



**CITY COMMISSION MEETING
AGENDA FOR MARCH 11, 2025
5:00 PM
CITY HALL COMMISSION CHAMBERS
300 SOUTH FIFTH STREET**

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

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

ADDITIONS/DELETIONS

NEW EMPLOYEE INTRODUCTIONS Jeremy Leidecker, Risk Manager - S. WILCOX

PROCLAMATION Brain Injury Awareness Month - Dylan Dixon, NeuroRestorative

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 Special Called Meetings of the Board of Commissioners for February 21, February 22, and March 4, 2025
	B.	Appointment of Ted Turner to the Paducah Golf Commission
	C.	Personnel Actions
	D.	Amend Municipal Order No. 2743 A Schedule of Fees for Oak Grove Cemetery and Mausoleum - A. CLARK
	E.	Accept Recommendation and Authorize Contract for Peck Flannery Gream Warren, LLC (PFGW) for Paducah Sports Park Design Package - A. CLARK
	F.	Authorize the Acceptance of a Community Development Block Grant in the Amount of \$200,000 on behalf of Four Rivers Behavioral Health's Centerpoint Recovery Center - H.REASONS
	II.	<u>ORDINANCE(S) - INTRODUCTION</u>

		A.	Amend Ordinance No. 2023-06 -8781 Chapter 26 "Cemeteries" of the Code of Ordinances of the City of Paducah, Kentucky - A. CLARK
	III.	<u>DISCUSSION</u>	
		A.	National Park Service Paul Bruhn Historic Revitalization Grant Discussion - H. REASONS
	IV.	<u>COMMENTS</u>	
		A.	Comments from the City Manager
		B.	Comments from the Board of Commissioners
	V.	<u>EXECUTIVE SESSION</u>	

February 21, 2025

At a Special Called Meeting of the Paducah Board of Commissioners held on Friday, February 21, 2025, at 12:00 p.m. at the Robert Cherry Civic Center located at 2701 Park Avenue, Mayor George Bray presided. Upon call of the roll by City Clerk, Lindsay Parish, the following answered to their names: Commissioners Henderson, Smith, Thomas, Wilson, and Mayor Bray (5).

COMMISSION PRIORITIES WORKSHOP

Assistant City Manager Michelle Smolen updated the City Commission on the 2024 Commission Priorities Key Accomplishments. A copy of the handout is in the Minute File.

Each Executive Leadership Team Member spoke and provided their Priorities for Vision, Personnel, and Operations as follows.

- City Clerk & Customer Experience – Lindsay Parish
 - Vision: Foster the public perception of one united city government instead of multiple departments.
 - Personnel: Onboard Development Liaison Position & fully train Special Events Position.
 - Operations: Streamline and increase public understanding around permitting processes and online/app service requests.
- Communications – Pam Spencer
 - Vision: Creating culture of communications across organization.
 - Personnel: Leveraging WKCTC production team's talents, knowledge-base, and resources.
 - Operations: Engaging, promoting, and educating community about Commission Priorities, city projects, and city services.
- Engineering – Greg Guebert
 - Vision: Implementation of a stormwater utility fee.
 - Personnel: Fill the Assistant City Engineer position and any potential positions associated with the implementation of a Stormwater Utility Fee.
 - Operations: Continue to increase streets and stormwater infrastructure improvement across the city.
- Finance – Jon Perkins
 - Vision: GFOA Budget award; review/adjust various revenue bases; annexation strategy.
 - Personnel: Attract and Retain Qualified staff.
 - Operations: Push for electronic solutions (outgoing and incoming data).
- Fire – Steve Kyle
 - Vision: Visitors to Paducah will see our Fire department – its personnel/facilities/equipment and know right away that we are a City that is well-run, growing, and moving forward. Residents in Paducah will benefit in increased safety and lower insurance premiums from having an ISO Class 1 rating.
 - Personnel:
 - 6 Personnel for Suppression (Year 1) and 8 personnel (Year 2) to address increased overtime as well as contribute towards an increased ISO rating.
 - Address Rental Occupancy inspection needs by adding 1 Code Enforcement Officer and 1 Administrative employee
 - Add 1 Deputy Fire Marshal (Year 2) to address inspection load on supervisory staff.
 - Operations:
 - Design Fees for fire station replacement \$650,000--\$975,000
 - Monies allocated to PW for facility repairs and deferred maintenance

February 21, 2025

- Training Field Development \$500,00 for Fire Training Tower (Year 1) and \$250,000 for additional build out/training props (Year 2)
- Human Resources – Stefanie Wilcox
 - Vision: Be a “Best Place to Work.”
 - Personnel: Recruitment and Retention – modernize benefits, update HR policies, and create a culture of inclusivity.
 - Operations: Improve and Streamline Processes – use new software for recruitment, onboarding, and performance management.
- Parks & Recreation – Amie Clark
 - Vision: Expansion of Parks and trails to deficient areas to provide connectivity to parks within a 10-minute walk from every neighborhood.
 - Personnel: Addition of 4 positions (3 Janitorial positions and 1 Recreation Specialist Position).
 - Operations: Facility Upgrades and Improvements.
- Planning – Carol Gault
 - Vision: Southside Revitalization – this would encompass a step by step approach to the housing crisis, affordable housing and neighborhood revitalization in the project area.
 - Personnel: Adding a position for an assistant director (and creating better space for personnel)
 - Operations: Downtown Economic Development (working in conjunction with the new Main Street organization to develop incentives and a recruitment plan for 40K SF and above buildings in the downtown district.
- Police – Brian Laird
 - Vision: Acquire property, design, and construct a modern police facility the community can be proud of.
 - Personnel: Full staffing through recruitment and retention, while developing our personnel through quality training to increase their knowledge, skills and abilities.
 - Operations: Continued crime reduction and increase safety through community engagement, enforcement, technology and expansion of our Deflection Program.
- Public Works – Chris Yarber
 - Vision: APWA Accreditation.
 - Personnel: Employee Training.
 - Operations: Facilities, Recycle Right Campaign and Street ID & Sign Replacement.
- Technology – Eric Stuber
 - Vision: Technology is seen as a trusted advisor and at the forefront of elected and Director’s minds for projects.
 - Personnel: Continued focus on culture and education.
 - Operations: Business Analysis of software and technology for all departments.

ADJOURN

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

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

TIME ADJOURNED: 4:33 p.m.

