13</u>	35.70	40	E	12
Accountant	2	1			<u>27.38</u>	26.33	40	E	10
		1			<u>28.16</u>	27.08	40	E	10

Revenue								
Revenue Manager	1	1		<u>41.72</u>	40.12	40	E	14
Account Clerk						40	NE	
						40	NE	
Revenue Tech II					0.00	40	NE	9
Revenue Tech.	4	1		<u>19.86</u>	19.10	40	NE	8
		1		<u>20.36</u>	19.58			
		1		<u>20.57</u>	19.78			
		1		<u>22.70</u>	21.83	40	NE	8
Revenue Auditor	1	1		<u>30.56</u>	29.38	40	E	11
Total Budgeted/Filled for Department		12	12	0	0			

Note: The Revenue Tech III was removed and a Revenue Tech added.

* Position Red Light 2021

Note: RCSS - Individuals Retain Civil Service Status

Section D.

TECHNOLOGY DEPARTMENT		AUTHORIZED POSITIONS		FY 25	FY24			
				HOURLY WAGE ADJ.	HOURLY WAGE ADJ.	HOURS WORK	EXEMPT NONEXEMPT	PAY GRADE
POSITIONS	BUDGET TOTAL	FILLED NON-CS	RCSS/CS	RATE	RATE			
Chief Technology Director	1	1		<u>57.54</u>	55.33	40	E	16
Software Manager	1	1		<u>44.79</u>	43.07	40	E	13
Software Specialist	1	1		<u>31.25</u>	30.05	40	E	11
Systems Administrator	1	1		<u>29.91</u>	28.76	40	E	11
Systems Technician	1	1		<u>32.05</u>	30.82	40	E	10
Help Desk Technician	1	1		<u>21.24</u>	20.42	40	NE	8
GIS and Application Support Manager	1			0.00	0.00	40	E	12
GIS Specialist	1	1		<u>29.88</u>	28.73	40	E	11
Total Budgeted/Filled for Department		8	7	0	1			

Section E.

PLANNING DEPARTMENT		AUTHORIZED POSITIONS		FY 25	FY24			
				HOURLY WAGE ADJ.	HOURLY WAGE ADJ.	HOURS WORK	EXEMPT NONEXEMPT	PAY GRADE
POSITIONS	BUDGET TOTAL	FILLED NON-CS	RCSS/CS	RATE	RATE			
Director of Planning	1	<u>1</u>		0.00	0.00	40	E	16
Planner III	1	1		<u>36.72</u>	35.31	40	E	12
Senior Administrative Assistant	1	1		<u>31.72</u>	30.50	40	NE	9
Business Development Specialist	1	1		<u>31.04</u>	29.85	40	E	11
Administrative Assistant						40	NE	7
Planner II	1			<u>0.00</u>	0.00	40	E	11
Planner I	1	1		<u>26.87</u>	25.84	40	E	10
Downtown Development Specialist	1	1		<u>27.66</u>	26.60	40	E	10
Total Budgeted/Filled for Department		7	5	0	2			

* Position Red Light 2021

Section F.

POLICE DEPARTMENT			AUTHORIZED POSITIONS			FY 25	FY24		
						HOURLY WAGE ADJ.	HOURLY WAGE ADJ.	HOURS	EXEMPT
POSITIONS	BUDGET TOTAL	FILLED NON-CS	RCSS/CS	VACANT		RATE	RATE	WORK	NON-EXEMPT
Police Chief	1	1				<u>69.47</u>	66.80	40	E
Police Assistant Chief	2	1				<u>56.32</u>	54.15	40	E
		1				<u>55.14</u>	53.02		
Captains	6	1				<u>50.15</u>	48.22	40	E
		1				<u>48.91</u>	47.03		
		1				<u>46.24</u>	44.46		
		2				<u>44.89</u>	43.16		
		1				<u>42.58</u>	40.94		
Sergeants	9							40	NE
5 years		1				<u>34.51</u>	33.18		
10 years		4				<u>36.24</u>	34.84		
15 years		4				<u>38.04</u>	36.58		
20 years						<u>39.95</u>	38.41		
25+ years						<u>41.95</u>	40.33		
Police Officer	63***			6				40	NE
Police Officer - Recruit						<u>27.42</u>	26.36		
1 year		15				<u>27.42</u>	26.36		
3 years		8				<u>28.85</u>	27.74		
5 years		16				<u>30.28</u>	29.12		
10 years		8				<u>31.80</u>	30.58		
15 years		6				<u>33.39</u>	32.11		
20 years		4				<u>35.07</u>	33.72		
25 years						<u>36.82</u>	35.40		
Senior Administrative Assistant	3	1				<u>34.20</u>	32.88	40	NE
		1				<u>24.93</u>	23.97		
		1				<u>26.26</u>	25.25		
Administrative Assistant								40	NE
Crime Analyst								40	E
Crime Analyst II	1	1				<u>27.34</u>	26.29	40	E
Deflection Specialist	1			1		0.00	0.00	40	E
						0.00	0.00	40	
Records Manager	1			1		0.00	0.00	40	E
Senior Records Clerk									
Records Clerk	2	1				<u>24.69</u>	23.74	40	NE
		1				<u>20.12</u>	19.35		
Senior Evidence Technician	1	1				<u>23.46</u>	22.56	40	NE

Evidence Technician	1	1			<u>21.07</u>	20.26	40	NE	7
---------------------	---	---	--	--	--------------	-------	----	----	---

Total Budgeted/Filled for Department	91	83	0	8
---	-----------	-----------	----------	----------

* Position Red Light 2021

POLICE DEPARTMENT CON'T

AUTHORIZED POSITIONS

FY 25

FY24

HOURLY
WAGE
ADJ.
RATEHOURLY
WAGE
ADJ.
RATEHOURS
WORKEXEMPT
NON-EXEMPTPAY
GRADE

POSITIONS

BUDGET
TOTALFILLED
NON-CS

RCSS/CS

VACANT

911 Communications Services

911 Communications Services Manager	1	1			<u>48.68</u>	46.81	40	E	13 14
-------------------------------------	---	---	--	--	--------------	-------	----	---	-------------------------

Assistant 911 Communications Services Manager	1	<u>1</u>		4	<u>31.87</u>	30.64	40	E	12
---	---	----------	--	---	--------------	-------	----	---	----

Terminal Agency Coordinator	1	<u>1</u>		4	<u>26.00</u>	25.00	36/48	NE	8
-----------------------------	---	----------	--	---	--------------	-------	-------	----	---

911 System Administrator	1	1			<u>31.63</u>	30.41	40	E	10
--------------------------	---	---	--	--	--------------	-------	----	---	----

Shift Supervisor	4			3	0.00	0.00	36/48	NE	10
------------------	---	--	--	---	------	------	-------	----	----

		1			<u>26.90</u>	25.87	36/48	NE	10
--	--	---	--	--	--------------	-------	-------	----	----

Telecommunicator	14						36/48	NE	8
------------------	----	--	--	--	--	--	-------	----	---

		1			<u>29.84</u>	28.69	36/48	NE	8
--	--	---	--	--	--------------	-------	-------	----	---

		1			<u>29.37</u>	28.24	36/48	NE	8
--	--	---	--	--	--------------	-------	-------	----	---

		1			<u>29.27</u>	28.14	36/48	NE	8
--	--	---	--	--	--------------	-------	-------	----	---

		1			<u>27.54</u>	26.48	36/48	NE	8
--	--	---	--	--	--------------	-------	-------	----	---

		1			<u>23.66</u>	22.75	36/48	NE	8
--	--	---	--	--	--------------	-------	-------	----	---

		1			<u>23.20</u>	22.31	36/48	NE	8
--	--	---	--	--	--------------	-------	-------	----	---

		1			<u>21.17</u>	20.36	36/48	NE	8
--	--	---	--	--	--------------	-------	-------	----	---

		3			<u>20.77</u>	19.97	36/48	NE	8
--	--	---	--	--	--------------	-------	-------	----	---

		1			<u>20.57</u>	19.78	36/48	NE	8
--	--	---	--	--	--------------	-------	-------	----	---

		1			<u>20.56</u>	19.77	36/48	NE	8
--	--	---	--	--	--------------	-------	-------	----	---

		1			<u>20.36</u>	19.58	36/48	NE	8
--	--	---	--	--	--------------	-------	-------	----	---

		1			<u>19.86</u>	19.10	36/48	NE	8
--	--	---	--	--	--------------	-------	-------	----	---

Senior Administrative Assistant	1	1			<u>32.19</u>	30.95	40	NE	9
---------------------------------	---	---	--	--	--------------	-------	----	----	---

* Position Red Light 2021

Note: Police Department Secretary/Public Information Officer is provided two hours minimum call-out pay.

**Note: Police Department adjustments will be made in accordance to Union Contract once the Captain's promotional process is completed.

***Note: The Police Officer authorization number increased by 3 in order to fulfill the COPS Grant for School Resource Officers for the next 4 years. 6/22/2021

****911***Note: 36/48 refers to the 12 hour schedule that has people working an alternating three and four 12-hour shifts per week, or 2184 hours per yearNew system administrator position added and data entry clerk moved into position.Add Pays: 1) 1 TAC \$1/hr 2) 2 CTO's \$0.50/hr

**** A supervisor position is filled

Total Budgeted/Filled for Department	23	20	0	3
---	-----------	-----------	----------	----------

Section G.

FIRE DEPARTMENT

AUTHORIZED POSITIONS

FY 25

FY24

POSITIONS	BUDGET TOTAL	FILLED NON-CS RCSS/CS	VACANT	HOURLY WAGE ADJ. RATE	HOURLY WAGE ADJ. RATE	HOURS WORK	EXEMPT NONEXEMPT	PAY GRADE
<u>Administrative Division</u>								
Fire Chief	1	1		<u>76.26</u>	73.33	40	E	17
Deputy Fire Chief - Fire Prevention	1	1		<u>60.82</u>	58.48	40	E	15
Deputy Fire Chief - Operations	1	1		<u>57.30</u>	55.10	40	E	15
<u>Training Division</u>								
Battalion Chief/ Training Officer	1	1		<u>40.23</u>	38.68	40	E	12
<u>Fire Prevention Division</u>								
Battalion Chief/ Fire Marshal							E	
Deputy Fire Marshal	2	1		<u>39.85</u>	38.32		NE	12
		1		<u>34.23</u>	32.91			
Senior Administrative Assistant	1	1		<u>29.56</u>	28.42		NE	9
Code Enforcement Officer	3	1		<u>29.32</u>	28.19	40	NE	8
		1		<u>27.02</u>	25.98			
		1		<u>24.67</u>	23.72			
Permit Technician	1	1		<u>22.21</u>	21.36	40	NE	7
Permit Specialist						40	NE	
Chief Building Inspector	1	1		<u>42.60</u>	40.96	40	NE	12
Deputy Building Inspector	1		1	<u>0.00</u>	0.00	40	NE	10
Chief Electrical Inspector	1	1		<u>37.51</u>	36.07	40	NE	12
Deputy Electrical Inspector	1	1		<u>27.28</u>	26.23	40	NE	10
<u>Suppression Division</u>								
Fire Assistant Chief	3		1			40	E	14
		1		<u>38.07</u>	36.61			
		1		<u>34.00</u>	32.69			
Captains	15		1				NE	
<10 years		1		<u>22.84</u>	21.96			
10 years		5		<u>23.41</u>	22.51			
15 years		3		<u>24.00</u>	23.08			
20 years		4		<u>24.61</u>	23.66			
25 years		1		<u>25.21</u>	24.24			
Lieutenants	15		2				NE	
<10 years		11		<u>20.77</u>	19.97			
10 years		1		<u>21.29</u>	20.47			
15 years		1		<u>21.82</u>	20.98			
20 years				<u>22.37</u>	21.51			
25 years				<u>22.93</u>	22.05			
Firefighter	29		-1				NE	
Firefighter (Appointee)		5		<u>15.79</u>	15.18			

6 months		<u>17.02</u>	16.37
1 year	10	<u>17.45</u>	16.78
3 years	2	<u>17.88</u>	17.19
5 years		<u>18.33</u>	17.63
10 years		<u>18.80</u>	18.07
15 years		<u>19.26</u>	18.52

Firefighter (Relief Driver)

NE

COLA + \$0.39 + \$0.10

2 years	4	<u>18.40</u>	17.69
3 years	7	<u>18.85</u>	18.13
5 years	2	<u>19.33</u>	18.58
10 years		<u>19.81</u>	19.05
15 years		<u>20.31</u>	19.53

Total Budgeted/Filled for Department	77	73	0	4
---	-----------	-----------	----------	----------

* Position Red Light 2021

** Position Frozen 2009

Note: Executive Assistant I moved to Prevention from Administration

Note: Firefighter Relief Driver is not a new position. \$0.10 is factored in the pay rate

Note: A person may hold the position of Code Enforcement Officer I for a period not to exceed one year without becoming a certified Property Maintenance Inspector.

Note: To be considered for the position of Code Enforcement Officer II must obtain Property Maintenance Inspector I, Level I Building Inspector and successful review.

Note: A person may hold the position of Deputy Building Inspector Level I for a period not to exceed two years without becoming certified.

Note: A person may hold the position of Deputy Electrical Inspector Level I for a period not to exceed one year without becoming certified.

Note: Building Inspector levels are equivalent to steps. These levels are dictated by state certification, and successful performance review.

Note: Deputy Fire Marshal to have State certification within one year.

Note: To be considered for Deputy Fire Marshal II must obtain NFPA Fire Inspector I, and II, and successful review.

Note: To be considered for Deputy Fire Marshal III must obtain NFPA Fire protection plan review and successful performance review.

Note: As Inspection's Civil Service positions are eliminated through attrition they will be filled as Non-Civil Service positions.

Note: RCSS - Individuals Retain Civil Service Status

Section H.		AUTHORIZED POSITIONS			FY 25	FY24			
					HOURLY WAGE ADJ.	HOURLY WAGE ADJ.	HOURS WORK	EXEMPT NONEXEMPT	PAY GRADE
ENGINEERING POSITIONS	BUDGET TOTAL	FILLED NON-CS	RCSS/CS	VACANT	RATE	RATE			
City Engineer	1			1	0.00	78.54	40	E	17
Assistant City Engineer	1	1			57.50	55.29	40	E	14
Engineer Project Manager	1	1			39.98	38.44	40	E	13
Engineering Technician	1	1			31.48	30.27	40	E	11
Engineering Tech II	1			1	0.00	0.00	40	E	12
Engineering Tech III	1	1			46.33	44.55	40	E	13
Senior Administrative Assistant	1	1			28.24	27.15	40	NE	9
Floodwall Division									
EPW Floodwall Superintendent	1	1			41.25	39.66	40	E	13
Floodwall Operator	4			4			40	NE	
80%					20.22	19.44		NE	

85%			<u>21.48</u>	20.66	NE
90%	1		<u>22.74</u>	21.87	NE
95%			<u>24.01</u>	23.09	NE
100%	2	1	<u>25.27</u>	24.30	NE

Total Budgeted/Filled for Department	13	9	1	2
---	-----------	----------	----------	----------

* Position Red Light 2021

Note: positions are eliminated through attrition they will be filled as a Non-Civil Service positions.

Note: RCSS - Individuals Retain Civil Service Status

Note: As the Floodwall Operators' CS positions are eliminated through attrition they will be filled as Non-Civil Service positions.

Section I.		AUTHORIZED POSITIONS			FY 25	FY24			
					HOURLY WAGE ADJ.	HOURLY WAGE ADJ.	HOURS WORK	EXEMPT NONEXEMPT	PAY GRADE
PUBLIC WORKS DEPT. POSITIONS	BUDGET TOTAL	FILLED NON-CS	RCSS/CS	VACANT	ADJ. RATE	ADJ. RATE			
Public Works Director	1	1			<u>62.25</u>	59.86	40	E	16
Assistant Public Works Director	1	1			<u>53.41</u>	51.36	40	E	14
Administrative Assistant	1	1			<u>21.08</u>	20.27	40	NE	7
Street Division									
Street Superintendent	1	1			<u>38.16</u>	36.69	40	E	13
Street Supervisor	1	1			<u>30.87</u>	29.68	40	E	11
Landscape Supervisor	1	1			<u>34.26</u>	32.94	40	E	11
Equipment Operator	3							NE	
80%					<u>20.42</u>	19.63			
85%					<u>21.69</u>	20.86			
90%					<u>22.97</u>	22.09			
95%					<u>24.24</u>	23.31			
100%		3			<u>25.52</u>	24.54			
Concrete Finisher	1			1*				NE	
80%					<u>19.53</u>	18.78			
85%					<u>20.75</u>	19.95			
90%					<u>21.97</u>	21.12			
95%					<u>23.19</u>	22.30			
100%					<u>24.41</u>	23.47			
Right-Of-Way Maintenance Person	15			1				NE	
80%					<u>18.90</u>	18.18			
85%					<u>20.08</u>	19.31			
90%		3			<u>21.26</u>	20.45			
95%		2			<u>22.44</u>	21.58			
100%		7	2		<u>23.62</u>	22.72			
Laborer								NE	
80%					<u>17.59</u>	16.92			
85%					<u>18.69</u>	17.98			
90%					<u>19.79</u>	19.04			
95%					<u>20.89</u>	20.09			

100%				<u>21.99</u>	21.15			
Maintenance Division								
Maintenance Superintendent	1	1		<u>40.41</u>	38.86	40	E	13
Maintenance Supervisor	1	1		<u>29.52</u>	28.38	40	E	11
Janitor / Collector	4		<u>1</u>				NE	
80%				<u>17.18</u>	16.52			
85%				<u>18.25</u>	17.55			
90%				<u>19.32</u>	18.59			
95%		1		<u>20.40</u>	19.62			
100%		2		<u>21.47</u>	20.65			
Traffic Technician	1		1				NE	
80%				<u>19.67</u>	18.92			
85%				<u>20.90</u>	20.10			
90%				<u>22.13</u>	21.29			
95%				<u>23.36</u>	22.47			
100%				<u>24.59</u>	23.65			
Master Electrician	1		1*	0.00	0.00		NE	10
Maintenance Technician	5		<u>1</u> 1*				NE	
80%				<u>19.67</u>	18.92			
85%				<u>20.90</u>	20.10			
90%				<u>22.13</u>	21.29			
95%		1		<u>23.36</u>	22.47			
100%		1	2	<u>24.59</u>	23.65			
Fleet Maintenance Division								
Fleet Superintendent	1	1		<u>38.62</u>	37.13	40	E	13
Fleet Supervisor	1	1		<u>34.58</u>	33.25	40	E	11
Senior Administrative Assistant	1	1		<u>25.85</u>	24.86	40	NE	7
Fleet Mechanic I							NE	8
Fleet Mechanic II	5		<u>1</u>				NE	9
		4		0.00	0.00			
		1		<u>24.21</u>	23.28			
		1		<u>24.94</u>	23.98			
		1		<u>25.18</u>	24.21			
		1		<u>28.15</u>	27.07			
Solid Waste Division								
Solid Waste Superintendent	1	1		<u>36.65</u>	35.24	40	E	13
Solid Waste Supervisor	1	1		<u>30.58</u>	29.40	40	E	11
Compost Operations Supervisor	1		1	0.00	0.00	40	E	10
Administrative Assistant	1	1		<u>23.08</u>	22.19	40	NE	7
Laborer	1		1				NE	
80%				<u>17.59</u>	16.92			
85%				<u>18.69</u>	17.98			
90%				<u>19.79</u>	19.04			
95%				<u>20.89</u>	20.09			
100%				<u>21.99</u>	21.15			

Truck Driver	17	6			NE
80%			<u>19.30</u>	18.56	
85%			<u>20.51</u>	19.72	
90%	2		<u>21.72</u>	20.88	
95%	1		<u>22.92</u>	22.04	
100%	8		<u>24.13</u>	23.20	
Right-Of-Way Maintenance Person	0				NE
80%			<u>18.90</u>	18.18	
85%			<u>20.08</u>	19.31	
90%			<u>21.26</u>	20.45	
95%			<u>22.44</u>	21.58	
100%			<u>23.62</u>	22.72	
Compost Equipment Operator	2				NE
80%			<u>20.42</u>	19.63	
85%			<u>21.69</u>	20.86	
90%			<u>22.97</u>	22.09	
95%			<u>24.24</u>	23.31	
100%	2		<u>25.52</u>	24.54	

Total Budgeted/Filled for Department	70	51	4	15
---	-----------	-----------	----------	-----------

* Position Red Light 2021

Note: positions are eliminated through attrition they will be filled as a Non-Civil Service positions.