ADOPTED: March 11, 2025

February 21, 2025

George Bray, Mayor

ATTEST:

Lindsay Parish, City Clerk

February 22, 2025

At a Special Called Meeting of the Paducah Board of Commissioners held on Saturday, February 22, 2025, at 8:00 a.m. at the Respite Bed & Breakfast located at 502 North 5th Street, Paducah, Kentucky, Mayor George Bray presided. Upon call of the roll by City Clerk, Lindsay Parish, the following answered to their names: Commissioners Henderson, Smith, Thomas, Wilson, and Mayor Bray (5).

COMMISSION PRIORITIES WORKSHOP

In a discussion facilitated by Tad Long with the Kentucky League of Cities, the City Commission discussed their priorities for 2025-2026. They narrowed down their top priorities to the following:

- City Facilities
- Revenue Equity
- Review Staffing Needs to Fulfill City Commission Priorities
- Support Community Efforts to Address Homelessness
- Housing
- Rental Occupancy Permitting/Landlord Accountability
- Downtown Economic Development
- Growth
- Quality of Life
- Southside Revitalization

The City Commission discussed wanting to work toward continuous improvement in the following areas:

- Stormwater
- Trails & Bike Lanes
- Mental Health Awareness

ADJOURN

Commissioner Smith offered Motion, seconded by Commissioner Thomas, that the meeting be adjourned.

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

TIME ADJOURNED: 11:46 a.m.

ADOPTED: March 11, 2025

George Bray, Mayor

ATTEST:

Lindsay Parish, City Clerk

March 4, 2025

At a Special Called Meeting of the Paducah Board of Commissioners held on Tuesday, March 4, 2025, 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 City Clerk, Lindsay Parish, the following answered to their names: Commissioners Henderson, Smith, Thomas, Wilson, and Mayor Bray (5).

INVOCATION

Commissioner Wilson led the Invocation.

PLEDGE OF ALLEGIANCE

The Mayor led the pledge.

PROCLAMATION

Mayor Bray presented a Proclamation to Cory Greene and Todd Blume proclaiming March 8, 2025, Paducah Craft Beer Day. The Mayor also presented Dukes of Paducah to Greene and Blume, in honor of their work in the City of Paducah.

PUBLIC COMMENTS

- Randall Barnes came to follow up on the discussion on the Forest Hills Playground. The City Manager relayed that the playground equipment maintenance is the responsibility of Forest Hills.
- Cornell Shackelford – commented on the homeless situation.

CONSENT AGENDA

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

I(A)	Approve Minutes for the February 11, 2025, Regular Meeting and Special Called Meeting of the Board of Commissioners.
I(B)	Receive and File Documents: <u>Minute File:</u> Notice of Special Called Meeting of the Board of Commissioners – February 21, 2025 and February 22, 2025. <u>Deed File:</u> 1. Deed of Conveyance – Martin W. Operle, Jr. to the City of Paducah – 1200 Caldwell Street, MO #2996 2. Permanent Easement – Malinda L. Richie to City of Paducah – Seitz Street – MO #3003 <u>Contract File:</u> 1. Escrow Agreement – Woodland Properties on Pines LLC., FNB Bank, Inc., and City of Paducah – ORD 2024-01-8803

March 4, 2025

I(C)	Appointment of Storm Wilson to replace Lucia Burkart and Kathleen McHaney to replace Katie Flowers on the Paducah Civic Beautification Board. Said terms shall expire July 1, 2025, and July 1, 2027, respectively.
I(D)	Personnel Actions
I(E)	A MUNICIPAL ORDER AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF AN FY2026 HIGHWAY SAFETY GRANT IN THE AMOUNT OF \$30,000 THROUGH THE KENTUCKY TRANSPORTATION CABINET FOR OVERTIME PAY FOR OFFICERS, AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATED TO SAME (MO #3017; BK 14)
I(F)	A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH HdL COMPANIES NC, TO RESEARCH AND IDENTIFY BUSINESSES CURRENTLY NOT PAYING BUSINESS LICENSE FEES, GROSS RECEIPT FEES, OCCUPATION TAX FEES, AND EMPLOYER'S QUARTERLY WITHHOLDING TO THE CITY OF PADUCAH (MO #3018; BK 14)
I(G)	A MUNICIPAL ORDER AUTHORIZING CONTRACT MODIFICATIONS 1 THROUGH 6 TO THE CONTRACT WITH A&K CONSTRUCTION, INC., FOR THE RE-ROOF AND RENOVATION OF THE TECHNOLOGY DEPARTMENT IN AN AMOUNT OF \$28,404 AND AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT MODIFICATIONS AND ALL OTHER DOCUMENTS RELATED TO SAME (MO #3019; BK 14)

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

RESOLUTION

ADOPT FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR THE REZONING PETITION OF 200 FOUNTAIN AVENUE

Commissioner Smith offered Motion, seconded by Commissioner Henderson, that the Board of Commissioners adopt a Resolution entitled, "RESOLUTION OF THE CITY OF PADUCAH, KENTUCKY, ADOPTING THE FINDINGS OF FACT AND CONCLUSION OF LAW FOR THE REZONING PETITION OF 200 FOUNTAIN AVENUE."

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

MUNICIPAL ORDERS

2020A GOB ARBITRAGE PAYMENT

Commissioner Thomas offered Motion, seconded by Commissioner Wilson, that the Board of Commissioners adopt a Municipal Order entitled, "**A MUNICIPAL ORDER AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT IN AN AMOUNT OF \$946,515.49 TO THE INTERNAL REVENUE SERVICE FOR THE 2020A GENERAL OBLIGATION BOND YIELD RESTRICTION LIABILITY.**"

Adopted on call of the roll yeas, Commissioners Henderson, Smith, Thomas, Wilson and Mayor Bray (5). **(MO #3020; BK 14)**

March 4, 2025

HOTEL METROPOLITAN CO-STEWARDSHIP AGREEMENT

Commissioner Wilson offered Motion, seconded by Commissioner Thomas, that the Board of Commissioners adopt a Municipal Order entitled, “A MUNICIPAL ORDER AUTHORIZING AND APPROVING A HOTEL METROPOLITAN CO-STEWARDSHIP AGREEMENT BETWEEN THE CITY OF PADUCAH AND THE UPPER TOWN HERITAGE FOUNDATION, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT.”