Note: RCSS - Individuals Retain Civil Service Status

Note: As the Floodwall Operators' CS positions are eliminated through attrition they will be filled as Non-Civil Service positions.

Note: AFSCME employees in the classification above shall be eligible to receive "Shift Differential" of \$0.35/Hr.

Note: AFSCME employees in the above classification shall be eligible to receive \$0.50/Hr as a "Work Leader".

Section J.

POSITION	AUTHORIZED POSITIONS			FY 25	FY24	HOURS	EXEMPT	PAY
	BUDGET TOTAL	FILLED		VACANT	HOURLY WAGE ADJ. RATE	HOURLY WAGE ADJ. RATE	WORK	NON-EXEMPT GRADE
		NON-CS	RCSS/CS					
Director of Parks & Recreation	1	1			<u>53.67</u>	51.61	40	E 16
Assistant Director of Parks	1	1			<u>44.73</u>	43.01	40	E 14
Assistant Director of Recreation	1	<u>1</u>		4	<u>41.06</u>	39.48		
Recreation Superintendent	4	<u>4</u>		<u>1</u>	<u>39.85</u>	<u>38.32</u>	40	<u>E 13</u>
Recreation Supervisor	<u>2</u>			<u>1</u>	0.00	0.00	40	E <u>11</u>
		1			<u>25.41</u>	24.43	40	E <u>11</u>
Senior Recreation Specialist	4	4			<u>0.00</u>	0.00	40	E 10
Recreation Specialist	3	<u>1</u>		4	<u>22.25</u>	21.39	40	E 9
		1			<u>22.25</u>	21.39		
		1			<u>22.80</u>	21.92		
Senior Administrative Assistant	1	1			<u>27.45</u>	26.39		NE 9
Administrative Assistant	1	1			<u>21.37</u>	20.55		NE 7

Maintenance Division

Supervisor	<u>3</u> 2	<u>1</u>			E	11
		1		<u>28.48</u>	27.38	40
		1		<u>27.35</u>	26.30	40
Laborer	12		4			NE
80%				<u>17.59</u>	16.92	
85%		4		<u>18.69</u>	17.98	
90%				<u>19.79</u>	19.04	
95%				<u>20.89</u>	20.09	
100%		3	1 2	<u>21.99</u>	21.15	
Right-Of-Way Maintenance Person	1		<u>1</u>			NE
80%				<u>18.90</u>	18.18	
85%				<u>20.08</u>	19.31	
90%		4		<u>21.26</u>	20.45	
95%				<u>22.44</u>	21.58	
100%				<u>23.62</u>	22.72	
Maintenance Technician	<u>1</u>		4			NE
80%				<u>19.67</u>	18.92	
85%				<u>20.90</u>	20.10	
90%				<u>22.13</u>	21.29	
95%				<u>23.36</u>	22.47	
100%		<u>1</u>		<u>24.59</u>	23.65	

Total Budgeted/Filled for Department	27	19	1	7
---	-----------	-----------	----------	----------

* Position Red Light 2021

Note: Recreation Superintendent moved to Assistant Director Position, and Parks Maintenance Superintendent moved to Public works, and then Parks & Rec. Super created and Rec. Specialist promoted.

Note: As positions are eliminated through attrition they will be filled as Non-Civil Service positions.

Note: RCSS - Individuals Retain Civil Service Status

Note: AFSCME employees in the classification above shall be eligible to receive "Shift Differential" of \$0.35/Hr.

Note: AFSCME employees in the above classification shall be eligible to receive \$0.50/Hr as a "Work Leader".

Section K.

HUMAN RESOURCES & RISK

AUTHORIZED POSITIONS

				FY 25	FY24			
				HOURLY	HOURLY			
				WAGE	WAGE			
				ADJ.	ADJ.			
				RATE	RATE			
POSITIONS	BUDGET	FILLED	VACANT			HOURS	EXEMPT	PAY
	TOTAL	NON-CS	RCSS/CS			WORK	NON-EXEMPT	GRADE
Director of Human Resources	1	1		<u>57.23</u>	55.03	40	E	15
Risk Manager	1	1		<u>39.20</u>	37.69	40	E	13
Diversity Specialist	1	<u>1</u>	4	<u>31.00</u>	29.81	40	E	10
Senior HR Generalist	1	1		<u>30.14</u>	28.98	40	E	10
Administrative Assistant	1	4	<u>1</u>	<u>0.00</u>	17.93	40	NE	7

Total Budgeted/Filled for Department	5	4	0	1
--------------------------------------	---	---	---	---

Agenda Action Form

Paducah City Commission

Meeting Date: June 11, 2024

Short Title: Job Grade Schedule Updated for Fiscal Year 2025 - **S. WILCOX**

Category: Municipal Order

Staff Work
By: Stefanie
Wilcox
Presentation
By: Stefanie
Wilcox

Background Information: The Job Grade Schedule is being updated to add the Recreation Supervisor position to range eleven, and adding an Engineering Technician II position to range twelve. All salaries for all ranges are being increased by four percent (4%) for the city-wide employee cost of living adjustment that will take place at the beginning of Fiscal Year 2025.

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 updated Job Grade Schedule with recommended changes.

Attachments:

1. pay grade schedule Annual FY2023-2024 Amendment 2
2. Job Grade Schedule 06 27 2024

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER AMENDING THE FISCAL YEAR 2024 PAY GRADE SCHEDULE
FOR THE EMPLOYEES OF THE CITY OF PADUCAH, KENTUCKY

WHEREAS, the City of Paducah adopted the FY2023-2024 Pay Grade Schedule
by Municipal Order No. 2738 on May 23, 2023; and

WHEREAS, the City of Paducah approved an amendment to the Pay Grade
Schedule by Municipal Order No. 2851 on February 13, 2024; and

WHEREAS, the City of Paducah now wishes to amend the Pay Grade Schedule
to reflect a Cost of Living Adjustment of four percent (4%) for all City employees; and

WHEREAS, in order to implement the changes, it is necessary to amend the
FY2023-2024 Pay Grade Schedule.

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

SECTION 1. The City of Paducah hereby adopts and approves the amended
FY2023-2024 Pay Grade Schedule as attached hereto.

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

George Bray, Mayor

ATTEST:

Lindsay Parish, City Clerk

Adopted by the Board of Commissioners, June 11, 2024
Recorded by Lindsay Parish, City Clerk, June 11, 2024
\\mo\pay grade schedule Annual FY2023-2024 Amendment 2

City of Paducah, KY
Job Grade Schedule
Effective June 27, 2024

Grade	Proposed Job Title	Minimum	Midpoint	Maximum
18				
	City Manager	130,217	169,282	208,346
17				
	Assistant City Manager	110,642	141,068	171,494
	City Engineer	110,642	141,068	171,494
	Director of Finance	110,642	141,068	171,494
	Fire Chief	110,642	141,068	171,494
	Police Chief	110,642	141,068	171,494
16				
	Chief Technology Director	94,163	120,058	145,953
	Director of Parks & Recreation	94,163	120,058	145,953
	Director of Planning	94,163	120,058	145,953
	Director of Public Works	94,163	120,058	145,953
15				
	City Clerk/Director of Customer Experience	87,312	111,323	135,333
	Controller	87,312	111,323	135,333
	Deputy Fire Chief - Operations	87,312	111,323	135,333
	Deputy Fire Chief - Prevention	87,312	111,323	135,333
	Director of Human Resources	87,312	111,323	135,333
	Police Assistant Chief	87,312	111,323	135,333
14				
	Assistant City Engineer	80,461	102,587	124,714
	Assistant Director of Parks	80,461	102,587	124,714
	Assistant Director of Public Works	80,461	102,587	124,714
	Assistant Director of Recreation	80,461	102,587	124,714
	E 911 Communication Services Manager	80,461	102,587	124,714
	Fire Assistant Chief	80,461	102,587	124,714
	Police Captain	80,461	102,587	124,714
	Revenue Manager	80,461	102,587	124,714
13				
	Communications Manager	72,628	90,785	108,942
	Engineer Project Manager	72,628	90,785	108,942
	Engineer Technician III	72,628	90,785	108,942
	Fleet Superintendent	72,628	90,785	108,942
	Floodwall Superintendent	72,628	90,785	108,942
	Maintenance Superintendent	72,628	90,785	108,942
	Recreation Superintendent	72,628	90,785	108,942
	Risk/Safety Manager	72,628	90,785	108,942
	Software Manager	72,628	90,785	108,942
	Solid Waste Superintendent	72,628	90,785	108,942
	Streets Superintendent	72,628	90,785	108,942
12				
	Assistant E-911 Communication Services Manager	64,273	80,341	96,409
	Battalion Chief/Fire Training Officer	64,273	80,341	96,409
	Chief Building Inspector	64,273	80,341	96,409
	Chief Electrical Inspector	64,273	80,341	96,409
	Deputy Fire Marshal	64,273	80,341	96,409
	<u>Engineering Technician II</u>	64,273	80,341	96,409
	GIS and Application Support Manager	64,273	80,341	96,409
	Planner III	64,273	80,341	96,409
	Senior Accountant	64,273	80,341	96,409
11				
	Business Development Specialist	56,878	71,098	85,318

Crime Analyst II	56,878	71,098	85,318
Engineer Technician	56,878	71,098	85,318
GIS Specialist	56,878	71,098	85,318
Landscape Supervisor	56,878	71,098	85,318
Revenue Auditor	56,878	71,098	85,318
Planner II	56,878	71,098	85,318
<u>Recreation Supervisor</u>	56,878	71,098	85,318
Software Specialist	56,878	71,098	85,318
Supervisor Fleet	56,878	71,098	85,318
Supervisor Maintenance	56,878	71,098	85,318
Supervisor Solid Waste	56,878	71,098	85,318
Supervisor Street	56,878	71,098	85,318
Systems Administrator	56,878	71,098	85,318
10			
Accountant	50,784	63,480	76,177
Assistant City Clerk	50,784	63,480	76,177
Crime Analyst I	50,784	63,480	76,177
Deflection Specialist	50,784	63,480	76,177
Deputy Building Inspector	50,784	63,480	76,177
Deputy Electrical Inspector	50,784	63,480	76,177
Diversity Specialist	50,784	63,480	76,177
Downtown Development Specialist	50,784	63,480	76,177
E-911 Shift Supervisor	50,784	63,480	76,177
E-911 System Administrator	50,784	63,480	76,177
Grants Administrator	50,784	63,480	76,177
Planner I	50,784	63,480	76,177
Records Division Manager	50,784	63,480	76,177
Senior Help Desk Technician	50,784	63,480	76,177
Senior Human Resources Generalist	50,784	63,480	76,177
Senior Recreation Specialist	50,784	63,480	76,177
Supervisor Compost	50,784	63,480	76,177
Systems Technician	50,784	63,480	76,177
9			
Codes Enforcement Officer II	46,269	56,679	67,089
Fleet Mechanic II	46,269	56,679	67,089
Human Resources Generalist	46,269	56,679	67,089
Recreation Specialist	46,269	56,679	67,089
Revenue Technician II	46,269	56,679	67,089
Senior Administrative Assistant	46,269	56,679	67,089
Senior Customer Experience Representative	46,269	56,679	67,089
8			
Codes Enforcement Officer I	41,311	50,606	59,901
E-911 Telecommunicator	41,311	50,606	59,901
E-911 Terminal Agency Coordinator	41,311	50,606	59,901
Fleet Mechanic I	41,311	50,606	59,901
Help Desk Technician	41,311	50,606	59,901
Revenue Technician	41,311	50,606	59,901
Senior Evidence Technician	41,311	50,606	59,901
Senior Records Clerk	41,311	50,606	59,901
7			
Administrative Assistant	37,217	45,591	53,965
Customer Experience Representative	37,217	45,591	53,965
Evidence Technician	37,217	45,591	53,965
Permit Technician	37,217	45,591	53,965
Records Clerk	37,217	45,591	53,965
2			
Parking & Traffic Control Assistant	23,167	27,801	32,434

Agenda Action Form

Paducah City Commission

Meeting Date: June 11, 2024

Short Title: Approve the Interim Planning Director Employment Agreement with Carol Gault - **D. JORDAN**

Category: Municipal Order

Staff Work
By: Daron
Jordan
Presentation
By: Daron
Jordan

Background Information: The Planning Department is currently without a Director and this employment agreement would appoint Carol Gault as the Interim Planning Director beginning June 13, 2024, for a six-month period, to assume all duties and responsibilities as described in the Planning Director job description. All employment terms are defined in the agreement and, if mutually agreed upon, could be extended with the Board of Commissioner's approval.

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: It is recommended to approve and sign the Interim Planning Director Employment Agreement with Carol Gault.

Attachments:

1. MO agree-employment – Carol Gault – Interim Planning Director
2. Planning Director Employment Agreement (002)

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER APPROVING AN EMPLOYMENT AGREEMENT
BETWEEN THE CITY OF PADUCAH AND CAROL GAULT FOR EMPLOYMENT AS
INTERIM PLANNING DIRECTOR, AND AUTHORIZING THE MAYOR TO EXECUTE
SAME

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. Authorization. The Board of Commissioners of the City of
Paducah hereby approves and the Mayor of the City of Paducah, Kentucky, is hereby authorized
to execute an Employment Agreement with Carol Gault to be employed in the position of
Interim Planning Director.

SECTION 2. Effective Date. This Order shall be in full force and effect on and
after the date as approved by the Board of Commissioners of the City of Paducah, Kentucky.

George Bray, Mayor

ATTEST:

Lindsay Parish, City Clerk

Adopted by the Board of Commissioners, June 11, 2024
Recorded by Lindsay Parish, City Clerk, June 11, 2024
\\mo\agree-employment – Carol Gault – Interim Planning Director

AGREEMENT FOR EMPLOYMENT AS PADUCAH INTERIM PLANNING DIRECTOR

THIS AGREEMENT is entered into as of this 11th day of June, 2024 by and between the CITY OF PADUCAH, State of Kentucky, a municipal corporation (hereinafter referred to as “Employer”) and Carol Gault (hereinafter referred to as “Employee”) (hereinafter collectively “Parties”).

WITNESSETH:

WHEREAS, the Paducah City Commission ("Commission") desires to temporarily appoint Employee as Interim Planning Director for the City of Paducah; and

WHEREAS, Employee desires to accept temporary employment as Interim Planning Director for the City of Paducah;

NOW THEREFORE, in consideration of the foregoing premises, and for other valuable consideration, the legal adequacy and sufficiency of which is hereby acknowledged by all Parties hereto, the Parties do covenant and agree as follows:

1. **Appointment.** The Commission hereby temporarily appoints Employee as Interim Planning Director of the City of Paducah and Employee hereby accepts such appointment.

2. **Term.** The Term of this Agreement shall be for a period of six (6) months which shall commence on June 13th, 2024. The Parties may mutually agree to extend this Term, with approval of the Board of Commissioners.

3. **Duties and Authority.** Employer agrees to temporarily employ Employee to perform the functions and duties as specified in the attached Planning Director job description. Employee further agrees that she shall comply with all lawful governing body directives, state, or federal law, Employer policies, rules and ordinances as they exist or may hereafter be amended. Employee agrees to perform all duties of Planning Director with reasonable care, diligence, skill, and expertise.

4. **Compensation.** Employer agrees to pay Employee a salary of \$43.27 per hour. Employee's salary shall be payable in installments at the same time that other management employees of Employer are paid. Employee shall not be entitled to a salary increase during the Term of this Agreement.

5. **Benefits.**

A. **Health Insurance.** Employee will be eligible to participate in Employer's health insurance program on the same terms as provided for other administrative employees.

B. **Other Benefits.** Employee specifically understands and agrees that she is

not entitled to participate in Employer's Life Insurance program or the Wellness Program. Employee acknowledges and agrees that, as a condition of this Agreement, she is waiving any and all policies of Employer that would otherwise entitle her to any such benefits. Further, Employee acknowledges and agrees that she is only entitled to those benefits that are expressly made available to her in this Agreement.

6. **Vacation and Sick Leave.** Employee specifically understands and agrees that she is not entitled to vacation, sick leave, or any other paid leave which is provided to other employees of Employer. Employee acknowledges and agrees that, as a condition of this Agreement, she is waiving any and all policies of Employer that would otherwise entitle her to any paid leave.

7. **Retirement.** Employee will be entitled to participate in Kentucky's defined benefit retirement program as provided by Employer for the benefit of its employees.

8. **Hours of Work.** On average, Employee should work approximately 40 hours per week plus any additional time reasonably required to discharge the responsibilities of the office. For payroll purposes this position is considered exempt, which is ineligible for overtime. Because Employee is not entitled to vacation and sick leave, Employee understands that any days not worked will be unpaid during the contract period.

9. **Travel Expenses.** Employer agrees to budget and pay for reasonable travel and subsistence expenses of Employee for official travel and meetings to pursue necessary official functions for Employer, as approved by the City Manager.

10. **Termination.** In addition to this Agreement terminating automatically at the conclusion of the six (6) month Term (unless the Parties agree otherwise), the Parties may also terminate this Agreement for any reason or no reason upon two (2) weeks-notice to the other Party. In specifically agreeing to this provision, Employee understands and agrees that she is an at-will employee who may be terminated for any reason or no reason. However, Employer may terminate this Agreement without notice to Employee for the following reasons:

- A. Employee's death;
- B. Employee becomes disabled which, as used in this Section shall mean Employee's inability to adequately perform her duties and services;
- C. Dishonest, fraudulent, or illegal conduct of Employee;
- D. Misappropriation of Employer property or funds by Employee;
- E. Conviction of a felony or any other crime that brings disrepute to Employer;
- F. Drug or alcohol dependency of Employee;
- G. Engaging in unethical conduct such as engaging in conduct that amounts

to a conflict of interest, breaching any fiduciary duty or duty of loyalty to Employer or engaging in conduct which substantially prejudices Employer, including, but not limited to, a violation of the Employer's Ethics Ordinance; and/or

- H. Willful failure to comply with written instructions or directions of Employer to take affirmative action on a matter or willful failure to comply with written instructions or direction of the Employer to refrain from taking action on a matter.

It is agreed and understood that all rights, duties, and obligations of the Parties shall cease upon termination, except as may otherwise be provided in Paragraph 11 herein.

11. **Indemnification.** Employer shall defend, save harmless, and indemnify Employee against any tort, professional liability claim or demand or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the lawful performance of Employee's duties as Interim Planning Director or resulting from the exercise of reasonable judgment or discretion in connection with the performance of program duties or responsibilities, unless the act or omission involved gross negligence or willful or wanton conduct. Employer shall indemnify Employee against any and all losses, damages, judgments, interest, settlements, fines, court costs, and other reasonable costs and expenses of legal proceedings including attorneys' fees, and any other liabilities incurred by, imposed upon, or suffered by Employee in connection with or resulting from any claim, action, suit, or proceeding, actual or threatened, arising out of or in connection with the performance of her duties. Legal representation will continue beyond employment for any claims or actions arising during the course of employment.

Any settlement of any claim must be made with prior written approval of Employer in order for indemnification, as provided in this Section, to be available.

12. **Notices.** Notice pursuant to this Agreement shall be given by depositing in the custody of the United States Postal Service. Postage prepaid, addressed as follows:

EMPLOYER: Mayor, City of Paducah, P.O. Box 2267, Paducah, KY 42002-2267

EMPLOYEE: Carol Gault, 131 North Sycamore Drive, Paducah, KY 42001

Alternatively, notice required pursuant to this Agreement may be personally served in the same manner as is applicable to civil judicial practice. Notice shall be deemed given as of the date of personal service or as the date of deposit of such written notice in the course of transmission in the United States Postal Service.

13. **Miscellaneous.**

- A. **Integration.** This Agreement sets forth the entire understanding between the Employer and Employee relating to the employment of Employee by Employer. Any prior discussions or representations by or between the parties are merged into and rendered null and void by this Agreement. The

parties, by mutual written agreement, may amend by written agreement any provision of this Agreement during the life of this Agreement. Such amendments shall be incorporated and made a part of this Agreement. It is agreed that this Agreement was mutually negotiated and drafted by both Parties. In construing this Agreement and in determining the rights of the Parties hereto, no Party shall be deemed to have solely drafted or created this Agreement or have any provision construed against any Party on the basis of who drafted the Agreement.

- B. **Binding Effect.** This Agreement shall be binding upon Employer and Employee as well as their heirs, assigns, executors, personal representatives, and successors in office and in interest.
- C. **Effective Date.** This Agreement shall be signed and effective upon adoption of the appropriate Ordinance or Resolution by the Commission.
- D. **Severability.** The invalidity or partial invalidity of any portion of this Agreement shall not affect the validity of any other provision. In the event that any provision of this Agreement is held to be invalid, the remaining provisions shall be deemed to be in full force and effect as if they have been executed by both Parties subsequent to the expungement or judicial modification of the invalid provision.

IN WITNESS WHEREOF, the Paducah City Commission has caused this Agreement to be executed on its behalf by the City's Mayor and Employee this ____ day of June, 2024.

Mayor, City of Paducah

Employee, Carol Gault

Agenda Action Form

Paducah City Commission

Meeting Date: June 11, 2024

Short Title: Approve Development Agreement with C.I.R.CO Construction for 318 Broadway Street - **M. SMOLEN**

Category: Municipal Order

Staff Work By: Michelle Smolen, Josh
Sommer, Lindsay Parish
Presentation By: Michelle Smolen

Background Information: The City wishes to enter into a Development Agreement with [C.I.R.CO](#) Construction for City owned vacant real estate located at 318 Broadway Street (formerly the Kresge Building site).

The proposed project is for a multi-use green space. The developer agrees to construct a four-sided bar in the center of the space, to be owned and operated by Hardin Calhoun LLC dba Over/Under. Developer will also construct bathrooms and a playground area adjacent to 314 Broadway. There will be a concrete pad constructed adjacent to the building located at 100 S. 4th Street, Paducah, KY, spanning the length of said building, which will serve as a space for vendors and pop-up shops. At the back of the Property, Developer will build a permanent stage and tiered levels of seating using landscape and hardscape. Throughout the space, Developer will plant mature trees and construct walking paths, benches, tables and chairs. This space will be open to the community daily from sunrise to sunset.

The proposed Development Agreement includes the proposed timeline:

- Developer shall submit a set of design plans for the project to the Planning Director for review and approval within thirty (30) days of the Effective Date
- Developer shall initiate construction of the Development within thirty (30) days of transfer of the property.
- Developer shall utilize its best efforts to complete the Development within a period of fifteen (15) months following commencement of the work.

The Developer has also agreed to a purchase price of \$10,000. The property will not be transferred until the Developer has obtained all necessary permits and approvals from the City. Finally, the Development Agreement also includes a reversion clause should the Developer fail to meet obligations in the agreement.

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

If yes, please list the Commission Priority: Downtown

Communications Plan:

Funds Available: Account Name:
Account Number:

Staff Recommendation: Approve the Development Agreement with [C.I.R.CO](#) Construction for 318 Broadway

Attachments:

1. MO Development Agreement – C.I.R.CO 318 Broadway – Kresge Site
2. 318 Broadway Development Agreement Signed
3. Exhibit A

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER DECLARING THE PROPERTY AT 318 BROADWAY TO BE SURPLUS, TRANSFERRING THE PROPERTY TO C.I.R.CO, LLC FOR COMPENSATION IN THE AMOUNT OF \$10,000, AND AUTHORIZING THE MAYOR TO EXECUTE A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF PADUCAH, KENTUCKY, AND C.I.R.CO, LLC AND ALL DOCUMENTS RELATED TO SAME

WHEREAS, pursuant to KRS 82.083, a written determination has been made that the City does not have any use at this time or in the future for property located at 318 Broadway, Paducah, Kentucky, which constitutes surplus real estate; and

WHEREAS, pursuant to KRS 82.083(4)(b), surplus property may be transferred, with or without compensation, for economic development purposes, which shall include but not be limited to real property transfers for the elimination of blight; and

WHEREAS, the City now desires to enter into a Development Agreement with C.I.R.CO, LLC, for the sale of the property at a cost of \$10,000.

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. Recitals. The Board of Commissioners hereby declares the property located at 318 Broadway, Paducah, Kentucky to be surplus property as it relates to the operations of the City. Further, the Board of Commissioners hereby authorizes the transfer of the property to C.I.R.CO, LLC, (hereinafter “Developer”) for the price of \$10,000, contingent upon the Developer receiving the necessary permits from the City of Paducah . Further, the City of Paducah hereby approves a Development Agreement by and between the City of Paducah and the Developer, as attached hereto and made part hereof (Exhibit A), together with such changes to the Agreement as may be approved by the City Manager on behalf of the City, and as are not inconsistent with this Municipal Order or substantially adverse to the City of Paducah.

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

SECTION 3. Compliance with Open Meetings Laws. The City Commission hereby finds and determines that all formal actions relative to the adoption of this Municipal Order were taken

in an open meeting of this City Commission and that all deliberations of the City Commission and of its committees, if any which resulted in formal action, were in meetings open to the public in full compliance with applicable legal requirements.

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

George Bray, Mayor

ATTEST:

Lindsay Parish, City Clerk

Adopted by the Board of Commissioners, _____
Recorded by Lindsay Parish, City Clerk, _____

MO\Development Agreement – C.I.R.CO 318 Broadway – Kresge Site

Exhibit A

DEVELOPMENT AGREEMENT

This Development Agreement (Agreement) is made and entered into on the ____ day of April, 2024 (the "Effective Date"), by and between the **CITY OF PADUCAH, KENTUCKY** (the "City" or "City of Paducah") and **C.I.R.CO PROPERTIES, LLC** a Kentucky limited liability company (the "Developer").

WHEREAS, the City is the present owner of a certain tract of vacant real estate located at 318 Broadway Street, Paducah, KY 42001, (the "Property"), as shown on the plat attached hereto as Exhibit A; and

WHEREAS, the City of Paducah is charged with the responsibility of overseeing the proper and orderly development of vacant properties located within its corporate boundaries; and

WHEREAS, Developer desires to develop, construct, and maintain a multi-purpose green space on the Property (the "Development"); and

WHEREAS, the Development will result in infill development of property that may have been underutilized or blighted, helping to catalyze revitalization; and

WHEREAS, in order to ensure that the Development will have a positive impact on the community, the City and the Developer have reached certain agreements regarding the construction and improvement of the Development and wish to reduce the same to writing.

NOW, THEREFORE, in consideration of the foregoing premises, and for other valuable consideration, the legal adequacy and sufficiency of which is hereby acknowledged by all parties hereto, the parties do covenant and agree as follows:

A. Developer agrees to the following:

1. Developer agrees to purchase the Property for the purchase price of Ten Thousand and 00/100 Dollars (\$10,000.00) under the terms and conditions as stated in Section C below.

2. Developer agrees to develop the Property as a multi-use green space. The Development shall have gated access on the Broadway side as well as at the back of the space adjacent to the parking lot. Developer agrees to construct a four-sided bar in the center of the space, to be owned and operated by Hardin Calhoun LLC dba Over/Under. Developer will also construct bathrooms and a playground area adjacent to 314 Broadway. There will be a concrete pad constructed adjacent to the building located at 100 S. 4th Street, Paducah, KY, spanning the length of said building, which will serve as a space for vendors and pop-up shops. At the back of the Property, Developer will build a permanent stage and tiered levels of seating using landscape and hardscape. Throughout the space, Developer will plant mature trees and construct walking paths, benches, tables and chairs. This space will be open to the community daily from sunrise to sunset.

3. Developer shall submit a set of design plans for the project to the Planning Director of the City of Paducah ("Planning Director") for review and approval within thirty (30) days of the Effective Date

4. Developer shall initiate construction of the Development within thirty (30) days of transfer of the property pursuant to Section C, below.

5. Developer shall utilize its best efforts to complete the Development within a period of fifteen (15) months following commencement of the work. The City, in its sole discretion, may elect to grant an extension for completion of the Development.

B. City agrees to the following:

1. The City agrees to transfer the property to Developer for the purchase price of Ten Thousand and 00/100 Dollars (\$10,000.00), upon the terms and conditions stated in Section C below.

C. Terms and Conditions for Transfer of Property.

1. **Transfer and Timing.** The City agrees to convey marketable title to the Property via general warranty deed in proper statutory form (the "Deed"). Transfer of the property shall occur upon Developer's satisfaction of the following requirements:

- i. Developer has obtained all necessary city permits, licenses, and approvals as required under the codes and ordinances of the City to enable construction to begin; and
- ii. Developer has submitted to the City a final set of design documents which have been approved by the Planning Director.

2. **Transfer Taxes and Recording Fees.** Any and all deed preparation fees and deed transfer taxes shall be paid by City. Any and all deed recording fees shall be paid by Developer.

3. **Reversion.** In the event Developer fails to satisfy its obligations under Section A of this Agreement, including failure to initiate construction within thirty (30) days of transfer of the Property, the City shall have the right, in its sole discretion, to resume possession and ownership of the Property. The City may exercise this right by providing notice to Developer and, upon receipt of such notice, Developer agrees that the Deed shall be forfeited and the Property shall revert back to the City at the original purchase price of \$10,000.00. In such event, all of the monetary investments and improvements made to the Property shall be forfeited without any compensation or right to compensation whatsoever. If the City elects to exercise its rights under this section, Developer shall promptly take all reasonable steps to cause the transfer and conveyance of the Property back to the City, at no out-of-pocket cost to the City, such that as nearly as practicable the City is restored with marketable fee title to the Property free and clear

of any mortgages, liens, encumbrances, and adverse interests.

D. Use of Property.

1. **Property Conveyed As-Is.** Developer agrees to accept the Property "AS-IS", with all defects and deficiencies, and subject to all easements and encroachments of record. This shall include a ten (10) foot wide access, maintenance, and encroachment easement as shown by Exhibit A.

2. **Access.** The parties agree that no curb cut or vehicular access will be granted off of Broadway Street. Vehicular access to the Property shall be limited to alleyway access at the rear of the property.

3. **TIF District.** The parties acknowledge that the Property is located within Paducah's Downtown Riverfront Tax Increment Financing District (TIF District). Developer agrees to comply with all statutes, ordinances, and applicable agreements relating to developments within the TIF District in its development and use of the Property.

E. Miscellaneous Provisions. The following miscellaneous provisions shall apply:

1. **Assignment.** This Agreement shall be binding upon and shall inure to the benefit of the parties hereto, and their respective legal representatives, heirs, successors and permitted assigns. The Developer shall not assign its rights and obligations hereunder, in whole or in part, without the prior consent of the City, but in no event, shall any assignment hereunder release or relieve Developer from any obligations of this Agreement for which Developer shall remain fully bound to City.

2. **Merger Clause.** It is agreed and understood between the parties that this Agreement represents the entire and exclusive agreement between the parties, and that all prior representations, covenants, warranties, understandings and agreements are merged herein. This Agreement may only be modified in a writing executed by all parties hereto.

3. **Construction.** This Agreement shall be governed and construed under the laws of the Commonwealth of Kentucky.

4. **Assurances.** The City and the Developer agree to execute such further documents and instruments as shall be necessary to fully carry out the terms of this Agreement.

5. **Amendments.** This Agreement may not be modified or amended unless by a writing signed by both parties hereto.

6. **Execution and Delivery.** This Agreement shall be of no force or effect unless and until it shall have been executed by both the City and the Developer and approved by the governing body of the City of Paducah.

7. **Time is of the Essence.** All times referred herein shall be strictly construed, as

all of such times shall be deemed of the essence.

WITNESS signatures of the parties as of the year and date first above written.

DEVELOPER:

CITY:

CL.R.CO PROPERTIES, LLC

CITY OF PADUCAH, KENTUCKY

By


Blake Calhoun, Member

By

George Bray, Mayor

Date:

4/26/24

Date:

OF OWNERSHIP:
CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN HEREON AND DO
THIS PLAN OF SUBDIVISION WITH OUR FREE WILL AND CONSENT.

NOTARY PUBLIC IN THE STATE OF KENTUCKY
COUNTY OF McCRACKEN:

I, Paul M. May, A NOTARY PUBLIC IN THE STATE OF KENTUCKY
DO HEREBY CERTIFY THAT THE FOREGOING PLAT OF SURVEY WAS THIS DAY PRESENTED
TO ME, KNOWN TO ME, TOGETHER WITH THE CERTIFICATE OF
RECORDATION SHOWN HEREON, WHICH WAS EXECUTED IN MY PRESENCE AND ACKNOWLEDGMENT
OF FREE ACT AND DEED.

AND SEAL THIS 30 DAY OF August, 2022
WITNESSES ON THE _____ DAY OF _____, 20____



OF APPROVAL:

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

ON THE _____ DAY OF August, 2022.

B. M. May
PADUCAH PLANNING COMMISSION

OF ACCURACY:

THIS SURVEY TO CITY OF PADUCAH KENTUCKY
AND DESCRIBED HEREON WAS PERFORMED UNDER MY
METHODS OF RANDOM TRAVERSERS WITH SIGHT SHOTS. THE UNADJUSTED PRECISION
WAS 1:30,375. THE BEARINGS AND DISTANCES SHOWN HEREON HAVE
BEEN ADJUSTED BY THE METHOD OF LEAST SQUARES. THIS SURVEY MEETS THE REQUIREMENTS OF THE CITY OF PADUCAH
PLANNING AND ZONING DEPARTMENT ON THE 30 DAY OF August, 2022.

PLS No. 2900 DATE 8/25/22

SUBJECT TO ALL RIGHT-OF-WAYS, EASEMENTS, COVENANTS, AND RESTRICTION OF
TITLE.

IF THIS PLAT IS REPRODUCED BY ANY MEANS, ORIGINAL SIGNATURE AND SEAL ARE ATTACHED, ANY REPRODUCTION
IS SURVEY BY ELECTRONIC OR ANY OTHER MEANS ARE NOT TO BE CONSIDERED
VALID LAND SURVEY.

OF RECORDING:
COUNTY OF McCRACKEN

FOR THE COUNTY AND STATE AFORESAID DO HEREBY CERTIFY THAT THIS PLAT
IS IN MY OFFICE FOR RECORD AND THAT I HAVE RECORDED SAME WITH THIS AND
CERTIFICATE OF MY OFFICE.

AND SEAL THIS THE 7 DAY OF Sept, 2022

BY Angie Hamblin, D.C.

AT SECTION M, PAGE 1749

REQUIREMENTS:

REQUIREMENTS:

REQUIREMENTS:

REQUIREMENTS:

REQUIREMENTS:

REQUIREMENTS:

REQUIREMENTS:

REQUIREMENTS:

REQUIREMENTS:

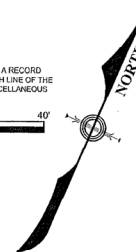
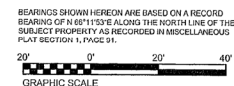
REQUIREMENTS:

REQUIREMENTS:

REQUIREMENTS:

REQUIREMENTS:

REQUIREMENTS:



VICINITY MAP
SCALE: 1" = 2,000'

LEGEND

- EXISTING MARKER (AS NOTED)
- 1/2" x 18" LONG REBAR WITH PLASTIC CAP STAMPED "TOSH KYPLS 2900" (SEE)
- MAG NAIL WITH WASHER STAMPED "2900" (SEE AS NOTED)
- ANGLE POINT (SEE MARKER SET)

FLOOD INFORMATION:

THE PROPERTY SHOWN HEREON IS LOCATED IN ZONE "X" (SHADED) AS SHOWN ON THE
FLOOD INSURANCE RATE MAP HAZUS 15/03/15, DATED 11/07/15.
ZONE "X" (SHADED) = AREAS OF 0.2% ANNUAL CHANCE FLOOD, AREAS OF 1% ANNUAL
AVERAGE DEPTHS OF LESS THAN 1 FOOT OF WITH DRAINAGE AREAS OF LESS THAN
AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

TITLE OPINION:

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

SURVEY INTENT:

THE INTENT OF THIS SURVEY IS TO ABOLISH ALL INTERIOR TRACT LOT LINES, AND EASEMENTS
AS SHOWN HEREON.

BOUNDARY SURVEY:

THIS PLAT OF SURVEY REPRESENTS A BOUNDARY SURVEY AND COMPLIES WITH 201

CLIENT:

PADUCAH FIRE DEPARTMENT
500 SOUTH 34 STREET
PADUCAH, KY 42003

CLIENT:

CITY OF PADUCAH
300 SOUTH 5th STREET
PADUCAH, KY 42003

COPYRIGHT:

ALL RIGHTS RESERVED - COPYRIGHT © 2022 DUMMER SURVEYING & ENGINEERING, INC.
Reserve all rights to the information shown herein. These plans may not be reproduced or copied
without the written consent of DUMMER SURVEYING & ENGINEERING SERVICES, INC. with full penalty of
law.

REV. No.	DATE	TYPE	BY
1	8/22/22	FIELD SURVEY	R. TOSH
2	8/22/22	FIELD SURVEY	R. TOSH
3	8/22/22	FIELD SURVEY	R. TOSH
4	8/22/22	FIELD SURVEY	R. TOSH
5	8/22/22	FIELD SURVEY	R. TOSH
6	8/22/22	FIELD SURVEY	R. TOSH
7	8/22/22	FIELD SURVEY	R. TOSH
8	8/22/22	FIELD SURVEY	R. TOSH
9	8/22/22	FIELD SURVEY	R. TOSH
10	8/22/22	FIELD SURVEY	R. TOSH

DUMMER SURVEYING & ENGINEERING SERVICES, INC.
434 South 6th Street
Paducah, Kentucky 42003
KY: 270-444-0220
IL: 618-524-4209

WAIVER OF SUBDIVISION PLAT OF

CITY OF PADUCAH PROPERTY

318, 324 & 326 BROADWAY
PADUCAH, McCRACKEN COUNTY, KENTUCKY

DOCUMENT NO: 060754
RECORDED September 07, 2022 01:55:05 PM
TOTAL FEES: \$20.00
COUNTY CLERK: JAMIE HUSKEY
DEPUTY CLERK: ELLIE SPRAGGS
COUNTY, McCRACKEN COUNTY
BOOK: CARM PAGES: 1748 - 1749

017B2 202209

M-17

Agenda Action Form

Paducah City Commission

Meeting Date: June 11, 2024

Short Title: Accept the 2024-2026 House Bill 1 Appropriation in the Amount of \$3.5 million for the Build Grant Project - **H. REASONS & M. TOWNSEND**

Category: Municipal Order

Staff Work
By: Hope
Reasons
Presentation
By: Hope
Reasons

Background Information: The City of Paducah has been appropriated \$3.5 million in the 2024-26 House Bill 1 for the BUILD Grant Project. These funds will be administered as a grant through the Department for Local Government. Per the letter received from DLG:

"On behalf of the Executive Branch, and the staff of the Department for Local Government (DLG), I am pleased to inform you of the inclusion in the Commonwealth's fiscal year 2024-25 budget of state grant funds for the above-referenced project. The appropriation will be administered by the DLG, Office of State Grants (OSG). The administration of this appropriation is contingent upon the acceptance of the conditions outlined below:

1. Applicant shall be registered to do business with the Commonwealth.
2. Applicant shall submit an Authorizing Resolution by its governing body or board;
3. Applicant shall enter into a Memorandum of Agreement (MOA) with the Commonwealth;"

This Municipal Order will fulfill the requirement for number 2 above and will allow DLG to send the MOA.

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 Municipal Order to accept the \$3.5 million in appropriated funding through the Department for Local Government and authorize the Mayor to sign all documentation related to same.

Attachments:

1. MO award – BUILD Grant – State DLG House Bill Funds \$3.5 mil
2. Award Letter Draft

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER ACCEPTING GRANT FUNDS THROUGH THE DEPARTMENT FOR LOCAL GOVERNMENT FOR THE BETTER UTILIZING INVESTMENTS TO LEVERAGE DEVELOPMENT (BUILD) GRANT PROJECT IN AN AMOUNT OF \$3,500,000 TO IMPROVE THE PADUCAH RIVERFRONT AND PEDESTRIAN CORRIDOR FROM THE CONVENTION CENTER TO DOWNTOWN, AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING FOR THE FUNDS AND ALL OTHER DOCUMENTS RELATED TO SAME

WHEREAS, on July 9, 2019, the Paducah Board of Commissioners approved Municipal Order #2261, authorizing the application for a Better Utilizing Investments to Leverage Development (BUILD) grant to improve the Paducah Riverfront and pedestrian corridor from the Convention Center to Downtown; and

WHEREAS, on August 23, 2022, the City Commission adopted Municipal Order No. 2632 accepting funds through MARAD in an amount of \$10,400,000; and

WHEREAS, the City has now received notification that Kentucky House Bill 1 has appropriated \$3.5 million for the BUILD Project; and

WHEREAS, the City now wishes to authorize the acceptance of said funds.