Adopted on call of the roll yeas, Commissioners Henderson, Smith, Thomas, Wilson, and Mayor Bray (5). **(MO #3021; BK 14)**

ORDINANCE ADOPTIONS

AUTHORIZING CLOSURE OF 15,460 SQUARE FEET OF NORTH THIRD STREET BETWEEN HARRISON STREET AND EXECUTIVE BOULEVARD

Commissioner Henderson offered Motion, seconded by Commissioner Smith, that the Board of Commissioners adopt an Ordinance entitled, “AN ORDINANCE PROVIDING FOR THE CLOSING OF 15,460 SQUARE FEET OF NORTH 3RD STREET BETWEEN HARRISON STREET AND EXECUTIVE BOULEVARD, 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 15,460 square feet of North 3rd Street between Harrison Street and Executive Boulevard 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 Henderson, Smith, Thomas, Wilson, and Mayor Bray (5). **(ORD 2025-03-8836; BK 37)**

APPROVE MEMORANDUM OF UNDERSTANDING – RESIDENTIAL INFILL AGREEMENT FOR TRAILS END SUBDIVISION

Commissioner Smith offered Motion, seconded by Commissioner Henderson, that the Board of Commissioners adopt an Ordinance entitled, “AN ORDINANCE OF THE CITY OF PADUCAH, KENTUCKY, APPROVING A MEMORANDUM OF UNDERSTANDING BY AND AMONG THE CITY OF PADUCAH, KENTUCKY, AND TRAILS END DEVELOPMENT, LLC., WITH RESPECT TO THE RESIDENTIAL DEVELOPMENT OF VACANT PROPERTY WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF PADUCAH; AND AUTHORIZING THE EXECUTION OF VARIOUS DOCUMENTS RELATED TO SUCH MEMORANDUM OF UNDERSTANDING.” This Ordinance is summarized as follows: The City of Paducah approves the Trails End Subdivision Residential Infill Development Agreement with Trials End Development, LLC for a period of five (5) years with a total rebate not to exceed the total amount of ad valorem real property taxes actually received by the City, or twenty percent (20%) of total infrastructure cost, whichever is less, and authorizes the Mayor to execute all documents related to same.

March 4, 2025

Adopted on call of the roll yeas, Commissioners Henderson, Smith, Thomas, Wilson, and Mayor Bray (5). **(ORD 2025-03-8837; BK 37)**

AMEND CODE OF ORDINANCE CHAPTER 106 RELATED TO GROSS RECEIPTS FOR MEDICINAL CANNABIS BUSINESSES

Commissioner Thomas offered Motion, seconded by Commissioner Wilson, that the Board of Commissioners adopt an Ordinance entitled, “AN ORDINANCE AMENDING CHAPTER 106, ARTICLE III, GROSS RECEIPTS LICENSE TAX, OF THE CODE OF ORDINANCES OF THE CITY OF PADUCAH TO ADDRESS MEDICAL CANNABIS LICENSING FOR THE CITY OF PADUCAH.” This Ordinance is summarized as follows: This ordinance amendment defines Medicinal Cannabis Businesses, sets a minimum annual license tax of \$500, and creates Schedule F of the general license tax schedule. Schedule F determines the amount of tax payable by multiplying the business entity location’s taxable gross receipts up to \$3,500,000.00 times 0.005 and multiplying all gross receipts in excess of \$3,500,000.00 times 0.00005. In order to receive a business license, the Medicinal Cannabis Business will be required to present a valid license issued by the appropriate Cabinet of the Commonwealth pursuant to KRS Chapter 218B, as amended, and be in good standing with the City of Paducah, including but not limited to compliant with City Code of Ordinances Chapter 126 *Zoning*.

Adopted on call of the roll yeas, Commissioners Henderson, Smith, Thomas, Wilson, and Mayor Bray (5). **(ORD 2025-03-8838; BK 37)**

AMEND CODE OF ORDINANCE CHAPTER 2 TO ABOLISH 911 LANDLINE FEES

Commissioner Wilson offered Motion, seconded by Commissioner Thomas, that the Board of Commissioners adopt an Ordinance entitled, “AN ORDINANCE AMENDING CHAPTER 2, ARTICLE V, DIVISION 4 *POLICE DEPARTMENT*, OF THE CODE OF ORDINANCES OF THE CITY OF PADUCAH TO ABOLISH LANDLINE FEES.” This Ordinance is summarized as follows: This ordinance amends Chapter 2, Article V, Division 4 *Police Department* of the City of Paducah Code of Ordinances to remove the landline fees and make other necessary edits to align with the Interlocal Agreement for Provision of Emergency 911 Services between the City of Paducah and the County of McCracken, as amended.

Adopted on call of the roll yeas, Commissioners Henderson, Smith, Thomas, Wilson, and Mayor Bray (5). **(ORD 2025-03-8839; BK 37)**

COMMENTS

Communications Manager Pam Spencer offered the following summary of the Mayor’s remarks:

“Mayor George Bray discussed last week’s trip to Washington D.C. which included Mayor Pro Tem Sandra Wilson, McCracken County Judge Executive Craig Clymer, and others. During the trip, the small group met with Senator McConnell, Senator Paul, and Congressman Comer in addition to DOE and DOT representatives to advocate for

March 4, 2025

Paducah and McCracken County. He noted the significance of the rapid turnover of government employees explaining that the DOE representative who has been our community's main contact in Washington D.C. announced her resignation. Mayor Bray wants the community to know that he is staying abreast of the rapid pace of change at the state and federal level and working to assess how these changes may affect the Paducah community specifically related to grants and federal funding. He added that Paducah is focused on efficient operations as a City government."

EXECUTIVE SESSION

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

- Discussions of proposed or pending litigation against or on behalf of the public agency KRS 61.810(1)(c)

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

RECONVENE

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

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

ADJOURN

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

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

TIME ADJOURNED: 6:19 p.m.