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

SECTION 1. The City of Paducah hereby accepts funds in the amount of \$3,500,000 through the Department for Local Government for the BUILD Grant Project for improvements to the Paducah Riverfront and pedestrian corridor from the Convention Center to Downtown.

SECTION 2. That the Mayor is hereby authorized to execute a Memorandum of Understanding for acceptance of the funds and all other documents related to same, as authorized in Section 1, above.

SECTION 3. There is no local match requirement.

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

George Bray, Mayor

ATTEST:

Lindsay Parish, City Clerk

Adopted by the Board of Commissioners, June 11, 2024

Recorded by Lindsay Parish, City Clerk, June 11, 2024

MO\grants\award – BUILD Grant – State DLG House Bill Funds \$3.5 mil



Andy Beshear
Governor

**OFFICE OF THE GOVERNOR
DEPARTMENT FOR LOCAL GOVERNMENT**

100 AIRPORT ROAD, THIRD FLOOR
FRANKFORT, KENTUCKY 40601
PHONE (502) 573-2382
FAX (502) 227-8691
www.kydlgweb.ky.gov

Dennis Keene
Commissioner

May 30, 2024

The Honorable George Bray
Mayor
City of Paducah
P.O. Box 2267
Paducah, KY 42002-2267

RE: 2024-2026 House Bill 1 (HB 1) Appropriation Executive Branch Notification
Complete Federally Funded Build Grant Project
Project Number: 25-147

Dear Mayor Bray:

On behalf of the Executive Branch, and the staff of the Department for Local Government (DLG), I am pleased to inform you of the inclusion in the Commonwealth's fiscal year 2024-25 budget of state grant funds for the above-referenced project. The appropriation will be administered by the DLG, Office of State Grants (OSG). The administration of this appropriation is contingent upon the acceptance of the conditions outlined below:

1. Applicant shall be registered to do business with the Commonwealth. If the Applicant is not yet registered to do business with the Commonwealth, it must do so as soon as possible. This information is outlined at; <https://vss.ky.gov>;
2. Applicant shall submit an Authorizing Resolution by its governing body or board;
3. Applicant shall enter into a Memorandum of Agreement (MOA) with the Commonwealth;
4. If a 501(c)3 organization, Applicant shall submit a copy of its determination letter from the Internal Revenue Service.



An Equal Opportunity Employer M/F/D

The Honorable George Bray
May 30, 2024
Page 2

Please indicate your acceptance of these conditions by signing the attached, and the completed Scope of Work form to DLG as soon as possible. Following receipt of the attached and the required documentation, DLG will begin the process of executing the MOA. Upon final approval by the Finance & Administration Cabinet and the Governmental Contract Review Committee, DLG will provide a copy along with the required next steps.

We look forward to working with you and assisting the City of Paducah with these grant funds. If you have questions or concerns, please contact Billie R. Johnson at BillieR.Johnson@ky.gov or (502) 573-2382.

Sincerely,



Dennis Keene
Commissioner



Andy Beshear
Governor

OFFICE OF THE GOVERNOR
DEPARTMENT FOR LOCAL GOVERNMENT

100 AIRPORT ROAD, THIRD FLOOR
FRANKFORT, KENTUCKY 40601
PHONE (502) 573-2382
FAX (502) 227-8691
www.kydlgweb.ky.gov

Dennis Keene
Commissioner

The Honorable George Bray
Mayor
City of Paducah
P.O. Box 2267
Paducah, KY 42002-2267

RE: 2024-2026 House Bill 1 (HB 1) Appropriation Executive Branch Notification
Complete Federally Funded Build Grant Project
Project Number: 25-147

Dear Mayor Bray:

1. Applicant shall registered to do business with the Commonwealth. If the Applicant is not yet registered to do business with the Commonwealth, it must do so as soon as possible. This information is outlined at <https://vss.ky.gov>;
2. Applicant shall submit an authorizing resolution by its governing body or board;
3. Applicant shall enter into a Memorandum of Agreement (MOA), with the Commonwealth;
4. If a 501(c)3 organization, Applicant shall submit a copy of its determination letter from the Internal Revenue Service.

By affixing my signature below, I, the authorized representative of the Applicant named above, do hereby agree to the conditions set forth above.

The Honorable George Bray
Mayor

Date



An Equal Opportunity Employer M/F/D

Agenda Action Form

Paducah City Commission

Meeting Date: June 11, 2024

Short Title: Amend the Code of Ordinances to create a new section of the City of Paducah Zoning Code related to Reasonable Accommodation for Recovery Homes - **J. SOMMER**

Category: Ordinance

Staff Work By: Josh Sommer
Presentation By: Josh
Sommer

Background Information: This proposed text amendment is intended to provide a streamlined approach for the approval of Recovery Homes, while protecting the rights of handicapped individuals and the character of the surrounding neighborhood.

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

If yes, please list the Commission Priority: Commission Priorities List Operational Efficiencies

Communications Plan:

Funds Available: Account Name:
Account Number:

Staff Recommendation: Approval

Attachments:

1. ORD 126-88 Reasonable Accommodation for Recovery Homes Updated
2. TXT2024-0001 Reasonable accommodation BOC
3. Signed Resolution

ORDINANCE NO. 2024-____ - _____

AN ORDINANCE ESTABLISHING SECTION 126-88, REASONABLE
ACCOMMODATION FOR RECOVERY HOMES, OF THE CODE OF
ORDINANCES OF THE CITY OF PADUCAH KENTUCKY

WHEREAS, the City of Paducah desires to comply with state and federal law related to housing regulations, and encourages healthy and stable living conditions for individuals in recovery; and

WHEREAS, Title VIII of the Civil Rights Act of 1968, as amended by the Federal Fair Housing Amendments Act of 1988 (“FHA”), imposes an affirmative duty on local governments to make reasonable accommodations (modifications or exceptions) in their rules, policies, practices or services related to land use and zoning regulations when such accommodation may be necessary to afford an individual with a recognized handicap an equal opportunity to use and enjoy housing; and

WHEREAS, the Kentucky legislature recently enacted standards requiring certification for operation of recovery residences, Recovery Homes, sober living residences and similar homes in the Commonwealth of Kentucky; and

WHEREAS, codification of a local procedure for individuals with recognized handicaps seeking equal access to housing to request reasonable accommodation in the application of the City’s land use and zoning regulations, standards, policies, and procedures and establishment of relevant criteria to be used when considering such requests will ensure prompt, fair and efficient handling of such requests in accordance with the statutory mandates, including the reasonable accommodation mandates of the FHA while ensuring that the protections offered to legitimate recovering individuals are not abused by unqualified individuals; and

WHEREAS, the City has been granted broad police powers to preserve single-family characteristics of its single-family neighborhoods; and

WHEREAS, the City has the right to regulate both the number of persons who may reside in a single-family home and the manner in which it is used so long as such regulations do not unfairly discriminate or impair an individual’s rights of privacy and association; and

WHEREAS, individuals and families often purchase houses in predominately single-family neighborhoods with the expectation of establishing close and long-standing ties with their neighbors and the neighborhood; and

WHEREAS, the FHA prohibits enforcement of zoning regulations which would have the effect of discriminating against the handicapped in equal housing opportunities and requires the City provide reasonable accommodation in it’s zoning and other regulations if such accommodation is necessary to afford an individual with a recognized handicap an equal opportunity to use and enjoy housing of their choice; and

WHEREAS, the City desires to strike a balance between preserving the predominately single-family characteristics of residential neighborhoods and providing opportunities for the handicapped to reside in residential zones; and

WHEREAS, the City has been notified of an increase in the number of single-family houses being utilized as Recovery Homes for unrelated individuals; and

WHEREAS, the increase has generated community concerns and complaints including, but not limited to; the potential for overcrowding, clustering of Recovery Homes in close proximity to each other, the expansion of the use of the right-of-way for parking where parking is limited, increased police call activity and property value diminution; and

WHEREAS, the purpose of a Recovery Home is to provide a comfortable living environment for persons with alcohol or drug addictions in which they can remain clean and sober and can participate in a recovery program within a residential community environment so that they have the opportunity to reside in the neighborhood of their choice; and

WHEREAS, recognizing that recovering alcoholics and drug addicts, who are not currently using alcohol or drugs, are considered handicapped under the FHA; and

WHEREAS, concentrations of Recovery Homes and the placement of large numbers of recovering addicts in a single dwelling can undermine the benefits of home ownership in predominately single-family neighborhoods and can undermine the characteristics of predominately single-family neighborhoods; and

WHEREAS, the City recognizes that while not in character with predominately single-family neighborhoods; when operated lawfully, a Recovery Home provides a societal benefit by providing recognized handicapped individuals the opportunity to live in predominately single-family neighborhoods, as well as providing recovery programs for individuals attempting to overcome their addiction; and

WHEREAS, because of their often transient nature and above normal numbers of individuals residing in a single-family dwelling and the lack of regulations, Recovery Homes present problems not typically associated with more traditional single-family uses, including the housing of large numbers of unrelated individuals who may or may not be supervised; disproportionate number of vehicles associated with a single-family dwelling which causes disproportionate traffic and utilization of on-street parking; the potential for excessive noise, outdoor smoking and potential for littering which may interfere with the use and enjoyment of neighboring properties; creating neighbors which have little to no idea who resides in the dwelling with little to no interaction and a disregard for the impact with and upon the neighborhood; the disproportional impact upon City services; and the potential influx of individuals with criminal records; and

WHEREAS, there is a need for implementing criteria for determining and establishing reasonable accommodation within the City's Zoning Ordinance that formalize procedures related to such accommodation; and

WHEREAS, without some regulation there is no manner of ensuring that the individuals entering into Recovery Home are recognized handicapped individuals and entitled to reasonable accommodation; and

WHEREAS, this Ordinance will provide a mechanism for a Recovery Home to seek accommodation upon making a showing that such accommodation is reasonably necessary to afford the individual(s) with recognized handicaps proposing to reside therein, the right to use and enjoy a single-family dwelling in a manner similar to that enjoyed by non-handicapped individuals; and

WHEREAS, permitting multiple residents in a Recovery Home and establishing distance requirements and other criteria is reasonable and non-discriminatory and not only helps preserve the characteristics of predominately single-family neighborhoods but also furthers the purpose for which Recovery Homes are established; and

WHEREAS, in seeking a balance within the urban residential neighborhood characteristics of the City, a six hundred fifty foot (650') distance requirement still provides a reasonable market for the purchase and operation of a Recovery Home.

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

SECTION A. Section 126-88 of the Paducah Code of Ordinances shall be established to include the following:

Sec. 126-88. Reasonable accommodation for Recovery Homes.

(a) *Definitions.* For the purposes of this Article, the following terms are defined as follows:

(1) *Certifying Organization.* Certifying organization, as used in this Article, means:

- a. The Kentucky Recovery Housing Network;
- b. The National Alliance for Recovery Residences;
- c. Oxford House, Inc. and;
- d. Any other organization that develops and administers professional certification programs requiring minimum standards for the operation of recovery residences that has been recognized and approved by the Cabinet for Health and Family Services.

(2) *Fair Housing Laws.* The Federal Fair Housing Amendments Act of 1988 (FHA) and the provisions of KRS 344.600 et seq., as may be amended from time to time (fair housing laws).

(3) *Group Home.* A residential facility for the care of multiple unrelated individuals living in a single housekeeping unit and recognized as handicapped individuals under the Fair Housing Act and American with Disabilities Act. A Group Home shall be considered a Recovery Home for all purposes consistent herewith, even if such home includes multiple unrelated individuals.

(4) *Handicapped.* Person with disabilities; for the purposes herein, has the meaning set forth in the federal Fair Housing Act and the American with Disabilities Act and is an individual who has a physical or mental impairment that limits one (1) or more of the major life activities of such individual, is regarded as having such impairment, or has a record of such impairment. While a person recovering from substance abuse is considered a person with a disability under 42 U.S.C. § 3602 (h), a person who is currently engaged in illegal use of a controlled substance is not.

(5) *Operator.* An individual or business entity, whether for profit or non-profit, which provides residential services at a Recovery Home.

(6) *Reasonable Accommodation.* The act of making a dwelling unit or housing facility readily accessible to, and usable by, a person with disabilities, through the removal of constraints in the City's land use, zoning, permit and processing procedures. All requested or proposed accommodations may not be reasonable and the reasonableness of a request will be determined by the City.

- (7) *Recovery Home*. A Recovery Home means a single-family dwelling unit inhabited or intended to be inhabited by unrelated individuals recovering from a drug and/or alcohol addiction, considered as a handicapped individual under state or federal law, which promotes use disorder recovery through abstinence from intoxicating substances; and shall not include facilities which provide on-site supportive services to residents including the following: mental health services; clinical rehabilitation services; social services; medical, dental, nutritional or other health care services; financial management services; legal services; vocational services or other similar supportive services.
- (8) *Recovery Support Services*. Recovery support services means activities that are directed primarily toward recovery from substance use disorders and includes; but is not limited to, mutual aid self-help meetings, recovery coaching, spiritual coaching, group support and assistance in achieving and retaining gainful employment. Recovery support services does not include any medical, clinical, behavioral health or other substance use treatment service for which a license or other approval is required under state law.

(b) *Purpose*.

- (1) Fair Housing Laws impose an affirmative duty on local governments to make reasonable accommodation in their land use, zoning regulations and land-use practices when such accommodation may be necessary to afford handicapped individuals an equal opportunity to housing in accordance therewith.
- (2) In furtherance of the purposes of the Fair Housing Laws, this section is intended to: preserve the residential character of predominately single-family residential neighborhoods; ensure that inhabitants of Recovery Homes are actually entitled to reasonable accommodation; limit the secondary impacts of Recovery Homes by reducing noise, lighting and traffic; preserve safety, provide adequate on-street or off-street parking; provide an accommodation for handicapped individuals that is reasonable and actually bears some resemblance to the opportunities afforded non-handicapped individuals to use and enjoy a dwelling in a residential neighborhood and to encourage living environments that will enhance opportunities for handicapped individuals to remain in recovery. Pursuant to Fair Housing Laws, this article is also created to provide handicapped individuals reasonable accommodation in zoning regulations to ensure equal access to housing and facilitate the development of housing for individuals with such recognized handicaps when the same may act as a barrier to fair housing opportunities.
- (3) There is hereby established a procedure for making requests for reasonable accommodation in land use and zoning regulations to comply fully with the intent and purpose of Fair Housing Laws. Unless a Recovery Home has been granted reasonable accommodation as provided in this Article, Recovery Homes shall comply with zoning regulations applicable to the zone in which they are located.

(c) *Applicability*. Reasonable accommodation within the context of the land use and zoning regulations means providing individuals with recognized handicaps flexibility in the application of land use regulations, zoning regulations, policies, practices and procedures, or even waiving certain requirements, when it is necessary to eliminate barriers to housing opportunities.

- (d) *Notice to the Public of Availability of Accommodating Process.* Notice of the availability of reasonable accommodation shall be prominently displayed and provided to requesting individuals, advising the public of the availability of the procedure for eligible applicants.
- (e) *Application for Requesting Reasonable Accommodation.*
- (1) Forms for requesting reasonable accommodation shall be available in the Planning Department and online.
 - (2) An application for reasonable accommodation may be made by:
 - a. Any handicapped individual or his or her representative;
 - b. The owner of the real property intended for use as a Recovery Home for handicapped individuals; or
 - c. The operator of an entity providing residential services at the location.
 - (3) Requests for reasonable accommodation shall be in writing and provide the following information:
 - a. Name, address and phone number of the applicant requesting reasonable accommodation;
 - b. Name, address and phone number of the house manager who is responsible for the day-to-day operation of the facility, if any;
 - c. Address of the property for which accommodation is requested;
 - d. Name, address and phone number of the property owner(s) if not the applicant;
 - e. If the applicant/ operator is not the property owner, a copy of any lease agreement between applicant/ operator and owner must be provided as well as written approval from the property owner to operate a Recovery Home at the proposed location;
 - f. Detailed description of the requested accommodation with reference to any known regulation, policy or procedure from which relief is sought;
 - g. Reason that the requested accommodation may be necessary for the handicapped individual(s) to use the dwelling;
 - h. Copy of the Recovery Home rules and regulations including intake procedures and relapse policy;
 - i. Blank copies of all forms that residents or potential residents are required to complete;
 - j. An affirmation by the applicant or operator that only handicapped residents shall reside at the Recovery Home;
 - k. Where the applicant is not an intended occupant, but instead intends to operate the home for financial or charitable purposes, a copy of any agreement between the applicant/ operator and the property owner setting forth or concerning any fee arrangement or financial reimbursement applicable to each resident of the Recovery Home; and
 - l. Copy of certification by a Certifying Organization, either permitting the individual or entity to operate a Recovery Home, or indicating the individual or entity is otherwise exempt from certification requirements pursuant to KRS 222.502(b), or proof that the Recovery Home has applied for certification with a Certifying Organization or the Cabinet for Health and Family Services
 - (4) Any information obtained related to an individual's handicap or medical condition shall be considered confidential, shall be retained in a manner so as to respect the privacy rights of

the applicant and shall not be made available for public inspection unless otherwise required by law.

- (5) A request for reasonable accommodation to the regulations, policies, practices and procedures may be filed at any time that the accommodation may be necessary to ensure equal access to housing. A reasonable accommodation shall not affect an individual's obligations to comply with all ordinances and laws not at issue in the requested accommodation.
- (6) If an applicant needs assistance in making the request for reasonable accommodation, the applicant shall submit a request for assistance to the Director of Planning and assistance in filing an appropriate request shall be provided.
- (7) An applicant may seek relief from the strict application of the provisions of this article by submitting such request in writing to the Director of Planning setting forth specific reasons as to why accommodation over and above the provisions set forth herein is necessary.
- (8) No application fee shall be charged, except that entities operation a dwelling for-profit shall comply with Section 106-65 of the Paducah Code of Ordinances.

(f) *Grounds for Reasonable Accommodation.*

- (1) In determining whether to grant a reasonable accommodation, the Director shall consider the totality of the following factors:
 - a. That the property will be used by an individual with a recognized handicap protected under Fair Housing Laws;
 - b. Special needs created by the recognized handicap;
 - c. Potential benefit that can be accomplished by the requested modification;
 - d. Potential impact on properties within the vicinity, including impacts on parking, ingress and egress, traffic, lighting and noise;
 - e. Physical attributes of the property and dwelling structure;
 - f. Alternate accommodations that may provide an equivalent level of benefit;
 - g. Whether the requested accommodation would impose an undue financial or administrative burden on the City;
 - h. Whether the requested accommodation would require a fundamental alteration in the nature of a City function or service, including in the City's overall zoning scheme and neighborhood development; and
 - i. Whether granting the request would be consistent with the City's Comprehensive Plan.
- (2) In making a determination of whether the requested accommodation would require a fundamental alteration in the immediate neighborhood, the City's overall zoning scheme, overall neighborhood development or the City's Comprehensive Plan, an analysis shall be required of the number of Recovery Homes already accommodated within any specific neighborhood such that the accommodation of the request with an additional Recovery Home would institutionalize a predominately single-family dwelling neighborhood.
- (3) The Director shall not be required to undertake an investigation of the occupants' handicap. A Recovery Home certified by a Certifying Organization, or which has applied for Certification with a Certifying Organization or the Cabinet for Health and Family Services, and which has a drug testing and relapse policy shall constitute proof of status as handicapped for purposes of this Section.

(g) *Distance Requirement.*

- (1) No Recovery Home shall be located within six hundred fifty (650) feet, as measured from the closest property lines, of any other Recovery Home, except as delineated in (g) (2) herein.
- (2) Recovery Homes in existence at the time of enactment of this Section, as referenced in Section (j) (1) herein, which provide proof of Certification by a Certifying Organization and compliance with requirements of the Cabinet for Health and Family Services on July 1, 2024, shall not be required to cease operation due to proximity of less than six hundred fifty (650) feet from the property lines of another Recovery Home.
- (3) Upon revocation of a permit as set forth in Sections (j) (6) or (n) (1) herein, Recovery Homes in existence at the time of enactment of this Section, as referenced in Section (j) (1) herein shall no longer be excepted from the distance requirement. Upon reapplication for a permit, if any, such Recovery Home shall be required to meet the distance requirement set forth herein.

(h) *Reviewing Authority.*

- (1) Requests for reasonable accommodation shall be reviewed by the Director of Planning using the criteria set forth herein.
- (2) The Director shall issue a written decision either granting or denying a temporary permit to operate a Recovery Home in the intended location, in accordance with Section (k) herein. A Temporary Permit may be issued in accordance with Section (j) if, upon initial review, the factors set forth in Section (f) (1)-(2) and (i) (2)-(9) weigh in favor of granting the reasonable accommodation.
- (3) The Director shall issue a written decision on a request for reasonable accommodation within thirty (30) days of receipt of proof of Certification or Denial of Certification by a Certifying Organization or the Cabinet for Health and Family Services and may either grant, grant with modifications or deny a request for reasonable accommodation in accordance with the required findings set forth below.
- (4) If necessary to reach a determination on the request, the Director may request further information from the applicant consistent with Fair Housing Laws, specifying in detail the information that is required. In the event that a request for additional information is made, the thirty (30) day period to issue a decision shall be stayed until the applicant responds to the request.

(i) *Required Findings.* The written decision to grant, grant with modifications or deny a request for reasonable accommodation shall be consistent with Fair Housing Laws and based on the following factors:

- (1) The Recovery Home shall have applied for certification with a Certifying Organization or the Cabinet for Health and Family Services and otherwise in good standing with the Cabinet for Health and Family Services, as required by KRS 222.502.
 - a. Should the Recovery Home fail to have applied for certification with the Cabinet for Health and Family Services or a Certifying Organization, or otherwise fail to be in good standing with the Cabinet for Health and Family Services as required by KRS

222.502, and not otherwise exempt from certification pursuant to KRS 222.502 (b), the Director's inquiry shall end and the Director need not consider any remaining factors.

- (2) Whether the Recovery Home will be used by individuals with a recognized handicap as defined herein and protected under Fair Housing Laws.
- (3) Whether the requested accommodation is necessary to make housing available to an individual with a recognized handicap protected under the Fair Housing Laws.
- (4) Whether the requested accommodation would impose an undue financial or administrative burden on the City.
- (5) Whether the requested accommodation would require a fundamental alteration in the nature of the City's land use or zoning regulations, codes or related programs.
- (6) Whether the requested accommodation will fundamentally alter the neighborhood due to changes in noise, lighting, parking, traffic or other factors deemed appropriate at the discretion of the Director.
- (7) Whether the requested accommodation will result in a direct threat to the health, safety or welfare of other individuals or cause physical damage to the property of others.
- (8) Whether the requested accommodation is necessary to make facilities of a similar nature economically viable in light of the particularities of the relevant market and market participants.
- (9) Whether the existing supply of facilities of a similar nature is already sufficient to provide individuals with a recognized handicap an equal opportunity to live in a residential setting.
- (10) Whether the applicant has previously had reasonable accommodation revoked or suspended, including the reasons therefore.

(j) *Temporary Permit.*

- (1) Recovery Homes in Existence at Time of Enactment: The Planning Director shall issue a temporary permit to the operator of a Recovery Home already in existence prior to enactment of this Ordinance which has applied for Certification with a Certifying Organization or the Cabinet for Health and Family Services and provided proof of such application. Upon Certification by a Certifying Organization or the Cabinet for Health and Family Services and provision of proof of certification by the Cabinet for Health and Family Services, a Recovery Home in existence prior to enactment of this Ordinance shall not be required to submit a request for reasonable accommodation as otherwise required herein, but shall be required to submit additional documentation annually.
- (2) Recovery Homes Not in Existence at Time of Enactment: The Planning Director may issue a temporary permit to the operator of a Recovery Home which is not already in existence prior to the enactment of this Ordinance and which has submitted an application for Certification with a Certifying Organization or the Cabinet for Health and Family Services, if upon initial review; the factors set forth in Section (f) (1)-(2) and (i) (2)-(9) herein weigh in favor of granting the reasonable accommodation.
- (3) A temporary permit shall authorize the occupancy of a Recovery Home until such time as a Certifying Organization or the Cabinet for Health and Family Services approves or denies the Recovery Home's application.

- (4) A temporary permit shall indicate only that the Recovery Home has applied for Certification and is in good standing with the Certifying Organization or the Cabinet for Health and Family Services. A temporary permit is not a determination that the Recovery Home will likely be Certified or finally granted reasonable accommodation.
- (5) The temporary permit shall be valid until the Certifying Organization or the Cabinet for Health and Family Services grants or denies certification following a site visit at the intended or temporarily permitted location.
- (6) In the event the Recovery Home's application for Certification is denied by a Certifying Organization or the Cabinet for Health and Family Services, the Recovery Home's temporary permit shall be revoked.

(k) *Written Decision on the Request for Reasonable Accommodation.*

- (1) The written decision on the request for reasonable accommodation shall explain in detail the basis of the decision, including the Director's findings as set forth in subsection (j) herein.
- (2) The written decision shall give notice of the applicant's right to appeal and to request reasonable accommodation in the appeals process as set forth below.
- (3) The notice of decision shall be sent to the applicant by certified mail.
- (4) The written decision of the Director shall be deemed final unless an applicant appeals the decision to the Board of Adjustment within the prescribed time period pursuant to KRS 100.261 (1).
- (5) In the event the Director fails to render a written decision within thirty (30) days, the request shall be forwarded to the City Manager's Office for final determination, which shall make such written determination within fifteen (15) days thereof.
- (6) While a request for reasonable accommodation is pending, all ordinances, laws and regulations otherwise applicable to the property shall remain in full force and effect.
- (7) The Director shall maintain records of requests for reasonable accommodation and the response thereto, including final written decisions.

(l) *Appeals*

- (1) An applicant may appeal an adverse decision within thirty (30) days of the date of the written decision. Appeals from the adverse decision shall be made in writing to the Board of Adjustment.
- (2) Appeals shall be filed in the Planning Department.
- (3) All appeals shall contain a statement of the grounds for the appeal.
- (4) Nothing in this procedure shall preclude an aggrieved individual from seeking any other state or federal remedy available.

(m) *Requirements of Recovery Homes Following Written Decision Granting Reasonable Accommodation.* Following the written determination that a Recovery Home is entitled to reasonable accommodation, the Recovery Home shall be subject to the following:

- (1) Insurance and Mortgage Notification Requirement.

- a. The operator of any Recovery Home shall maintain and provide proof to the City of general liability and homeowners/renters insurance coverage in an amount deemed appropriate by the operator of the Recovery Home and the Certifying Organization.
 - b. The operator shall be required to provide proof to the City that any mortgage lien holder on the subject property has been notified of the use of the premises as a Recovery Home.
- (2) Good Neighbor Policy. The Recovery Home shall maintain a good neighbor policy that shall direct occupants to be considerate of neighbors, including refraining from engaging in excessively loud or obnoxious behavior that would unduly interfere with a neighbor's use and enjoyment of their dwelling unit. The good neighbor policy shall establish a written protocol for accepting complaints from neighbors and for the house manager/operator to follow when a neighbor complaint is received.
 - (3) Parking. The Recovery Home shall not permit occupants or visitors to park on unfinished, grass or dirt surfaces. Occupant parking shall not be permitted to interfere with the ingress and egress of the home or neighboring properties.
 - (4) Maintenance of records. The Recovery Home operator shall maintain records for a period of one (1) year following eviction, or involuntary termination, of an occupant. Nothing herein shall require an operator to violate any provision of state or federal law regarding confidentiality of health care information.
 - (5) The operator shall screen occupants for registry pursuant to KRS 17.510. The operator shall ensure that no occupant resides in the Recovery Home in violation of KRS 17.545.
 - (6) Compliance with Applicable Codes. The Recovery Home shall remain in full compliance with all applicable building, electrical, fire, property maintenance, and nuisance codes.
 - (7) The operator shall be responsible for filing with the City:
 - 1. Any updates or changes to policies, procedures, ownership or operating entity within thirty (30) days;
 - 2. Any changes in certification or licensure with the Cabinet for Health and Family Services and/or Certifying Organization within seven (7) days; and
 - 3. Updated / renewed proof of insurance as required in (m) (1), certification, and registry with the Cabinet for Health and Family Services annually, on or before April 15.

(n) *Suspension and Revocation.*

- (1) A Recovery Home, including those with temporary permits pursuant to subsection (j), shall be subject to suspension or revocation of accommodation, subject to notice and a right to a hearing, due to any of the following conditions indicating that the accommodation is either no longer reasonable or no longer appropriate under state or federal law:
 - a. Any applicant, property owner, operator or staff person has provided materially false or misleading information in the request for accommodation or omitted any pertinent information.
 - b. Any applicant, property owner, operator or staff person has been convicted of, or pleaded nolo contendere, within the last ten (10) years, to any of the following:
 - 1. Any sex offense for which a person is required to register as a sex offender under KRS 17.510;

2. Arson offenses;
 3. Violent felonies involving bodily harm to another person; or
 4. Unlawful sale or distribution of controlled substances.
- c. Any operator that accepts residents, other than a house manager or staff member, who are not handicapped as defined under Fair Housing Laws.
 - d. The Recovery Home is denied or loses certification by a Certifying Organization or the Cabinet for Health and Family Services or otherwise fails to comply with the requirements of KRS 222.502 or KRS 222.506.
 - e. The operator fails to immediately take measures to remove any resident who no longer meets the definition of handicapped as defined under Fair Housing Laws, due to current illegal use or abuse of a controlled substance or addiction.
 - f. Significant or repeated violations of this Section or any other applicable laws, ordinances and/or regulations.
- (2) Prior to revocation of the permit or temporary permit providing accommodation, the operator of a Recovery Home shall be provided written notice of the City's intent to suspend or revoke an accommodation, including the reasons for such suspension or revocation. The operator shall have the right to request a hearing to contest the intent in writing within five (5) business days of receipt of the notice of intent to suspend or revoke the accommodation. The request for hearing shall be filed with the Planning Department.
 - (3) Upon written request, a hearing shall be scheduled before the Board of Adjustment, in accordance with KRS 100.261.
 - (4) Appeals from the Board of Adjustment shall follow KRS 100.347.

SECTION 2. That if any section, paragraph or provision of this Ordinance shall be found to be inoperative, ineffective or invalid for any cause, the deficiency or invalidity of such section, paragraph or provision shall not affect any other section, paragraph or provision hereof, it being the purpose and intent of this Ordinance to make each and every section, paragraph, an provision hereof separable from all other sections, paragraphs and provisions.

SECTION 3. 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, May 14, 2024

Adopted by the Board of Commissioners, _____

Recorded by Lindsay Parish, City Clerk, _____

Published by *The Paducah Sun*, _____

\ord\plan\126-88 Reasonable Accommodation for Recovery Homes



TEXT AMENDMENT PADUCAH BOARD OF COMMISSIONERS

CASE No.	TXT2024-0001
TITLES	126-88 Reasonable accommodation for recovery homes
DESCRIPTION	Text change to provide for recovery homes and the establishment procedures thereof.

PROCEDURAL NOTE

Zoning text amendments are first heard before the Paducah Planning Commission at a public hearing, pursuant to KRS 100.211 (2). Said public hearing took place on May 6, 2024. The Planning Commission has forwarded a favorable recommendation to the Board of Commissioners with a 4-2 vote. (Commissioners Kaler, Morrison, Rhodes and Chairman Wade voting Yea, Commissioners Carman and Griffin voting Nay).

CONSIDERATIONS

In recent years, the City has received numerous requests to establish recovery homes in various areas of the City. There has not been a streamlined or formal established procedure. In order to protect the character of the City's residential neighborhoods while also providing equal access to housing and facilitating the development of housing for individuals with recognized handicaps, staff would like to propose guidelines and establishment procedures contained herein.

The City has utilized several sources in developing the proposed text amendment contained herein. The City of Bellvue, Kentucky, in collaboration with Newport, Fort Wright and other communities, adopted a similar ordinance to our proposal. The reasonable accommodation for the cities of Phoenix, Arizona and Costa Mesa, California have also been reviewed because they have been heavily litigated on claims under the Americans with Disabilities Act and the Fair Housing Act. The City of Paducah wishes to draw from successes and challenges of these communities in formulating procedures that serve both the residential neighborhoods as well as the rights of handicapped individuals. Further, this ordinance was developed in consideration of decisions rendered from the United States Supreme Court regarding Oxford Houses and zoning ordinances affecting those establishments in litigation from across the United States.

TEXT AMENDMENTS

The proposed amendments are as follows:

WHEREAS, the City of Paducah desires to comply with state and federal law related to housing regulations, and encourages healthy and stable living conditions for individuals in recovery; and

WHEREAS, Title VIII of the Civil Rights Act of 1968, as amended by the Federal Fair Housing Amendments Act of 1988 ("FHA"), imposes an affirmative duty on local governments to make reasonable accommodations (modifications or exceptions) in their rules, policies, practices or services related to land use and zoning regulations when such accommodation may be necessary to afford an individual with a recognized handicap an equal opportunity to use and enjoy housing; and

WHEREAS, the Kentucky legislature recently enacted standards requiring certification for operation of recovery residences, Recovery Homes, sober living residences and similar homes in the Commonwealth of Kentucky; and

WHEREAS, codification of a local procedure for individuals with recognized handicaps seeking equal access to housing to request reasonable accommodation in the application of the City's land use and zoning regulations, standards, policies, and procedures and establishment of relevant criteria to be used when considering such requests will ensure prompt, fair and efficient handling of such requests in accordance with the statutory mandates, including the reasonable accommodation mandates of the FHA while ensuring that the protections offered to legitimate recovering individuals are not abused by unqualified individuals; and

WHEREAS, the City has been granted broad police powers to preserve single-family characteristics of its single-family neighborhoods; and

WHEREAS, the City has the right to regulate both the number of persons who may reside in a single-family home and the manner in which it is used so long as such regulations do not unfairly discriminate or impair an individual's rights of privacy and association; and

WHEREAS, individuals and families often purchase houses in predominately single-family neighborhoods with the expectation of establishing close and long-standing ties with their neighbors and the neighborhood; and

WHEREAS, the FHA prohibits enforcement of zoning regulations which would have the effect of discriminating against the handicapped in equal housing opportunities and requires the City provide reasonable accommodation in its zoning and other regulations if such accommodation is necessary to afford an individual with a recognized handicap an equal opportunity to use and enjoy housing of their choice; and

WHEREAS, the City desires to strike a balance between preserving the predominately single-family characteristics of residential neighborhoods and providing opportunities for the handicapped to reside in residential zones; and

WHEREAS, the City has been notified of an increase in the number of single-family houses being utilized as Recovery Homes for unrelated individuals; and

WHEREAS, the increase has generated community concerns and complaints including, but not limited to; the potential for overcrowding, clustering of Recovery Homes in close proximity to each other, the expansion of the use of the right-of-way for parking where parking is limited, increased police call activity and property value diminution; and

WHEREAS, the purpose of a Recovery Home is to provide a comfortable living environment for persons with alcohol or drug addictions in which they can remain clean and sober and can participate in a recovery program within a residential community environment so that they have the opportunity to reside in the neighborhood of their choice; and

WHEREAS, recognizing that recovering alcoholics and drug addicts, who are not currently using alcohol or drugs, are considered handicapped under the FHA; and

WHEREAS, concentrations of Recovery Homes and the placement of large numbers of recovering addicts in a single dwelling can undermine the benefits of home ownership in predominately single-family neighborhoods and can undermine the characteristics of predominately single-family neighborhoods; and

WHEREAS, the City recognizes that while not in character with predominately single-family neighborhoods; when operated lawfully, a Recovery Home provides a societal benefit by providing recognized handicapped individuals the opportunity to live in predominately single-family neighborhoods, as well as providing recovery programs for individuals attempting to overcome their addiction; and

WHEREAS, because of their often transient nature and above normal numbers of individuals residing in a single-family dwelling and the lack of regulations, Recovery Homes present problems not typically associated with more traditional single-family uses, including the housing of large numbers of unrelated individuals who may or may not be supervised; disproportionate number of vehicles associated with a single-family dwelling which causes disproportionate traffic and utilization of on-street parking; the potential for excessive noise, outdoor smoking and potential for littering which may interfere with the use and enjoyment of neighboring properties; creating neighbors which have little to no idea who resides in the dwelling with little to no interaction and a disregard for the impact with and upon the neighborhood; the disproportional impact upon City services; and the potential influx of individuals with criminal records; and

WHEREAS, there is a need for implementing criteria for determining and establishing reasonable accommodation within the City's Zoning Ordinance that formalize procedures related to such accommodation; and

WHEREAS, without some regulation there is no manner of ensuring that the individuals entering into Recovery Home are recognized handicapped individuals and entitled to reasonable accommodation; and

WHEREAS, this Ordinance will provide a mechanism for a Recovery Home to seek accommodation upon making a showing that such accommodation is reasonably necessary to afford the individual(s) with recognized handicaps proposing to reside therein, the right to use and enjoy a single-family dwelling in a manner similar to that enjoyed by non-handicapped individuals; and

WHEREAS, permitting multiple residents in a Recovery Home and establishing distance requirements and other criteria is reasonable and non-discriminatory and not only helps preserve the characteristics of predominately single-family neighborhoods but also furthers the purpose for which Recovery Homes are established; and

WHEREAS, in seeking a balance within the urban residential neighborhood characteristics of the City, a six hundred fifty foot (650') distance requirement still provides a reasonable market for the purchase and operation of a Recovery Home.

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

SECTION A. Section 126-88 of the Paducah Code of Ordinances shall be established to include the following:

Sec. 126-88. Reasonable accommodation for Recovery Homes.

(a) *Definitions.* For the purposes of this Article, the following terms are defined as follows:

(1) *Certifying Organization.* Certifying organization, as used in this Article, means:

- a. The Kentucky Recovery Housing Network;
- b. The National Alliance for Recovery Residences;
- c. Oxford House, Inc. and;

- d. Any other organization that develops and administers professional certification programs requiring minimum standards for the operation of recovery residences that has been recognized and approved by the Cabinet for Health and Family Services.
- (2) *Fair Housing Laws*. The Federal Fair Housing Amendments Act of 1988 (FHA) and the provisions of KRS 344.600 et seq., as may be amended from time to time (fair housing laws).
- (3) *Group Home*. A residential facility for the care of multiple unrelated individuals living in a single housekeeping unit and recognized as handicapped individuals under the Fair Housing Act and American with Disabilities Act. A Group Home shall be considered a Recovery Home for all purposes consistent herewith, even if such home includes multiple unrelated individuals.
- (4) *Handicapped*. Person with disabilities; for the purposes herein, has the meaning set forth in the federal Fair Housing Act and the American with Disabilities Act and is an individual who has a physical or mental impairment that limits one (1) or more of the major life activities of such individual, is regarded as having such impairment, or has a record of such impairment. While a person recovering from substance abuse is considered a person with a disability under 42 U.S.C. § 3602 (h), a person who is currently engaged in illegal use of a controlled substance is not.
- (5) *Operator*. An individual or business entity, whether for profit or non-profit, which provides residential services at a Recovery Home.
- (6) *Reasonable Accommodation*. The act of making a dwelling unit or housing facility readily accessible to, and usable by, a person with disabilities, through the removal of constraints in the City's land use, zoning, permit and processing procedures. All requested or proposed accommodations may not be reasonable and the reasonableness of a request will be determined by the City.
- (7) *Recovery Home*. A Recovery Home means a single-family dwelling unit inhabited or intended to be inhabited by unrelated individuals recovering from a drug and/or alcohol addiction, considered as a handicapped individual under state or federal law, which promotes use disorder recovery through abstinence from intoxicating substances; and shall not include facilities which provide on-site supportive services to residents including the following: mental health services; clinical rehabilitation services; social services; medical, dental, nutritional or other health care services; financial management services; legal services; vocational services or other similar supportive services.
- (8) *Recovery Support Services*. Recovery support services means activities that are directed primarily toward recovery from substance use disorders and includes; but is not limited to, mutual aid self-help meetings, recovery coaching, spiritual coaching, group support and assistance in achieving and retaining gainful employment. Recovery support services does not include any medical, clinical, behavioral health or other substance use treatment service for which a license or other approval is required under state law.

(b) *Purpose*.