ADOPTED: March 4, 2025

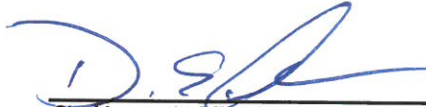
George Bray, Mayor

ATTEST:

Lindsay Parish, City Clerk

CITY OF PADUCAH
March 11, 2025

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
March 11, 2025

NEW HIRES - FULL-TIME (F/T)

<u>CUSTOMER EXPERIENCE</u>	<u>POSITION</u>	<u>RATE</u>	<u>NCS/CS</u>	<u>FLSA</u>	<u>EFFECTIVE DATE</u>
Cowles, Laura A.	Development Liaison	\$26.44/hr	NCS	Ex	April 3, 2025

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

<u>E911</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>
Parks, Emily L.	Telecommunicator \$20.36/hr	Telecommunicator \$20.77/hr	NCS	Non-Ex	April 3, 2025
<u>PUBLIC WORKS</u>					
Scutt, James R.	Fleet Superintendent \$39.39/hr	Fleet Superintendent \$40.57/hr	NCS	Ex	January 23, 2025
Simmons, Marcey M.	Administrative Assistant \$21.08/hr	Administrative Assistant \$21.71/hr	NCS	Non-Ex	January 23, 2025

Agenda Action Form

Paducah City Commission

Meeting Date: March 11, 2025

Short Title: Amend Municipal Order No. 2743 A Schedule of Fees for Oak Grove Cemetery and Mausoleum
- A. CLARK

Category: Municipal Order

Staff Work By: Amie Clark
Presentation By: Amie Clark

Background Information: The Board of Commissioners approved MO 2743 Schedule of Fees for Oak Grove Cemetery and Mausoleum, on June 13, 2023, repealing and replacing MO 1802.

Updating language to align with City Ordinance 26-6 related to late fees charged for services held after hours as follows:

Oak Grove Grave Lots

	<u>Fee</u>
Single Lot (4' x 8')	\$550/lot

West Kentucky Mausoleum Crypts

Ground Tier	\$6,000.00
2 nd Tier	\$6,500.00
3 rd Tier	\$6,500.00
4 th Tier	\$6,000.00
5 th Tier	\$6,000.00
Alcove	\$7,500.00

Burial Services

Weekday Burials

Mausoleum Bldg Opening/Closing	\$1000.00
Memorial Services (No interment)	\$250.00
Cremains Burial Opening/Closing	\$175.00
Grave Lot Burial Opening/Closing	\$175.00

Saturday Burials

Mausoleum Bldg Opening/Closing	\$1500.00
Memorial Service (No interment)	\$450.00
Cremains Burial Opening/Closing	\$375.00
Grave Lot Burial Opening/Closing	\$250.00

Late Fees

Services scheduled Monday – Friday, concluding after 2:00pm	\$300.00
Services scheduled without a 72-hour notification	\$300.00

Holidays

Services shall not be scheduled on Sundays. Services shall not be scheduled on the first Saturday of December.

Services shall not be scheduled on recognized holidays as follows:

New Year's Day, Martin Luther King Day, President's Day, Good Friday, Memorial Day, Juneteenth, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, Day after Thanksgiving, Christmas Eve, Christmas Day, New Year's Eve.

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

Attachments:

1. Oak Grove Cemetery Fees 2025

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER AMENDING MUNICIPAL ORDER NO. 1802 “A SCHEDULE OF FEES FOR OAK GROVE CEMETERY AND MAUSOLEUM” PURSUANT TO CHAPTER 26, CEMETERIES, OF THE CODE OF ORDINANCES OF THE CITY OF PADUCAH, KENTUCKY.

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCY:

SECTION 1. By Municipal Order the Board of Commissioners of the City of Paducah hereby adopts a schedule of fees, as set out below, for Oak Grove Cemetery and Mausoleum, pursuant to the Code of Ordinances of the City of Paducah, Kentucky, Chapter 26, Cemeteries.

Oak Grove Grave Lots

Fee

Single Lot (4' x 8')	\$550/lot
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West Kentucky Mausoleum Crypts

Ground Tier	\$6,000.00
2 nd Tier	\$6,500.00
3 rd Tier	\$6,500.00
4 th Tier	\$6,000.00
5 th Tier	\$6,000.00
Alcove	\$7,500.00

Burial Services

Weekday Burials

Mausoleum Bldg Opening/Closing	\$1000.00
Memorial Services (No interment)	\$250.00
Cremains Burial Opening/Closing	\$175.00
<u>Grave Burial Opening/Closing</u>	<u>\$175.00</u>

Saturday Burials

Mausoleum Bldg Opening/Closing	\$1500.00
Memorial Service (No interment)	\$450.00
Cremains Burial Opening/Closing	\$375.00
<u>Grave Burial Opening/Closing</u>	<u>\$250.00</u>

Late Fees

Services scheduled Monday – Friday, <u>concluding after 2:00pm</u>	\$300.00
<u>Services scheduled without 72 – hour notice requirement</u>	\$300.00

Holidays

Services will not be offered on Sundays.

Services will not be offered on the first Saturday of December due to the City's Annual Christmas Parade.

Services will not be offered on recognized holidays as follows:

New Year's Day, Martin Luther King Day, President's Day, Good Friday, Memorial Day, Juneteenth, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, Day after Thanksgiving, Christmas Eve, Christmas Day, New Year's Eve.

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

George Bray, Mayor

ATTEST:

Lindsay Parish, City Clerk

Adopted by the Board of Commissioners _____.

Recorded by Lindsay Parish, City Clerk _____.

\mo\ Oak Grove Cemetery Fees 2025

Municipal Order Created by Amie Clark

Agenda Action Form

Paducah City Commission

Meeting Date: March 11, 2025

Short Title: Accept Recommendation and Authorize Contract for Peck Flannery Gream Warren, LLC (PFGW) for Paducah Sports Park Design Package - **A. CLARK**

Category: Municipal Order

Staff Work
By: Amie Clark
Presentation
By: Amie Clark

Background Information: Accept recommendation from Sports Tourism Commission and authorize contract modification for additional design services for Peck Flannery Gream Warren for the Championship Field and entry plaza for the Paducah Sports Park. The additional service fees in the amount of \$139,899.00 are allocated in the original approved budget for Engineering and Design Services.

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

If yes, please list the Commission Priority:

Communications Plan:

Funds Available: Account Name:
Account Number:

Staff Recommendation: Accept and Approve

Attachments:

1. MO contract modification PFGW – design package

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER ACCEPTING THE RECOMMENDATION OF THE MCCRACKEN COUNTY SPORTS TOURISM COMMISSION TO AUTHORIZE A CONTRACT MODIFICATION TO THE DESIGN CONTRACT WITH PECK, FLANNERY, GREAM, WARREN, LLC FOR THE PADUCAH SPORTS PARK PROJECT

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

SECTION 1. That the City Commission hereby accepts the recommendation from the McCracken County Sports Tourism Commission and authorizes a contract modification for additional design services with Peck Flannery Gream Warren (PFGW) for the Championship Field and entry plaza for the Paducah Sports Park. The additional service fees will be in the amount of \$139,899 and are allocated in the original approved budget for engineering and design services.

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

George Bray, Mayor

ATTEST:

Lindsay Parish, City Clerk

Adopted by the Board of Commissioners, March 11, 2025
Recorded by Lindsay Parish, City Clerk, March 11, 2025
mo\contract modification PFGW – design package

Agenda Action Form

Paducah City Commission

Meeting Date: March 11, 2025

Short Title: Authorize the Acceptance of a Community Development Block Grant in the Amount of \$200,000 on behalf of Four Rivers Behavioral Health's Centerpoint Recovery Center - **H.REASONS**

Category: Municipal Order

Staff Work
By: Hope
Reasons
Presentation
By: Hope
Reasons

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

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

On January 13, 2025, the Paducah Board of Commissioners authorized the application for this grant with MO 2999. Funding will be used for staff salaries that provide care for the Centerpoint clients. No match is required for this grant. The City receives \$2,500 in Administrative Fees from this award.

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

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

Communications Plan:

Funds Available: Account Name:
Account Number:

Staff Recommendation: Authorize the acceptance of the Community Development Block Grant and for the Mayor to sign all documents related to same.

Attachments:

1. MO acceptance cdbg-four rivers Behavioral Health CenterPoint Recovery Center 2025

MUNICIPAL ORDER NO. _____

MUNICIPAL ORDER ACCEPTING A 2025 COMMUNITY DEVELOPMENT
BLOCK GRANT IN THE AMOUNT OF \$200,000 THROUGH THE
DEPARTMENT FOR LOCAL GOVERNMENT FOR THE FOUR RIVERS
BEHAVIORAL HEALTH'S CENTERPOINT RECOVERY CENTER AND
AUTHORIZING THE MAYOR TO EXECUTE ALL REQUIRED GRANT
AWARD DOCUMENTS

WHEREAS, the City of Paducah applied for an FY2025 Community Development Grant through the Department for Local Government, adopted by Municipal Order No. 2999, on January 13, 2025, on behalf of the Four Rivers Recovery Center; and

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

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

SECTION 1. That the City of Paducah hereby accepts grant funds for a Community Development Block Grant through the Department for Local Development in the amount of \$200,000 on behalf of Four Rivers Behavioral Health for the Four Rivers Recovery Center (CenterPoint Recovery Center). Funds are designated for various program areas, including Community Projects, Community Emergency Relief Fund, Economic Development, Housing and Public Services. There is no match required for this grant. This funding will be used for staff salaries that provide care for the Centerpoint clients. An administration fee of \$2,500 will be paid to the City of Paducah for maintaining and monitoring this funding.

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

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

George Bray, Mayor

ATTEST:

Lindsay Parish, City Clerk

Adopted by the Board of Commissioners, March 4, 2025

Recorded by Lindsay Parish, City Clerk, March 4, 2025

\\mo\grants\acceptance cdbg-four rivers Behavioral Health CenterPoint Recovery Center 2025

Agenda Action Form

Paducah City Commission

Meeting Date: March 11, 2025

Short Title: Amend Ordinance No. 2023-06 -8781 Chapter 26 "Cemeteries" of the Code of Ordinances of the City of Paducah, Kentucky - **A. CLARK**

Category: Ordinance

Staff Work By: Amie Clark

Presentation By: Amie Clark

Background Information: Amend Ordinance No. 2023-06-8781 Chapter 26 "Cemeteries" of the Code of Ordinances of the City of Paducah.

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

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

Communications Plan:

Funds Available: Account Name:
Account Number:

Staff Recommendation: Approve

Attachments:

1. ORD Cemeteries Update 2025

ORDINANCE NO. 2025-03-_____

AN ORDINANCE AMENDING CHAPTER 26, “CEMETERIES”, ARTICLES I AND II OF THE CODE OF ORDINANCES OF THE CITY OF PADUCAH, KENTUCKY

WHEREAS, this Ordinance is an amendment to Chapter 26 Cemeteries, Articles I and II of the *Code of Ordinances of the City of Paducah, Kentucky*; and

NOW THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF PADUCAH AS FOLLOWS:

SECTION A. Chapter 26, Article I, In General, and Article II, Oak Grove Cemetery of the Code of Ordinances shall be amended as follows:

ARTICLE I. – IN GENERAL

Sec. 26-1. Designation.

The City of Paducah designates approximately 50 acres located at 1613 Park Ave in Paducah, Kentucky for the purpose of the interment of human remains only as provided in this Ordinance. This designated land shall be known and called Oak Grove Cemetery and so designated in all certificates to purchasers of lots therein.

Sec 26-2. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- a) *Cemetery* means any one or combination of more than one of the following in a place used or to be used and dedicated or designated for such purposes:
 - (1) A burial park, for earth interment.
 - (2) A mausoleum, for entombment.
 - (3) A columbarium, for inurnment.
 - (4) A cremation garden, for inurnment.
- b) *Remains* means the bodies of deceased persons, in whatever stage of decomposition, and cremated remains.
- c) *Mausoleum* means a building or structure substantially exposed above ground used or intended to be used for the entombment of human remains, which is sold or offered for sale to the public.