- (1) Fair Housing Laws impose an affirmative duty on local governments to make reasonable accommodation in their land use, zoning regulations and land-use practices when such accommodation may be necessary to afford handicapped individuals an equal opportunity to housing in accordance therewith.
- (2) In furtherance of the purposes of the Fair Housing Laws, this section is intended to: preserve the residential character of predominately single-family residential neighborhoods; ensure that

inhabitants of Recovery Homes are actually entitled to reasonable accommodation; limit the secondary impacts of Recovery Homes by reducing noise, lighting and traffic; preserve safety, provide adequate on-street or off-street parking; provide an accommodation for handicapped individuals that is reasonable and actually bears some resemblance to the opportunities afforded non-handicapped individuals to use and enjoy a dwelling in a residential neighborhood and to encourage living environments that will enhance opportunities for handicapped individuals to remain in recovery. Pursuant to Fair Housing Laws, this article is also created to provide handicapped individuals reasonable accommodation in zoning regulations to ensure equal access to housing and facilitate the development of housing for individuals with such recognized handicaps when the same may act as a barrier to fair housing opportunities.

- (3) There is hereby established a procedure for making requests for reasonable accommodation in land use and zoning regulations to comply fully with the intent and purpose of Fair Housing Laws. Unless a Recovery Home has been granted reasonable accommodation as provided in this Article, Recovery Homes shall comply with zoning regulations applicable to the zone in which they are located.

(c) *Applicability.* Reasonable accommodation within the context of the land use and zoning regulations means providing individuals with recognized handicaps flexibility in the application of land use regulations, zoning regulations, policies, practices and procedures, or even waiving certain requirements, when it is necessary to eliminate barriers to housing opportunities.

(d) *Notice to the Public of Availability of Accommodating Process.* Notice of the availability of reasonable accommodation shall be prominently displayed and provided to requesting individuals, advising the public of the availability of the procedure for eligible applicants.

(e) *Application for Requesting Reasonable Accommodation.*

- (1) Forms for requesting reasonable accommodation shall be available in the Planning Department and online.
- (2) An application for reasonable accommodation may be made by:
 - a. Any handicapped individual or his or her representative;
 - b. The owner of the real property intended for use as a Recovery Home for handicapped individuals; or
 - c. The operator of an entity providing residential services at the location.
- (3) Requests for reasonable accommodation shall be in writing and provide the following information:
 - a. Name, address and phone number of the applicant requesting reasonable accommodation;
 - b. Name, address and phone number of the house manager who is responsible for the day-to-day operation of the facility, if any;
 - c. Address of the property for which accommodation is requested;
 - d. Name, address and phone number of the property owner(s) if not the applicant;
 - e. If the applicant/ operator is not the property owner, a copy of any lease agreement between applicant/ operator and owner must be provided as well as written approval from the property owner to operate a Recovery Home at the proposed location;

- f. Detailed description of the requested accommodation with reference to any known regulation, policy or procedure from which relief is sought;
 - g. Reason that the requested accommodation may be necessary for the handicapped individual(s) to use the dwelling;
 - h. Copy of the Recovery Home rules and regulations including intake procedures and relapse policy;
 - i. Blank copies of all forms that residents or potential residents are required to complete;
 - j. An affirmation by the applicant or operator that only handicapped residents shall reside at the Recovery Home;
 - k. Where the applicant is not an intended occupant, but instead intends to operate the home for financial or charitable purposes, a copy of any agreement between the applicant/ operator and the property owner setting forth or concerning any fee arrangement or financial reimbursement applicable to each resident of the Recovery Home; and
 - l. Copy of certification by a Certifying Organization, either permitting the individual or entity to operate a Recovery Home, or indicating the individual or entity is otherwise exempt from certification requirements pursuant to KRS 222.502(b), or proof that the Recovery Home has applied for certification with a Certifying Organization or the Cabinet for Health and Family Services
- (4) Any information obtained related to an individual's handicap or medical condition shall be considered confidential, shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public inspection unless otherwise required by law.
- (5) A request for reasonable accommodation to the regulations, policies, practices and procedures may be filed at any time that the accommodation may be necessary to ensure equal access to housing. A reasonable accommodation shall not affect an individual's obligations to comply with all ordinances and laws not at issue in the requested accommodation.
- (6) If an applicant needs assistance in making the request for reasonable accommodation, the applicant shall submit a request for assistance to the Director of Planning and assistance in filing an appropriate request shall be provided.
- (7) An applicant may seek relief from the strict application of the provisions of this article by submitting such request in writing to the Director of Planning setting forth specific reasons as to why accommodation over and above the provisions set forth herein is necessary.
- (8) No application fee shall be charged, except that entities operation a dwelling for-profit shall comply with Section 106-65 of the Paducah Code of Ordinances.

(f) *Grounds for Reasonable Accommodation.*

- (1) In determining whether to grant a reasonable accommodation, the Director shall consider the totality of the following factors:
- a. That the property will be used by an individual with a recognized handicap protected under Fair Housing Laws;
 - b. Special needs created by the recognized handicap;
 - c. Potential benefit that can be accomplished by the requested modification;
 - d. Potential impact on properties within the vicinity, including impacts on parking, ingress and egress, traffic, lighting and noise;
 - e. Physical attributes of the property and dwelling structure;

- f. Alternate accommodations that may provide an equivalent level of benefit;
 - g. Whether the requested accommodation would impose an undue financial or administrative burden on the City;
 - h. Whether the requested accommodation would require a fundamental alteration in the nature of a City function or service, including in the City's overall zoning scheme and neighborhood development; and
 - i. Whether granting the request would be consistent with the City's Comprehensive Plan.
- (2) In making a determination of whether the requested accommodation would require a fundamental alteration in the immediate neighborhood, the City's overall zoning scheme, overall neighborhood development or the City's Comprehensive Plan, an analysis shall be required of the number of Recovery Homes already accommodated within any specific neighborhood such that the accommodation of the request with an additional Recovery Home would institutionalize a predominately single-family dwelling neighborhood.
- (3) The Director shall not be required to undertake an investigation of the occupants' handicap. A Recovery Home certified by a Certifying Organization, or which has applied for Certification with a Certifying Organization or the Cabinet for Health and Family Services, and which has a drug testing and relapse policy shall constitute proof of status as handicapped for purposes of this Section.

(g) *Distance Requirement.*

- (1) No Recovery Home shall be located within six hundred fifty (650) feet, as measured from the closest property lines, of any other Recovery Home, except as delineated in (g) (2) herein.
- (2) Recovery Homes in existence at the time of enactment of this Section, as referenced in Section (j) (1) herein, which provide proof of Certification by a Certifying Organization and compliance with requirements of the Cabinet for Health and Family Services on July 1, 2024, shall not be required to cease operation due to proximity of less than six hundred fifty (650) feet from the property lines of another Recovery Home.
- (3) Upon revocation of a permit as set forth in Sections (j) (6) or (n) (1) herein, Recovery Homes in existence at the time of enactment of this Section, as referenced in Section (j) (1) herein shall no longer be excepted from the distance requirement. Upon reapplication for a permit, if any, such Recovery Home shall be required to meet the distance requirement set forth herein.

(h) *Reviewing Authority.*

- (1) Requests for reasonable accommodation shall be reviewed by the Director of Planning using the criteria set forth herein.
- (2) The Director shall issue a written decision either granting or denying a temporary permit to operate a Recovery Home in the intended location, in accordance with Section (k) herein. A Temporary Permit may be issued in accordance with Section (j) if, upon initial review, the factors set forth in Section (f) (1)-(2) and (i) (2)-(9) weigh in favor of granting the reasonable accommodation.
- (3) The Director shall issue a written decision on a request for reasonable accommodation within thirty (30) days of receipt of proof of Certification or Denial of Certification by a Certifying Organization or the Cabinet for Health and Family Services and may either grant, grant with modifications or deny a request for reasonable accommodation in accordance with the required findings set forth below.

- (4) If necessary to reach a determination on the request, the Director may request further information from the applicant consistent with Fair Housing Laws, specifying in detail the information that is required. In the event that a request for additional information is made, the thirty (30) day period to issue a decision shall be stayed until the applicant responds to the request.
- (i) *Required Findings.* The written decision to grant, grant with modifications or deny a request for reasonable accommodation shall be consistent with Fair Housing Laws and based on the following factors:
- (1) The Recovery Home shall have applied for certification with a Certifying Organization or the Cabinet for Health and Family Services and otherwise in good standing with the Cabinet for Health and Family Services, as required by KRS 222.502.
 - a. Should the Recovery Home fail to have applied for certification with the Cabinet for Health and Family Services or a Certifying Organization, or otherwise fail to be in good standing with the Cabinet for Health and Family Services as required by KRS 222.502, and not otherwise exempt from certification pursuant to KRS 222.502 (b), the Director's inquiry shall end and the Director need not consider any remaining factors.
 - (2) Whether the Recovery Home will be used by individuals with a recognized handicap as defined herein and protected under Fair Housing Laws.
 - (3) Whether the requested accommodation is necessary to make housing available to an individual with a recognized handicap protected under the Fair Housing Laws.
 - (4) Whether the requested accommodation would impose an undue financial or administrative burden on the City.
 - (5) Whether the requested accommodation would require a fundamental alteration in the nature of the City's land use or zoning regulations, codes or related programs.
 - (6) Whether the requested accommodation will fundamentally alter the neighborhood due to changes in noise, lighting, parking, traffic or other factors deemed appropriate at the discretion of the Director.
 - (7) Whether the requested accommodation will result in a direct threat to the health, safety or welfare of other individuals or cause physical damage to the property of others.
 - (8) Whether the requested accommodation is necessary to make facilities of a similar nature economically viable in light of the particularities of the relevant market and market participants.
 - (9) Whether the existing supply of facilities of a similar nature is already sufficient to provide individuals with a recognized handicap an equal opportunity to live in a residential setting.
 - (10) Whether the applicant has previously had reasonable accommodation revoked or suspended, including the reasons therefore.
- (j) *Temporary Permit.*
- (1) Recovery Homes in Existence at Time of Enactment: The Planning Director shall issue a temporary permit to the operator of a Recovery Home already in existence prior to enactment of this Ordinance which has applied for Certification with a Certifying Organization or the Cabinet for Health and Family Services and provided proof of such application. Upon Certification by a Certifying Organization or the Cabinet for Health and Family Services and provision of proof of certification by the Cabinet for Health and Family Services, a Recovery Home in existence prior to enactment of this Ordinance shall not be required to submit a request for reasonable

accommodation as otherwise required herein, but shall be required to submit additional documentation annually.

- (2) Recovery Homes Not in Existence at Time of Enactment: The Planning Director may issue a temporary permit to the operator of a Recovery Home which is not already in existence prior to the enactment of this Ordinance and which has submitted an application for Certification with a Certifying Organization or the Cabinet for Health and Family Services, if upon initial review; the factors set forth in Section (f) (1)-(2) and (i) (2)-(9) herein weigh in favor of granting the reasonable accommodation.
- (3) A temporary permit shall authorize the occupancy of a Recovery Home until such time as a Certifying Organization or the Cabinet for Health and Family Services approves or denies the Recovery Home's application.
- (4) A temporary permit shall indicate only that the Recovery Home has applied for Certification and is in good standing with the Certifying Organization or the Cabinet for Health and Family Services. A temporary permit is not a determination that the Recovery Home will likely be Certified or finally granted reasonable accommodation.
- (5) The temporary permit shall be valid until the Certifying Organization or the Cabinet for Health and Family Services grants or denies certification following a site visit at the intended or temporarily permitted location.
- (6) In the event the Recovery Home's application for Certification is denied by a Certifying Organization or the Cabinet for Health and Family Services, the Recovery Home's temporary permit shall be revoked.

(k) *Written Decision on the Request for Reasonable Accommodation.*

- (1) The written decision on the request for reasonable accommodation shall explain in detail the basis of the decision, including the Director's findings as set forth in subsection (j) herein.
- (2) The written decision shall give notice of the applicant's right to appeal and to request reasonable accommodation in the appeals process as set forth below.
- (3) The notice of decision shall be sent to the applicant by certified mail.
- (4) The written decision of the Director shall be deemed final unless an applicant appeals the decision to the Board of Adjustment within the prescribed time period pursuant to KRS 100.261 (l).
- (5) In the event the Director fails to render a written decision within thirty (30) days, the request shall be forwarded to the City Manager's Office for final determination, which shall make such written determination within fifteen (15) days thereof.
- (6) While a request for reasonable accommodation is pending, all ordinances, laws and regulations otherwise applicable to the property shall remain in full force and effect.
- (7) The Director shall maintain records of requests for reasonable accommodation and the response thereto, including final written decisions.

(l) *Appeals*

- (1) An applicant may appeal an adverse decision within thirty (30) days of the date of the written decision. Appeals from the adverse decision shall be made in writing to the Board of Adjustment.
- (2) Appeals shall be filed in the Planning Department.
- (3) All appeals shall contain a statement of the grounds for the appeal.

- (4) Nothing in this procedure shall preclude an aggrieved individual from seeking any other state or federal remedy available.
- (m) *Requirements of Recovery Homes Following Written Decision Granting Reasonable Accommodation.* Following the written determination that a Recovery Home is entitled to reasonable accommodation, the Recovery Home shall be subject to the following:
- (1) Insurance and Mortgage Notification Requirement.
 - a. The operator of any Recovery Home shall be required to maintain and provide proof to the City of liability insurance coverage in the amount of three-hundred thousand dollars (\$300,000) per person and one million dollars (\$1,000,000) per occurrence, for personal injury to persons or property damage.
 - b. The operator shall be required to provide proof to the City that any mortgage lien holder on the subject property has been notified of the use of the premises as a Recovery Home.
 - (2) Good Neighbor Policy. The Recovery Home shall maintain a good neighbor policy that shall direct occupants to be considerate of neighbors, including refraining from engaging in excessively loud or obnoxious behavior that would unduly interfere with a neighbor's use and enjoyment of their dwelling unit. The good neighbor policy shall establish a written protocol for accepting complaints from neighbors and for the house manager/operator to follow when a neighbor complaint is received.
 - (3) Parking. The Recovery Home shall not permit occupants or visitors to park on unfinished, grass or dirt surfaces. Occupant parking shall not be permitted to interfere with the ingress and egress of the home or neighboring properties.
 - (4) Maintenance of records. The Recovery Home operator shall maintain records for a period of one (1) year following eviction, or involuntary termination, of an occupant. Nothing herein shall require an operator to violate any provision of state or federal law regarding confidentiality of health care information.
 - (5) The operator shall screen occupants for registry pursuant to KRS 17.510. The operator shall ensure that no occupant resides in the Recovery Home in violation of KRS 17.545.
 - (6) Compliance with Applicable Codes. The Recovery Home shall remain in full compliance with all applicable building, electrical, fire, property maintenance, and nuisance codes.
 - (7) The operator shall be responsible for filing with the City:
 1. Any updates or changes to policies, procedures, ownership or operating entity within thirty (30) days;
 2. Any changes in certification or licensure with the Cabinet for Health and Family Services and/or Certifying Organization within seven (7) days; and
 3. Updated / renewed proof of insurance as required in (m) (1), certification, and registry with the Cabinet for Health and Family Services annually, on or before April 15.
- (n) *Suspension and Revocation.*
- (1) A Recovery Home, including those with temporary permits pursuant to subsection (j), shall be subject to suspension or revocation of accommodation, subject to notice and a right to a hearing, due to any of the following conditions indicating that the accommodation is either no longer reasonable or no longer appropriate under state or federal law:

- a. Any applicant, property owner, operator or staff person has provided materially false or misleading information in the request for accommodation or omitted any pertinent information.
 - b. Any applicant, property owner, operator or staff person has been convicted of, or pleaded nolo contendere, within the last ten (10) years, to any of the following:
 - 1. Any sex offense for which a person is required to register as a sex offender under KRS 17.510;
 - 2. Arson offenses;
 - 3. Violent felonies involving bodily harm to another person; or
 - 4. Unlawful sale or distribution of controlled substances.
 - c. Any operator that accepts residents, other than a house manager or staff member, who are not handicapped as defined under Fair Housing Laws.
 - d. The Recovery Home is denied or loses certification by a Certifying Organization or the Cabinet for Health and Family Services or otherwise fails to comply with the requirements of KRS 222.502 or KRS 222.506.
 - e. The operator fails to immediately take measures to remove any resident who no longer meets the definition of handicapped as defined under Fair Housing Laws, due to current illegal use or abuse of a controlled substance or addiction.
 - f. Significant or repeated violations of this Section or any other applicable laws, ordinances and/or regulations.
- (2) Prior to revocation of the permit or temporary permit providing accommodation, the operator of a Recovery Home shall be provided written notice of the City's intent to suspend or revoke an accommodation, including the reasons for such suspension or revocation. The operator shall have the right to request a hearing to contest the intent in writing within five (5) business days of receipt of the notice of intent to suspend or revoke the accommodation. The request for hearing shall be filed with the Planning Department.
- (3) Upon written request, a hearing shall be scheduled before the Board of Adjustment, in accordance with KRS 100.261.
- (4) Appeals from the Board of Adjustment shall follow KRS 100.347.

STAFF RECOMMENDATION

Based upon the above and further based on the Planning Commission's positive recommendation, staff recommends approval of the text amendment.

A RESOLUTION CONSTITUTING THE FINAL REPORT OF THE PADUCAH PLANNING COMMISSION ON THE PROPOSED ZONING TEXT AMENDMENT ESTABLISHING SECTION 126-88 REASONABLE ACCOMMODATION FOR RECOVERY HOMES OF THE PADUCAH ZONING ORDINANCE.

WHEREAS, any change to the text of the zoning code must be referred to the Paducah Planning Commission before adoption and considered in accordance with KRS100.211, and

WHEREAS, a public hearing was held on May 6, 2024 by the Planning Commission after advertisement pursuant to law, and

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

WHEREAS, this Commission adopted a proposal to establish the text of Section 126-88 Reasonable Accommodation of Recovery Homes of the City of Paducah Zoning Ordinance.

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

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

Sec. 126-88. Reasonable accommodation for Recovery Homes.

(a) *Definitions.* For the purposes of this Article, the following terms are defined as follows:

(1) *Certifying Organization.* Certifying organization, as used in this Article, means:

- a. The Kentucky Recovery Housing Network;
- b. The National Alliance for Recovery Residences;
- c. Oxford House, Inc. and;
- d. Any other organization that develops and administers professional certification programs requiring minimum standards for the operation of recovery residences that has been recognized and approved by the Cabinet for Health and Family Services.

(2) *Fair Housing Laws.* The Federal Fair Housing Amendments Act of 1988 (FHA) and the provisions of KRS 344.600 et seq., as may be amended from time to time (fair housing laws).

(3) *Group Home.* A residential facility for the care of multiple unrelated individuals living in a single housekeeping unit and recognized as handicapped individuals under the Fair Housing Act and American with Disabilities Act. A Group Home shall be considered a Recovery Home for all purposes consistent herewith, even if such home includes multiple unrelated individuals.

(4) *Handicapped.* Person with disabilities; for the purposes herein, has the meaning set forth in the federal Fair Housing Act and the American with Disabilities Act and is an individual who has a physical or mental impairment that limits one (1) or more of the major life activities of such individual, is regarded as having such impairment, or has a record of such impairment. While a person recovering from substance abuse is considered a person with a disability under 42 U.S.C. § 3602 (h), a person who is currently engaged in illegal use of a controlled substance is not.

(5) *Operator.* An individual or business entity, whether for profit or non-profit, which provides residential services at a Recovery Home.

(6) *Reasonable Accommodation.* The act of making a dwelling unit or housing facility readily accessible to, and usable by, a person with disabilities, through the removal of constraints in the City's land use, zoning, permit and processing procedures. All requested or proposed accommodations may not be reasonable and the reasonableness of a request will be determined by the City.

(7) *Recovery Home.* A Recovery Home means a single-family dwelling unit inhabited or intended to be inhabited by unrelated individuals recovering from a drug and/or alcohol addiction, considered as a handicapped individual under state or federal law, which promotes use disorder recovery through abstinence from intoxicating substances; and shall not include facilities which provide on-site supportive services to residents including the following: mental health services; clinical rehabilitation services; social services; medical, dental, nutritional or other health care services; financial management services; legal services; vocational services or other similar supportive services.

- (8) *Recovery Support Services.* Recovery support services means activities that are directed primarily toward recovery from substance use disorders and includes; but is not limited to, mutual aid self-help meetings, recovery coaching, spiritual coaching, group support and assistance in achieving and retaining gainful employment. Recovery support services does not include any medical, clinical, behavioral health or other substance use treatment service for which a license or other approval is required under state law.