- d) *Columbarium* means a structure or building substantially exposed above ground intended to be used for the inurnment of cremated remains and sold or offered for sale to the public.
- e) *Columbarium niche* means an inurnment space in a columbarium as defined herein.
- f) *Cremation garden* means an area of a cemetery set aside especially for cremated remains.
- g) *Scattering area* means an area designated for the scattering of cremated remains.
- h) *Grave lot* means a space of ground in a cemetery intended to be used for the interment in the ground of the remains of one human being.
- i) *Sepulcher* means a place of burial, burial vault, or tomb in which a deceased person is laid or buried.
- j) *Underground crypt* means a single unit entombment space in preplaced chambers below ground and also known as a lawn crypt, Westminster turf top mausoleum, or below ground crypt.
- k) *Mausoleum crypt* means an entombment space in a mausoleum as defined herein.
- l) *Disinterment* means to unearth or remove remains from a grave or tomb.
- m) *Interment* means to bury a deceased person in a grave or tomb.
- n) *Reinterment* means to bury again, often in a different location than the original burial.
- o) *Burial* means a ceremony at which a deceased person is buried or interred.
- p) *Deed* means a document or instrument which conveys a license use and access for sepulcher only, and does not convey a fee interest in the land of the lot.
- q) *Monument* means a single memorial or marker, that is upright, beveled, or flush and is made of stone, marble, or granite that is placed on the head of the grave lot, memorializing the deceased located in that specific grave lot.
- r) *Companion monument* means a double memorial or marker, that is upright, beveled, or flush and is made of stone, marble, or granite that is placed on the head at the center of two (2) side by side grave lots, memorializing two (2) deceased located in those specific grave lots.

Sec 26-3. Administrative Policy.

The Board of Commissioners of the City of Paducah does hereby authorize and charge the City Manager with creating and maintaining policies and procedures for the administration and operations of City-owned cemeteries, not inconsistent with this ordinance. (KRS 97.530)

Sec 26-4. Operations.

The Board of Commissioners of the City of Paducah does hereby authorize and charge the Parks and Recreation Department with the operations and maintenance of City-owned cemeteries.

Sec 26-5. Schedule of Fees for Cemetery Lots and Mausoleum Crypts.

The Board of Commissioners hereby authorizes a schedule of fees for the sale of all cemetery lots and mausoleum crypts in City-owned cemeteries in the City of Paducah, established and updated by Municipal Order from time to time.

Sec 26-6. Charges for Cemetery Services.

Fees associated with support services provided at the cemetery or by the cemetery staff, shall be created and maintained by Municipal Order, updated from time to time, and shall be in compliance with this Ordinance.

- a) Support services include but are not limited to: opening and closing of graves, use of the receiving vault, temporary or permanent relocation of a monument, upright, or marker, and support staff for burial services.
- b) There will be a late charge for services concluding after 2:00 p.m.
- c) There will be additional charges for services requested on Saturdays.
- d) The charges for replacement, temporary or permanent relocation, and resetting of monument, uprights, or flat, flush, or lawn level markers shall be the responsibility of the license holder. All replacements must follow current cemetery guidelines as set by administrative policy.

Sec 26-7 Maintenance Fund.

- a) 30% of income from cemetery grave lot sales shall be placed in a cemetery project account under the Parks and Recreation Department, and shall be used specifically for the support of maintenance and upkeep of the cemetery grounds and improvement projects in the cemetery.
- b) Fees collected from cemetery lease agreements and contracts shall be considered cemetery income and be placed in a cemetery fund under the Parks and Recreation Department and shall be used specifically for the support of maintenance and upkeep of the cemetery grounds and improvement projects in the cemetery.

Sec 26-8. Protection of Burial Grounds.

Whenever any burial grounds lie within the corporate limits of a city, the governing authorities of the city shall protect the burial grounds from being used for dumping grounds, building sites, playgrounds, places of entertainment and amusement, public parks, athletic fields, parking grounds, or any other use which may result in the burial grounds being damaged or destroyed. The activity will not be considered “entertainment or amusement” if it serves a historical or educational purpose.

(KRS 381.690 and 381.697)

Sec 26-9. Interment.

- a) All interments in the cemetery shall be contained in a concrete or steel vault for remains, or a cremains container or box for cremated remains.
- b) Interment of remains of a person affected by infectious diseases shall be conducted strictly in accordance with Kentucky law.
- c) Site prep and final prep will be completed by contractual agreement and updated by municipal order from time to time.
- d) One burial vault may be interred for each grave lot, and up to two cremated remains containers per grave lot.

(KRS 213.076)

Sec 26-10 Disinterment and Reinterment.

- a) Disinterment is regulated by Kentucky law.
- b) Authorization for disinterment, transportation, and reinterment or other disposition shall be required prior to disinterment of any human remains and shall be issued by the state registrar upon proper application.
- c) In an instance where the city is informed of or becomes aware that it has improperly interred or has allowed to be improperly interred a body or cremated remains including but not limited to interment in the wrong space, the burial container shall be disinterred and properly reinterred.
- d) In an instance where the city is informed of or becomes aware of an improper interment in the cemetery, the city shall give reasonable notice to the next of kin, informing them of the improper interment. The city shall file an application for disinterment to a licensed funeral director and local registration official for authorization. Once authorized, the city shall make necessary arrangements to execute the disinterment.

- e) The charges associated with disinter and reinter, at the request of the city, will be the responsibility of the city.
- f) Any person requesting disinterment shall complete an application and file with the City. Applications for disinterment will be submitted to a licensed funeral director and the local registration official for authorization. Once authorized, the city shall make necessary arrangements to execute disinterment.
- g) The charges associated with disinter and reinter conducted at the request of the next of kin, will be the responsibility of the requester.

(KRS 307.300; KRS 213.076)

Sec 26-11. Certificate of Death.

Inter or Interment of a dead body or fetus is not permitted in the cemetery unless it is accompanied by a copy of the provisional certificate of death. The cemetery staff person in charge, or if not present, the funeral director, shall enter on the provisional certificate over his signature the date, place, and manner of the final disposition and file the certificate within five (5) days with the local registrar.

(KRS 213.076)

Sec 26-12. Removal of Grave or Cemetery.

- a) Upon application of the city upon which is located an abandoned grave or cemetery, or when it is deemed in the best interest of the city to remove and relocate any such grave or cemetery, the court may issue an order or resolution authorizing removal and relocation.
- b) Any grave or cemetery removed shall be relocated in a suitable place at the expense of the city requesting such removal and relocation.
- c) A grave or cemetery shall be considered abandoned when left untended for a period of ten (10) years preceding the date of the resolution for removal and relocation of the grave or cemetery.

Sections 26-13 – 26-22. – Reserved.

ARTICLE II. OAK GROVE CEMETERY.

Sec 26-23. Operations.

- a) Oak Grove Cemetery operations shall be divided into two programs as follows:
 - (1) Administration – Cemetery administration shall manage all customer relations including but not limited to sale of grave lots, requests for deeds, scheduling

burials with funeral homes, burial records, maintenance of all records, including but not limited to cemetery maps.

- (2) Maintenance – Cemetery maintenance shall perform day to day maintenance operations of the cemetery, including but not limited to cemetery upkeep, grounds maintenance, ~~monument and stone repair~~, pre-burial and post-burial maintenance, building maintenance, etc. Maintenance staff will be present at every interment and disinterment, and shall have general control of the improvement of the premises. Monument upkeep, repairs, or replacements are the responsibility of the license holder. Cemetery maintenance staff will clear debris and remove décor as specified by administrative policy.
- (b) Cemetery maps, with additions, shall be kept on file at the Parks and Recreation offices and are adopted and hereby declared the official maps of the cemetery, including grave lots therein, showing avenues, walkways, lots with numbers thereof, and shall cause the boundaries of lots, avenues and walkways to be preserved, and will be managed by the administrative staff.
- (c) Cremation Gardens and grounds are managed and operated under a contract with a local vendor and are updated by Municipal Order from time to time.
- (d) The Parks and Recreation Director is authorized to temporarily adjust or suspend park rules as required to serve public safety and/or logistics.
- (e) The Parks and Recreation Director is hereby authorized to adopt additional rules specific to the cemetery. Rules shall be updated and posted on the City's website.

Sec 26-24. Rules for Conduct for Cemetery Grounds.

In addition to posted rules on site:

- a) Alcohol is not permitted on the grounds.
- b) Soliciting or sale of material is not permitted.
- c) Obey posted hours of operation.
- d) Obey all rules and regulations as specified herein and as determined by administrative policy.
- e) Dogs, Cats, and other animals are not permitted on the grounds unless contained inside a vehicle, with exception to licensed service animals.
- f) Place all trash in waste receptacles.
- g) Disturbance of any grave site or place of burial is prohibited.

- h) Removal of, defacing, or destruction of any upright monuments, flat, flush, or lawn level markers, tomb, vault, mausoleum, or decoration on any cemetery lot that is not conducted as part of maintenance of the grounds by the city is prohibited.
- i) The Parks and Recreation Director is hereby authorized to adopt additional rules specific to the cemetery as deemed appropriate. Rules shall be updated by administrative policy.

Sec 26-25. Vehicles and Parking.

- a) Vehicles may be operated on designated roadways, with the exception of deliveries in connection with cemetery operations.
- b) Parking is not permitted in areas that are not marked roadways or parking areas.
- c) It shall be unlawful for any person to operate any motor vehicle in excess of 5 miles per hour in the cemetery.

Sec 26-26. Hours of Operation.

- a) The cemetery is open for visitors Sunday - Saturday, from 8:00 am – dark.
- b) Burials services, mausoleum services, and memorial services shall be scheduled in advance by contacting the Parks and Recreation Department and may occur Monday through Saturday between 8:00 am and 2:00 pm.
- c) Services requested on Saturdays or after operating hours shall incur additional charges in the amount established by Municipal Order.
- d) The City shall not provide services on recognized holidays as follows:
 - 1. New Year's Day
 - 2. Martin Luther King Day
 - 3. President's Day
 - 4. Good Friday
 - ~~5. Easter~~
 - ~~6. Mother's Day~~
 - 7. Memorial Day
 - ~~8. Father's Day~~
 - 9. Juneteenth
 - 10. Independence Day
 - 11. Labor Day
 - ~~12. Columbus Day~~
 - ~~13. Halloween~~
 - ~~14. Election Day~~
 - 15. Veterans Day
 - 16. Thanksgiving Day
 - 17. Day after Thanksgiving
 - 18. Christmas Eve

- 19. Christmas Day
- 20. New Year's Eve

- e) The City shall not provide services on the First Saturday in December due to the City's Annual Christmas Parade.

Sec 26-27. Funeral Burial Services.

- a) Funeral homes and services shall be responsible for following cemetery rules and guidelines and serving as the liaison between the next of kin or family and Parks and Recreation staff.
- b) Cremation services held at the crematorium shall be the responsibility of the Cremation Society of Paducah, under contract with the city.
- c) Burial preparation service charges are charged by the cemetery at the time of the grave lot purchase or by the funeral home at the time of service planning and are at the amount set by the contractor providing the services.
- d) Burial preparation and closing services are performed under a contract with the City and is updated by Municipal Order from time to time.
- e) Funeral homes shall provide next of kin information to the cemetery at the time of grave lot purchase for the purposes of keeping updated records of license to the lot.

Sec 26-28. Interference with a Funeral.

- a) A person who interferes with a funeral, at any point in time between one (1) hour prior to the commencement and one (1) hour following its conclusion has committed a Class B misdemeanor.
- b) Interference with a funeral includes but is not limited to blocking, impeding, inhibiting, or in any other manner obstructing or interfering with access into or from any burial plot or the parking lot of the cemetery in which a funeral, wake, memorial service, or burial is being conducted.

(KRS 525.155)

Sec 26-29. Inclement Weather.

- a) Funeral and burial services may not be conducted when local forecasters have issued a severe weather event notification for an area that includes the City of Paducah.
- b) When inclement weather impacts the grounds and areas surrounding the burial site, burial services may be postponed at the discretion of the Parks Maintenance staff.

- c) If during the course of a burial service in progress the weather conditions listed above become present, City staff present shall be authorized to halt proceedings and assist attendees in seeking shelter until the weather clears.
- d) In the case of severe inclement weather or unsafe conditions, the Parks and Recreation Director is hereby authorized to close the cemetery without notice or warning.

Sec 26-30, Monuments, Uprights, and Flat, Flush, or Lawn Level Markers.