(b) *Purpose.*

- (1) Fair Housing Laws impose an affirmative duty on local governments to make reasonable accommodation in their land use, zoning regulations and land-use practices when such accommodation may be necessary to afford handicapped individuals an equal opportunity to housing in accordance therewith.
- (2) In furtherance of the purposes of the Fair Housing Laws, this section is intended to: preserve the residential character of predominately single-family residential neighborhoods; ensure that inhabitants of Recovery Homes are actually entitled to reasonable accommodation; limit the secondary impacts of Recovery Homes by reducing noise, lighting and traffic; preserve safety, provide adequate on-street or off-street parking; provide an accommodation for handicapped individuals that is reasonable and actually bears some resemblance to the opportunities afforded non-handicapped individuals to use and enjoy a dwelling in a residential neighborhood and to encourage living environments that will enhance opportunities for handicapped individuals to remain in recovery. Pursuant to Fair Housing Laws, this article is also created to provide handicapped individuals reasonable accommodation in zoning regulations to ensure equal access to housing and facilitate the development of housing for individuals with such recognized handicaps when the same may act as a barrier to fair housing opportunities.
- (3) There is hereby established a procedure for making requests for reasonable accommodation in land use and zoning regulations to comply fully with the intent and purpose of Fair Housing Laws. Unless a Recovery Home has been granted reasonable accommodation as provided in this Article, Recovery Homes shall comply with zoning regulations applicable to the zone in which they are located.

- (c) *Applicability.* Reasonable accommodation within the context of the land use and zoning regulations means providing individuals with recognized handicaps flexibility in the application of land use regulations, zoning regulations, policies, practices and procedures, or even waiving certain requirements, when it is necessary to eliminate barriers to housing opportunities.

- (d) *Notice to the Public of Availability of Accommodating Process.* Notice of the availability of reasonable accommodation shall be prominently displayed and provided to requesting individuals, advising the public of the availability of the procedure for eligible applicants.

(e) *Application for Requesting Reasonable Accommodation.*

- (1) Forms for requesting reasonable accommodation shall be available in the Planning Department and online.
- (2) An application for reasonable accommodation may be made by:
 - a. Any handicapped individual or his or her representative;
 - b. The owner of the real property intended for use as a Recovery Home for handicapped individuals; or
 - c. The operator of an entity providing residential services at the location.
- (3) Requests for reasonable accommodation shall be in writing and provide the following information:
 - a. Name, address and phone number of the applicant requesting reasonable accommodation;
 - b. Name, address and phone number of the house manager who is responsible for the day-to-day operation of the facility, if any;
 - c. Address of the property for which accommodation is requested;
 - d. Name, address and phone number of the property owner(s) if not the applicant;
 - e. If the applicant/ operator is not the property owner, a copy of any lease agreement between applicant/ operator and owner must be provided as well as written approval from the property owner to operate a Recovery Home at the proposed location;
 - f. Detailed description of the requested accommodation with reference to any known regulation, policy or procedure from which relief is sought;

- g. Reason that the requested accommodation may be necessary for the handicapped individual(s) to use the dwelling;
- h. Copy of the Recovery Home rules and regulations including intake procedures and relapse policy;
- i. Blank copies of all forms that residents or potential residents are required to complete;
- j. An affirmation by the applicant or operator that only handicapped residents shall reside at the Recovery Home;
- k. Where the applicant is not an intended occupant, but instead intends to operate the home for financial or charitable purposes, a copy of any agreement between the applicant/ operator and the property owner setting forth or concerning any fee arrangement or financial reimbursement applicable to each resident of the Recovery Home; and
- l. Copy of certification by a Certifying Organization, either permitting the individual or entity to operate a Recovery Home, or indicating the individual or entity is otherwise exempt from certification requirements pursuant to KRS 222.502(b), or proof that the Recovery Home has applied for certification with a Certifying Organization or the Cabinet for Health and Family Services

- (4) Any information obtained related to an individual's handicap or medical condition shall be considered confidential, shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public inspection unless otherwise required by law.
- (5) A request for reasonable accommodation to the regulations, policies, practices and procedures may be filed at any time that the accommodation may be necessary to ensure equal access to housing. A reasonable accommodation shall not affect an individual's obligations to comply with all ordinances and laws not at issue in the requested accommodation.
- (6) If an applicant needs assistance in making the request for reasonable accommodation, the applicant shall submit a request for assistance to the Director of Planning and assistance in filing an appropriate request shall be provided.
- (7) An applicant may seek relief from the strict application of the provisions of this article by submitting such request in writing to the Director of Planning setting forth specific reasons as to why accommodation over and above the provisions set forth herein is necessary.
- (8) No application fee shall be charged, except that entities operation a dwelling for-profit shall comply with Section 106-65 of the Paducah Code of Ordinances.

(f) *Grounds for Reasonable Accommodation.*

- (1) In determining whether to grant a reasonable accommodation, the Director shall consider the totality of the following factors:
 - a. That the property will be used by an individual with a recognized handicap protected under Fair Housing Laws;
 - b. Special needs created by the recognized handicap;
 - c. Potential benefit that can be accomplished by the requested modification;
 - d. Potential impact on properties within the vicinity, including impacts on parking, ingress and egress, traffic, lighting and noise;
 - e. Physical attributes of the property and dwelling structure;
 - f. Alternate accommodations that may provide an equivalent level of benefit;
 - g. Whether the requested accommodation would impose an undue financial or administrative burden on the City;
 - h. Whether the requested accommodation would require a fundamental alteration in the nature of a City function or service, including in the City's overall zoning scheme and neighborhood development; and
 - i. Whether granting the request would be consistent with the City's Comprehensive Plan.
- (2) In making a determination of whether the requested accommodation would require a fundamental alteration in the immediate neighborhood, the City's overall zoning scheme, overall neighborhood development or the City's Comprehensive Plan, an analysis shall be required of the number of Recovery Homes already accommodated within any specific neighborhood such that the accommodation of the request with an additional Recovery Home would institutionalize a predominately single-family dwelling neighborhood.
- (3) The Director shall not be required to undertake an investigation of the occupants' handicap. A Recovery Home certified by a Certifying Organization, or which has applied for Certification with a Certifying Organization or the Cabinet for Health and Family Services, and which has a

drug testing and relapse policy shall constitute proof of status as handicapped for purposes of this Section.

(g) *Distance Requirement.*

- (1) No Recovery Home shall be located within six hundred fifty (650) feet, as measured from the closest property lines, of any other Recovery Home, except as delineated in (g) (2) herein.
- (2) Recovery Homes in existence at the time of enactment of this Section, as referenced in Section (j) (1) herein, which provide proof of Certification by a Certifying Organization and compliance with requirements of the Cabinet for Health and Family Services on July 1, 2024, shall not be required to cease operation due to proximity of less than six hundred fifty (650) feet from the property lines of another Recovery Home.
- (3) Upon revocation of a permit as set forth in Sections (j) (6) or (n) (1) herein, Recovery Homes in existence at the time of enactment of this Section, as referenced in Section (j) (1) herein shall no longer be excepted from the distance requirement. Upon reapplication for a permit, if any, such Recovery Home shall be required to meet the distance requirement set forth herein.

(h) *Reviewing Authority.*

- (1) Requests for reasonable accommodation shall be reviewed by the Director of Planning using the criteria set forth herein.
- (2) The Director shall issue a written decision either granting or denying a temporary permit to operate a Recovery Home in the intended location, in accordance with Section (k) herein. A Temporary Permit may be issued in accordance with Section (j) if, upon initial review, the factors set forth in Section (f) (1)-(2) and (i) (2)-(9) weigh in favor of granting the reasonable accommodation.
- (3) The Director shall issue a written decision on a request for reasonable accommodation within thirty (30) days of receipt of proof of Certification or Denial of Certification by a Certifying Organization or the Cabinet for Health and Family Services and may either grant, grant with modifications or deny a request for reasonable accommodation in accordance with the required findings set forth below.
- (4) If necessary to reach a determination on the request, the Director may request further information from the applicant consistent with Fair Housing Laws, specifying in detail the information that is required. In the event that a request for additional information is made, the thirty (30) day period to issue a decision shall be stayed until the applicant responds to the request.

(i) *Required Findings.* The written decision to grant, grant with modifications or deny a request for reasonable accommodation shall be consistent with Fair Housing Laws and based on the following factors:

- (1) The Recovery Home shall have applied for certification with a Certifying Organization or the Cabinet for Health and Family Services and otherwise in good standing with the Cabinet for Health and Family Services, as required by KRS 222.502.
 - a. Should the Recovery Home fail to have applied for certification with the Cabinet for Health and Family Services or a Certifying Organization, or otherwise fail to be in good standing with the Cabinet for Health and Family Services as required by KRS 222.502, and not otherwise exempt from certification pursuant to KRS 222.502 (b), the Director's inquiry shall end and the Director need not consider any remaining factors.
- (2) Whether the Recovery Home will be used by individuals with a recognized handicap as defined herein and protected under Fair Housing Laws.
- (3) Whether the requested accommodation is necessary to make housing available to an individual with a recognized handicap protected under the Fair Housing Laws.
- (4) Whether the requested accommodation would impose an undue financial or administrative burden on the City.
- (5) Whether the requested accommodation would require a fundamental alteration in the nature of the City's land use or zoning regulations, codes or related programs.
- (6) Whether the requested accommodation will fundamentally alter the neighborhood due to changes in noise, lighting, parking, traffic or other factors deemed appropriate at the discretion of the Director.
- (7) Whether the requested accommodation will result in a direct threat to the health, safety or welfare of other individuals or cause physical damage to the property of others.

- (8) Whether the requested accommodation is necessary to make facilities of a similar nature economically viable in light of the particularities of the relevant market and market participants.
- (9) Whether the existing supply of facilities of a similar nature is already sufficient to provide individuals with a recognized handicap an equal opportunity to live in a residential setting.
- (10) Whether the applicant has previously had reasonable accommodation revoked or suspended, including the reasons therefore.

(j) Temporary Permit.

- (1) Recovery Homes in Existence at Time of Enactment: The Planning Director shall issue a temporary permit to the operator of a Recovery Home already in existence prior to enactment of this Ordinance which has applied for Certification with a Certifying Organization or the Cabinet for Health and Family Services and provided proof of such application. Upon Certification by a Certifying Organization or the Cabinet for Health and Family Services and provision of proof of certification by the Cabinet for Health and Family Services, a Recovery Home in existence prior to enactment of this Ordinance shall not be required to submit a request for reasonable accommodation as otherwise required herein, but shall be required to submit additional documentation annually.
- (2) Recovery Homes Not in Existence at Time of Enactment: The Planning Director may issue a temporary permit to the operator of a Recovery Home which is not already in existence prior to the enactment of this Ordinance and which has submitted an application for Certification with a Certifying Organization or the Cabinet for Health and Family Services, if upon initial review; the factors set forth in Section (f) (1)-(2) and (i) (2)-(9) herein weigh in favor of granting the reasonable accommodation.
- (3) A temporary permit shall authorize the occupancy of a Recovery Home until such time as a Certifying Organization or the Cabinet for Health and Family Services approves or denies the Recovery Home's application.
- (4) A temporary permit shall indicate only that the Recovery Home has applied for Certification and is in good standing with the Certifying Organization or the Cabinet for Health and Family Services. A temporary permit is not a determination that the Recovery Home will likely be Certified or finally granted reasonable accommodation.
- (5) The temporary permit shall be valid until the Certifying Organization or the Cabinet for Health and Family Services grants or denies certification following a site visit at the intended or temporarily permitted location.
- (6) In the event the Recovery Home's application for Certification is denied by a Certifying Organization or the Cabinet for Health and Family Services, the Recovery Home's temporary permit shall be revoked.

(k) Written Decision on the Request for Reasonable Accommodation.

- (1) The written decision on the request for reasonable accommodation shall explain in detail the basis of the decision, including the Director's findings as set forth in subsection (j) herein.
- (2) The written decision shall give notice of the applicant's right to appeal and to request reasonable accommodation in the appeals process as set forth below.
- (3) The notice of decision shall be sent to the applicant by certified mail.
- (4) The written decision of the Director shall be deemed final unless an applicant appeals the decision to the Board of Adjustment within the prescribed time period pursuant to KRS 100.261 (1).
- (5) In the event the Director fails to render a written decision within thirty (30) days, the request shall be forwarded to the City Manager's Office for final determination, which shall make such written determination within fifteen (15) days thereof.
- (6) While a request for reasonable accommodation is pending, all ordinances, laws and regulations otherwise applicable to the property shall remain in full force and effect.
- (7) The Director shall maintain records of requests for reasonable accommodation and the response thereto, including final written decisions.

(l) Appeals

- (1) An applicant may appeal an adverse decision within thirty (30) days of the date of the written decision. Appeals from the adverse decision shall be made in writing to the Board of Adjustment.
- (2) Appeals shall be filed in the Planning Department.

- (3) All appeals shall contain a statement of the grounds for the appeal.
- (4) Nothing in this procedure shall preclude an aggrieved individual from seeking any other state or federal remedy available.

(m) *Requirements of Recovery Homes Following Written Decision Granting Reasonable Accommodation.* Following the written determination that a Recovery Home is entitled to reasonable accommodation, the Recovery Home shall be subject to the following:

(1) Insurance and Mortgage Notification Requirement.

- a. The operator of any Recovery Home shall be required to maintain and provide proof to the City of liability insurance coverage in the amount of three-hundred thousand dollars (\$300,000) per person and one million dollars (\$1,000,000) per occurrence, for personal injury to persons or property damage.
- b. The operator shall be required to provide proof to the City that any mortgage lien holder on the subject property has been notified of the use of the premises as a Recovery Home.

(2) Good Neighbor Policy. The Recovery Home shall maintain a good neighbor policy that shall direct occupants to be considerate of neighbors, including refraining from engaging in excessively loud or obnoxious behavior that would unduly interfere with a neighbor's use and enjoyment of their dwelling unit. The good neighbor policy shall establish a written protocol for accepting complaints from neighbors and for the house manager/operator to follow when a neighbor complaint is received.

(3) Parking. The Recovery Home shall not permit occupants or visitors to park on unfinished, grass or dirt surfaces. Occupant parking shall not be permitted to interfere with the ingress and egress of the home or neighboring properties.

(4) Maintenance of records. The Recovery Home operator shall maintain records for a period of one (1) year following eviction, or involuntary termination, of an occupant. Nothing herein shall require an operator to violate any provision of state or federal law regarding confidentiality of health care information.

(5) The operator shall screen occupants for registry pursuant to KRS 17.510. The operator shall ensure that no occupant resides in the Recovery Home in violation of KRS 17.545.

(6) Compliance with Applicable Codes. The Recovery Home shall remain in full compliance with all applicable building, electrical, fire, property maintenance, and nuisance codes.

(7) The operator shall be responsible for filing with the City:

- 1. Any updates or changes to policies, procedures, ownership or operating entity within thirty (30) days;
- 2. Any changes in certification or licensure with the Cabinet for Health and Family Services and/or Certifying Organization within seven (7) days; and
- 3. Updated / renewed proof of insurance as required in (m) (1), certification, and registry with the Cabinet for Health and Family Services annually, on or before April 15.

(n) *Suspension and Revocation.*

(1) A Recovery Home, including those with temporary permits pursuant to subsection (j), shall be subject to suspension or revocation of accommodation, subject to notice and a right to a hearing, due to any of the following conditions indicating that the accommodation is either no longer reasonable or no longer appropriate under state or federal law:

- a. Any applicant, property owner, operator or staff person has provided materially false or misleading information in the request for accommodation or omitted any pertinent information.
- b. Any applicant, property owner, operator or staff person has been convicted of, or pleaded nolo contendere, within the last ten (10) years, to any of the following:
 - 1. Any sex offense for which a person is required to register as a sex offender under KRS 17.510;
 - 2. Arson offenses;
 - 3. Violent felonies involving bodily harm to another person; or
 - 4. Unlawful sale or distribution of controlled substances.
- c. Any operator that accepts residents, other than a house manager or staff member, who are not handicapped as defined under Fair Housing Laws.
- d. The Recovery Home is denied or loses certification by a Certifying Organization or the Cabinet for Health and Family Services or otherwise fails to comply with the requirements of KRS 222.502 or KRS 222.506.

- e. The operator fails to immediately take measures to remove any resident who no longer meets the definition of handicapped as defined under Fair Housing Laws, due to current illegal use or abuse of a controlled substance or addiction.
 - f. Significant or repeated violations of this Section or any other applicable laws, ordinances and/or regulations.
- (2) Prior to revocation of the permit or temporary permit providing accommodation, the operator of a Recovery Home shall be provided written notice of the City's intent to suspend or revoke an accommodation, including the reasons for such suspension or revocation. The operator shall have the right to request a hearing to contest the intent in writing within five (5) business days of receipt of the notice of intent to suspend or revoke the accommodation. The request for hearing shall be filed with the Planning Department.
- (3) Upon written request, a hearing shall be scheduled before the Board of Adjustment, in accordance with KRS 100.261.
- (4) Appeals from the Board of Adjustment shall follow KRS 100.347.

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.


Bob Wade, Chairman

Adopted by the Paducah Planning Commission on May 6, 2024

Agenda Action Form

Paducah City Commission

Meeting Date: June 11, 2024

Short Title: Approve the Fiscal Year 2025 Budget (07/01/2024 -- 06/30/2025) for the City of Paducah - **D. JORDAN & A. KYLE**

Category: Ordinance

Staff Work By: Audra Kyle, Kamra Davenport, Kristi Grayi, Karen Queen, Jonathan Perkins

Presentation By: Daron Jordan, Jonathan Perkins, Audra Kyle

Background Information: The proposed Fiscal Year 2025 budget...

1. Includes all annual debt service payment obligations;
2. Includes 4% wage adjustments as contractually obligated for IAFF, FOP, and AFSCME; and, 4% for non-represented full-time employees;
3. Allows for the minimum 10% General, Investment and Solid Waste Funds reserve requirement;
4. Utilizes 'unreserved cash balances' for the General, Investment, Fleet Lease Trust and Bond Funds;
5. Includes State mandated pension contributions;
6. Includes appropriations for numerous outside agencies;
7. Includes funding for BOC priorities; and,
8. Assumes a 4% increase in real estate property tax levy (to be voted on in a separate tax levy ordinance in fall of 2024).

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

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

Communications Plan:

Funds Available: Account Name: Various

Account Number: Various

Staff Recommendation: Recommend the BOC approve the FY2025 budget proposal

Attachments:

1. Budget FY2025 Ordinance
2. Ordinance - Publication, (FY2025)
3. Summary by type for Clerk

ORDINANCE NO. 2024-06-_____

AN ORDINANCE ADOPTING THE CITY OF PADUCAH, KENTUCKY, ANNUAL
OPERATING BUDGET FOR THE FISCAL YEAR JULY 1, 2024, THROUGH JUNE 30,
2025, BY ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS
FOR THE OPERATION OF CITY GOVERNMENT

WHEREAS, an Annual Operating Budget proposal has been prepared and delivered to the Board of Commissioners of the City of Paducah, KY; and,

WHEREAS, the Board of Commissioners has reviewed and discussed the proposed Annual Operating Budget and desires to adopt it for Fiscal Year 2025.

NOW, THEREFORE, BE IT ORDAINED by the City of Paducah, Kentucky as follows:

Section 1. The Annual Operating Budget for the Fiscal Year beginning July 1, 2024 and ending June 30, 2025, including all sources of estimated revenues and appropriations for all City funds as set forth in Exhibit Number 1 attached hereto is hereby adopted.

Section 2. The balance of all capital construction, renovation, improvement projects, and grants currently approved and/or nearing completion are hereby approved for re-appropriation and carry over for the Fiscal Year beginning July 1, 2024 and ending June 30, 2025.

Section 3. The City does hereby adopt the following financial management policies:

A. The General Fund's minimum undesignated cash balance shall be 10% of the General Fund's budgeted appropriations. The Investment Fund's minimum undesignated cash balance shall be 10% of the Investment Fund's budgeted appropriations. The Solid Waste Fund's minimum unreserved cash balance shall be 10% of the Solid Waste's budgeted operating expenses.

B. The City Manager or designee is authorized to transfer appropriated amounts between funds, departmental budget line items, projects, between divisions of departments, and between departments as shown in Exhibit Number 1.

C. Funds appropriated as Administrative contingency shall be obligated at the discretion of the City Manager, however, the Board of Commissioners shall be notified five calendar days prior to obligation of the proposed expenditure. If any individual member of the Board of Commissioners requests Commission review of a proposed expenditure, the City Manager shall bring expenditure before the Commission for approval by municipal order, or not proceed.

D. City Manager shall assure that recurring revenues and resources are greater than or equal to recurring expenditures. The City Manager or his designee shall be authorized to increase appropriations in an amount not to exceed any unanticipated increases in revenue or resources.

E. The City Manager has the authority to enact a budget allocation program or to transfer funds to or from any departmental line item appropriation. Department Directors shall be responsible for keeping all appropriated accounts within their respective department positive.

F. As vehicles are acquired, the City will fully fund the Fleet Lease Trust Fund in order to replace rolling stock owned by the Fleet Lease Trust Fund as it achieves obsolescence. The Fleet Lease Trust Fund shall be funded with monthly lease charges assigned to rolling stock as determined by the Finance Director or his designee. All non-enterprise funded rolling stock is owned by the City's Fleet Lease Trust Fund, and leased to respective departments for use.

G. The City will maintain a self-insurance fund called Health Insurance Trust Fund through the use of user fees as set by administrative policy.

H. In fiscal year 2006, the City issued a General Obligation Bond (GOB) for the Police and Firefighters' Pension Fund (PFPF) bringing the fund up to an actuarially sound basis; however, the multi-year recession starting in fiscal year 2009 reduced the fund's corpus leaving an unfunded liability. Funding is provided in the General Fund of this ordinance to further address the PFPF unfunded liability.

I. The City will provide to all eligible employees up to a \$727 per month credit (for the months of July - December 2024) to be applied to the Comprehensive Health Insurance Benefit Plan (Cafeteria Plan) as directed by the employee. In January 2025, this monthly credit may be adjusted by the Board of Commissioners as recommended by the City Manager or his designee.

J. The City will maintain a special fund called Investment Fund, and is considered an extension of the General Fund. The Investment Fund is funded with a 1/2 cent portion of the City's occupational license fee (employee payroll withholding tax). This fund is dedicated to the following expenditures: economic development, neighborhood re-development, infrastructure capital investment, and property tax relief.

L. The Oak Grove Cemetery (PF0048) project will be funded in the following manner: 30% of all cemetery lot sales, and 30% of all cemetery crypt sales will be credited to the project. Proceeds are to be used solely for the general care, maintenance, and embellishments of the cemetery.

Section 4. The provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall for any reason be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Ordinance.

Section 5. All prior Municipal Orders or Ordinances or parts of any Municipal Order or Ordinance in conflict herewith are hereby repealed.

Section 6. This ordinance shall be read on two separate days and will become effective upon publication in full pursuant to KRS Chapter 424.

George Bray, Mayor

ATTEST:

Lindsay Parish, City Clerk

Introduced by the Board of Commissioners, May 24, 2024
Adopted by the Board of Commissioners, June 14, 2024
Recorded by Lindsay Parish, City Clerk, July , 2024
Published by The Paducah Sun,
ORD\FINANCE\Budget FY2025

<u>FUNDS</u>	<u>APPROPRIATIONS</u>
GENERAL	\$ 57,637,779
MAP	2,501,705
INVESTMENT	8,315,330
TIF	0
E911	3,721,817
OPIOID	64,200
COURT AWARDS	116,165
ROOM TAX	1,850,650
DEBT	3,617,780
CIP	11,296,250
BOND FUND	15,000,000
SOLID WASTE	6,937,075
TRANSIENT BOAT DOCK	442,681
RENTAL	154,482
RADIO DEPR	25,035
FLEET MAINTENANCE	879,981
FLEET LEASE TRUST	2,425,255
INSURANCE	1,348,140
HEALTH INSURANCE	3,659,420
PFPF	786,765
OTHER TRUSTS	<u>74,425</u>
	<u><u>\$ 120,854,935</u></u>

City of Paducah
Annual Operating Budget for All Funds and Categories of Government
Estimated Appropriations & Expenditures
FY2024 (July 1, 2024 to June 30, 2025)
Exhibit No. 1

	General Fund	Special Revenues	Capital Projects	Debt Service	Enterprise Funds	Internal Service	Trust Funds	Total
Sources:								
Fines	\$ 100,500	\$ 30,000	\$ -	\$ -	\$ -	\$ -	\$ -	130,500
Grants	991,305	1,257,000	-	-	64,000	-	-	2,312,305
Interest Income	1,400,000	493,417	-	30,000	138,690	292,500	125,500	2,480,107
Bond Proceeds	-	0	-	-	-	-	-	0
Charges for Service	832,980	40,000	-	-	5,245,000	5,639,560	0	11,757,540
Other Fees	57,000	105,140	-	-	1,000	-	500	163,640
Occupational License	32,733,500	8,600,650	-	656,670	-	-	-	41,990,820
Permits & Fees	557,000	-	-	-	5,500	-	-	562,500
Property Rent	542,000	312,951	-	0	36,000	1,222,905	-	2,113,856
Property Taxes	9,174,095	-	-	-	-	-	-	9,174,095
Recreation Fees	143,000	-	-	-	-	-	-	143,000
Sales	27,000	-	-	-	90,000	25,000	309,465	451,465
Other Taxes	-	1,303,000	-	-	-	-	-	1,303,000
Total	\$ 46,558,380	\$ 12,142,158	\$ -	\$ 686,670	\$ 5,580,190	\$ 7,179,965	\$ 435,465	\$ 72,582,828
Fund Transfers In	\$ 595,570	\$ 3,813,000	\$ 11,296,250	\$ 2,961,370	\$ 304,100	\$ 143,766	\$ 310,000	\$ 19,424,056
Total Sources	\$ 47,153,950	\$ 15,955,158	\$ 11,296,250	\$ 3,648,040	\$ 5,884,290	\$ 7,323,731	\$ 745,465	\$ 92,006,884
Expenditures:								
Administration	\$ 2,290,190	\$ -	\$ 300,000	\$ -	\$ -	\$ -	\$ -	2,590,190
Finance	1,522,982	13,959,167	2,200,000	3,617,780	-	7,341,445	-	28,641,374
Information Technology	2,033,876	-	35,000	-	-	-	-	2,068,876
Customer Experience	528,632	-	-	-	-	-	-	528,632
Planning	905,893	-	3,597,000	-	-	-	-	4,502,893
Police	14,063,509	116,165	100,000	-	-	-	-	14,279,674
Fire	11,899,435	-	474,250	-	-	-	-	12,373,685
Public Works	4,975,504	2,501,705	1,080,000	-	-	879,981	-	9,437,190
Parks	4,466,056	-	160,000	-	442,681	-	-	5,068,737
Cable Authority	85,325	-	-	-	-	-	-	85,325
Human Rights	15,215	-	-	-	-	-	-	15,215
Engineering	2,083,848	-	3,350,000	-	-	-	-	5,433,848
Human Resources	707,568	-	-	-	-	-	-	707,568
Investment Fund	-	1,590,400	-	-	-	-	-	1,590,400
E911	-	3,579,397	-	-	-	-	-	3,579,397
Solid Waste	-	-	-	-	6,595,685	-	-	6,595,685
Pensions	-	-	-	-	-	-	861,190	861,190
Fund Transfers Out	12,059,746	10,002,550	-	-	341,390	91,370	-	22,495,056
Total Expenditures	\$ 57,637,779	\$ 31,749,384	\$ 11,296,250	\$ 3,617,780	\$ 7,379,756	\$ 8,312,796	\$ 861,190	\$ 120,854,935
Reserves Utilized (Beg. Cash)	\$ (10,483,829)	\$ (15,794,226)	\$ -	\$ 30,260	\$ (1,495,466)	\$ (989,065)	\$ (115,725)	\$ (28,848,051)

Agenda Action Form

Paducah City Commission

Meeting Date: June 11, 2024

Short Title: Approve an Ordinance Creating a Real Estate Parcel Fee for the Funding of 911 Services, Maintenance, and Equipment - **D. JORDAN**

Category: Ordinance

Staff Work By: Daron Jordan,
Jonathan Perkins
Presentation By: Daron Jordan

Background Information: The City of Paducah and McCracken County have entered into an Interlocal Cooperation Agreement for the provision of joint 911 services. There is currently a fee-based system for financial support based upon a per-month charge on “land-line” phones in Paducah, McCracken County, Kentucky. Due to the ever-increasing use and reliance on mobile phones and the concomitant decreasing existence of land-line phones has resulted in a significant decrease in revenues to support the operations of emergency 911 communication services in Paducah, McCracken County. The reduction in revenues has resulted in inadequate funding to continue operating emergency 911 communication services in Paducah, McCracken County, Kentucky. A real estate parcel fee would assist in the funding of emergency 911 communication services and also ensure the distribution of funding to a broader range of citizens rather than just those who have land-line phones

This ordinance establishes an annual parcel fee on all occupied individual residential units and all occupied individual commercial, religious, charitable, educational, and public use units located within the territorial limits of the City of Paducah. The fee will be used for the delivery of Enhanced 911 emergency telephone service and the associated maintenance of systems and devices, including but not limited to, operating costs of the Paducah-McCracken County 911 Services Center and purchase and maintenance of E911 equipment.

The ordinance sets annual parcel fees as follows:

- Super Commercial Retail Unit (contains structure in excess of 25,000 sq. ft.) \$1,550
- Large Commercial Retail Unit (contains structure between 7,500 and 25,000 sq. ft.) \$860
- Medium Commercial Retail Unit (contains structure between 2,500 and 7,500 sq. ft.) \$325
- Small Commercial Retail Unit (structure between 1 and 2,500 sq. ft.) \$210
- Non-Retail Commercial Units \$150
- Public Use Units (emergency service, governmental, religious, charitable, and educational) \$35
- Residential Units \$45

Parcel fees shall be placed upon the City of Paducah’s property tax bills beginning with the 2024 tax bill and continuing every year thereafter. The due dates will be the same as the property tax due dates set by the Board of Commissioners. In the first year, occupied rental units will be eligible to claim a credit of \$22.50 per unit against the annual fee due.

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

If yes, please list the Commission Priority: 911 Radio Equipment Upgrade, Governance, and Revenue

Communications Plan:

Funds Available: Account Name:
Account Number:

Staff Recommendation: Approval.

Attachments:

1. ORD PARCEL FEE ORDINANCE

ORDINANCE NO. 2024-__

AN ORDINANCE ESTABLISHING AND IMPOSING A FEE ON ALL OCCUPIED REAL ESTATE PARCELS LOCATED WITHIN THE TERRITORIAL LIMITS OF THE CITY OF PADUCAH TO FACILITATE FUNDING FOR THE PROVISION OF JOINT 911 SERVICES AS MORE FULLY SET FORTH IN THE INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF PADUCAH AND MCCRACKEN COUNTY

WHEREAS, the City of Paducah and McCracken County are responsible for promoting public safety and the general welfare of the citizens of Paducah, McCracken County, Kentucky; and

WHEREAS, the operation of an emergency 911 communications system is one of the most critical of all public services, indispensable and necessary for the safety of the citizens of Paducah, McCracken County to ensure prompt response to emergencies; and

WHEREAS, the City of Paducah and McCracken County have entered into an Interlocal Cooperation Agreement for the provision of joint 911 services; and

WHEREAS, there is currently a fee-based system for financial support based upon a per-month charge on “land-line” phones in Paducah, McCracken County, Kentucky, and

WHEREAS, the ever-increasing use and reliance on mobile phones and the concomitant decreasing existence of land-line phones has resulted in a significant decrease in revenues to support the operations of emergency 911 communication services in Paducah, McCracken County, Kentucky; and

WHEREAS, the reduction in revenues has resulted in a lack of adequate funding to continue to operate emergency 911 communication services in Paducah, McCracken County, Kentucky; and

WHEREAS, KRS 65.760 (3) expressly permits local governments to fund emergency 911 communication services by the imposition of fees not in conflict with the Constitution and statutes of this state; and

WHEREAS, the distribution of funding for emergency 911 communication services among the citizens of Paducah, Kentucky through a fee on parcels located in the City of Paducah is more equitable; bears a reasonable relationship to the benefit received; and requires more citizens to support the system than the existing “land-line” phone fee; and

WHEREAS, the Kentucky Supreme Court has expressly permitted fees on real estate parcels as an appropriate mechanism for funding emergency 911 communication services; and

WHEREAS, a real estate parcel fee would assist in the funding of emergency 911 communication services and also ensure the distribution of funding to a broader range of citizens rather than just those who have land-line phones; and

WHEREAS, the Commission will repeal the land-line phone fee once sufficient funding for 911 has been collected via parcel fees.

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PADUCAH AS FOLLOWS:

SECTION 1. That there is hereby established, imposed, and implemented an annual parcel fee on all occupied individual residential units and all occupied individual commercial, religious, charitable, educational, and public use units located within the territorial limits of the City of Paducah, as determined from the records of the McCracken County Property Valuation Administrator's office. The fee shall be used for the delivery of Enhanced 911 emergency telephone service as provided for by KRS 65.760 and the associated maintenance of systems and devices, including but not limited to, operating costs of the Paducah-McCracken County 911 Services Center and purchase and maintenance of E911 equipment.

SECTION 2. The Board of Commissioners hereby imposes the following annual parcel fees on all parcels of occupied real property, as more accurately defined in Sections 3 through 5 of this Ordinance, which are located within the jurisdictional limits of the City of

Paducah:

A. Super Commercial Retail Unit (contains structure in excess of 25,000 sq. ft.)	\$1,550
B. Large Commercial Retail Unit (contains structure between 7,500 and 25,000 sq. ft.)	860
C. Medium Commercial Retail Unit (contains structure between 2,500 and 7,500 sq. ft.)	325
D. Small Commercial Retail Unit (structure between 1 and 2,500 sq. ft.)	210
E. Non-Commercial Retail Unit (which shall include, but not be limited to, parking lots, garages, or other areas designed for the parking of motor vehicles as defined by KRS 186.010(4) whereby the owner, occupant, lessee, or possessor of any portion of the parcel leases, rents, licenses, bails, or otherwise allows the parking or storage of motor vehicles in exchange for consideration)	150
F. Public Use Units (emergency service, governmental, religious, charitable, and educational)	35
G. Residential Units	45

In the event a parcel is mixed use, the parcel shall be assessed at the highest applicable assessment rate.

SECTION 3. An occupied *residential unit* shall be defined as each residential space designed and/or utilized for occupancy for residential purposes and includes each apartment and/or duplex unit, house, and mobile home as a separate residential unit.

SECTION 4. An occupied *commercial retail unit* shall be defined as a non-residential building space of any size designed and/or utilized for occupancy by an individual non-residential business or private enterprise which involves the manufacture, sale, lease, or rental of goods, or services to the public. These parcel units shall include, but not be limited to, nursing homes, day care centers, private cemeteries, office buildings, hospitals, medical offices, organizational meeting halls, swim clubs, golf courses, marinas, museums, car

dealerships, bowling alleys, shopping stores and centers, restaurants, hotels, grocery stores, pet kennels, gas stations, banks, veterinary clinics, department stores, and self-storage facilities.

SECTION 5. An occupied *public use unit* shall be defined as any parcel owned or leased by:

- A. Any City, County, State, or Federal Government in which the parcel is used for the purposes of conducting the regular business of its government, its police department, or its fire department.
- B. A Fire District so long as the parcel is used by the District to deliver fire protection services pursuant to KRS Ch. 75.
- C. A non-residential building space of any size designed and/or utilized for occupancy for religious activities and/or worship.
- D. A non-residential building space of any size designed and/or utilized for occupancy for the carrying out of a charitable purpose as determined by Section 501 of the Internal Revenue Code.
- E. A non-residential building space of any size designed and/or utilized for occupancy for the purpose of education, the administration thereof or extracurricular activities.

SECTION 6. The 911 parcel fee shall be placed upon the City of Paducah's property tax bills prepared by the City's Finance Department beginning with the 2024 tax bill and continuing every year thereafter. The due dates shall be the same as the property tax due dates set by the Board of Commissioners.

SECTION 7. For the first year only, owners of all occupied residential rental units shall be eligible to claim a credit of \$22.50 per unit against the annual fee due. This credit, which is

the equivalent of a 6-months share of the fee, is granted to allow owners of rental property additional time to recover some or all of the amount of the fee from tenants. In subsequent years, the full amount of the annual 911 parcel fee shall be paid for all occupied residential rental units. In order to be eligible for this credit, the property owner of the occupied rental unit(s) shall complete and submit the form, attached hereto, to the City of Paducah Finance Department, which shall be received by the Finance Department on or before August 1, 2024.

SECTION 8. The Board of Commissioners hereby creates the “911 Parcel Fee Appeals Board”, which shall be comprised of the following members:

- A. The City of Paducah Finance Director or his/her designee;
- B. One member of the Paducah-McCracken 911 Board; and
- C. Three (3) residents of the City of Paducah, appointed by the mayor.

Each member shall serve a two (2) year term, except the Finance Director who shall serve indefinite terms. The Board shall be charged with considering and resolving any claims of incorrect classifications or determinations of occupancy of property pursuant to the terms of this Ordinance.

SECTION 9. Any property owner may appeal the classification of their property under the terms of this Ordinance. However, an appeal shall not affect the date the parcel fee is due. A property owner wishing to appeal a classification shall file an appeal by delivering a notice of appeal to the Paducah City Clerk by no later than December 1st of the year for which the fee is due. The Board shall set a date for a meeting in which the property owner can present evidence and otherwise be heard on the issue of classification. The property owner shall bear the burden of proof that the property has been incorrectly classified by clear and convincing evidence. The City of Paducah shall also have the right to present evidence of proof that the classification is

appropriate. If the property owner presents sufficient proof of lack of occupancy and/or any other evidence to indicate that the parcel was inappropriately classified, the 911 Parcel Fee Appeals Board shall provide relief to the party by a majority vote, including, but not limited to, a refund of all or a portion of the parcel fee paid during the applicable tax year.

SECTION 10. All real estate parcel fees shall be collected by the City of Paducah's Finance Department.

SECTION 11. The real estate parcel fees collected shall be accounted for and kept separate and apart from other accounts and may only be used for the funding of emergency 911 services as permitted by state law and as more fully set forth in the Interlocal Cooperation Agreement between the City of Paducah and McCracken County.

SECTION 12. The failure of any owner of real property to pay the fee as set forth in this Ordinance shall be punishable as a Class A Misdemeanor and/or by civil collection process.

SECTION 13. As more fully set forth in the Interlocal Agreement for the Provision of Emergency 911 Services entered into by the City of Paducah and McCracken County, the 911 Board shall review the fee imposed by this Ordinance and by no later than April 1st of each year make a recommendation to the City of Paducah as to any adjustments to the then-effective parcel fee to ensure adequate funding of the Joint 911 services.

SECTION 14. Unless otherwise determined by the Paducah Board of Commissioners, commencing April 1, 2025, and on April 1st of each successive year thereafter, all parcel fees set forth in this Article shall be automatically adjusted based on the Urban Consumer Price Index for the South Region as published by the U.S. Department of Labor, Bureau of Labor Statistics, for the prior January.

SECTION 15. The provisions of this Ordinance are declared to be severable. If any

section, phrase or provision shall for any reason be declared invalid, such declaration shall not affect the validity of the remainder of this Ordinance.

SECTION 16. This Ordinance shall be read on two separate days and become effective upon summary publication pursuant to KRS Chapter 424.

MAYOR

ATTEST:

City Clerk

Introduced by the Board of Commissioners, _____, 2024

Adopted by the Board of Commissioners, _____, 2024

Recorded by City Clerk, _____, 2024

Published by *The Paducah Sun*, _____, 2024

4859-4231-7447

APPLICATION FOR OCCUPIED RESIDENTIAL RENTAL UNIT CREDIT
(Submit one form for each parcel containing one or multiple units)

Name of Property Owner: _____

Address of Property Owner: _____

Telephone Number of Property Owner: _____

Name of Occupied Rental Property (if applicable): _____

Address of Occupied Rental Property: _____

Number of rental units located on this parcel: _____

I hereby certify that the information contained herein is true:

Signature of Property Owner

Date

THIS FORM MUST BE RECEIVED BY THE CITY'S FINANCE DEPARTMENT ON OR
BEFORE AUGUST 1, 2024 BY PERSONAL DELIVERY OR MAIL TO:

Paducah City Hall
Finance Department
300 South 5th Street
Paducah, Kentucky 42001