- a) Monuments, uprights, and flat, flush, or lawn level markers shall be made of granite, marble, or bronze, with the exception of standard government markers. No substandard grade of material shall be permitted.
- b) Monument companies shall notify and get approval from the Parks and Recreation Department prior to installing any monument, upright, or marker on a lot or part of a lot in the cemetery.
- c) One monument, upright, or flat, flush, or lawn level marker may be put in place on each grave lot at the head of the grave, as determined by the city. The monument, upright, or flat, flush, or lawn level marker foundation should not exceed the width of the lot.
- d) On adjoining lots, licensed by the same owner, one companion monument, upright, or marker may be put in place for both grave lots, or each lot may have one monument, upright, or marker put in place. The foundation of the monument or marker shall not exceed the width of the lot(s).
- e) Each grave lot may have one (1) monument, upright, or flat, flush, or lawn level marker placed at the head of the grave lot. Each grave lot may also have one (1) lawn level footstone marker placed at the foot of the grave lot.
- f) Grave lots with multiple burials, up to one (1) remains and two (2) cremains, may have one (1) monument, upright, or flat, flush, or lawn level marker placed at the head of the grave lot, and may contain engravings for all burials.
- g) Monument companies shall put in place monuments, uprights, or flat, flush, or lawn level markers according to the rules and guidelines for the cemetery.
- h) Benches, of any kind, in the cemetery shall not be permitted. Benches presently located in the cemetery are exempt until such time it is determined replacement is desired or needed. ~~Replacement shall comply with existing guidelines for the cemetery.~~ Cemetery staff will remove benches that have become unsightly or broken at the time of discovery. Benches removed shall not be replaced.
- i) The Parks and Recreation Director is hereby authorized to adopt additional rules specific to the setting and placement of monuments, uprights, and flat, flush, or lawn level markers.

Sec 26-31. Grave Lot Decorations, Planting of Trees, and Other Living Flora.

- a) Decorations shall comply with rules and regulations as set by administrative policy.
- b) The city shall remove all decorations that do not comply with cemetery rules and regulations upon discovery.
- ~~c) The City shall perform cemetery clean up of all decorations that do not comply with cemetery rules and regulations, or have been determined by the City to be unsightly, two times per year.~~
- d) Plantings, of any kind, in the cemetery shall not be permitted, except in areas designated by the city to improve storm water management, memorial gardens, and tree canopy.
- e) Living memorials presently located in the cemetery are exempt until such time it is determined by the city to be unsightly or ~~dangerous~~ detrimental to burial grounds or cemetery operations, at which time those plantings will be removed without replacement.
- f) Privately contracted maintenance of lots shall be permitted but must be approved in advance by Parks and Recreation staff.
- g) The Parks and Recreation Director is hereby authorized to adopt additional rules specific to decorations for grave lots in the cemetery.

Sec 26-32. Improvement to Cemetery Lots.

- a) All improvement of cemetery lots shall be limited to the installation of monuments, uprights, flat, flush, or lawn level markers and shall require the approval of the Parks and Recreation Director or designees, prior to installation. Improvements shall be made of granite, marble, or bronze as provided herein below.
- b) Landscaping, plantings, and other permanent or temporary hardscape is not permitted on burial sites and will be removed by cemetery staff upon discovery.
- c) Landscape maintenance and improvements shall be regulated and determined by cemetery staff for the purpose of aesthetics to the cemetery grounds. This includes but is not limited to tree removal, tree plantings, shrub removal and maintenance, shrub plantings, annual and perineal plantings, landscaped beds, removal and replacement of planters, etc.
- d) Parks and Recreation staff shall have the authority to remove, without notice, any tree, shrub, or planting which has become unsightly or ~~dangerous~~ detrimental to burial grounds or cemetery operations, or is encroaching to adjacent grave lots, walkways, drives, or roadways.

Sec 26-33. Damage to Cemetery Lots.

The City of Paducah shall not be responsible for deterioration or damage to cemetery lots, monuments, uprights, flat, flush, or lawn level markers, or any other permitted decoration, with the exception of any damage caused by cemetery upkeep which shall be documented by cemetery staff and repaired by the City. Other repairs required due to damages to improvements shall be the responsibility of the person named on the licensed deed.

Sec 26-34. Refund of Purchase Price When Remains Are Removed.

When remains interred in the cemetery under the single-grave privilege are removed from such grave privilege, and the purchase thereof tenders the ground back to the City, the City shall refund the original purchase price thereof, to such purchaser, or the purchaser's lawful representative.

Sec 26-35. Purchase, Sale or Transfer of Cemetery Lots.

- a) Upon the purchase of a lot in the cemetery, a deed will be issued to the purchaser of the lot and filed with the City Clerk's office.
- b) The City Clerk shall be empowered to prepare and execute on behalf of the City all deeds conveying interest for sepulcher in cemetery lots in all cemeteries owned and operated by the City. Deeds prepared by the City Clerk shall be effective upon the City Clerk signing said deeds on behalf of the City and without review or approval by the Office of the City Manager and the City Commission. Such deeds shall convey license to use and access for sepulcher only and shall not be interpreted to convey a fee interest in the land.
- c) No person shall purchase, have, hold, or own any license for use or access to a lot or part of a lot in the cemetery for the purpose of resale, speculation, or sale of single grave places, or sell or transfer any lot or part of a lot in the cemetery to another person.
- d) No owner of a license for use or access to a lot in the cemetery or any part thereof shall sell or convey a grave space for any sum.
- e) No person shall bury or suffer or permit any person to be buried on any lot or part of a lot in the cemetery owned or held by such person, for a valuable consideration.
- f) Transfer of a license for use or access to any lot or part of a lot in the cemetery to an heir or other designee must be requested and approved by the Parks and Recreation Department prior to the transfer of lot or part of a lot. All transfers must be recorded with the Parks and Recreation Department. License for use or access to any lot or part of a lot in the cemetery that is not able to be transferred to an heir or other designee may be tendered back to the city for a refund of the original purchase price of the lot.
- g) In the instance where a previously sold grave lot in the cemetery is unused and no record of living heirs exists, Parks staff may file an action in the local Circuit Court requesting that the burial rights in the unused portion of the lot(s) in question be deemed abandoned and that the cemetery be authorized to sell the rights upon entry of the court's judgment.

The defendants in the action shall be the unknown heirs of the original owner of the burial rights in the lots in question.

- h) Judgment declaring burial rights be abandoned shall not occur if an owner or heir of the cemetery lot in question has filed a written statement with the cemetery directing that certain grave spaces not be used.
(KRS 381.715)

Sec. 26-36. Penalties.

Whoever violates any provision of this article for which another penalty is not already otherwise provided shall be guilty of a misdemeanor and shall, upon conviction, be subject to a fine of not more than \$55.00, or imprisonment for not more than thirty (30) days, or both, for each offense.

Sections 26-37 – 26-99 Reserved.

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

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

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

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

George Bray, Mayor

ATTEST:

Lindsay Parish, City Clerk

Introduced by the Board of Commissioners, _____

Adopted by the Board of Commissioners, _____

Recorded by the City Clerk, _____

Published by *The Paducah Sun*, _____

Ord/Cemeteries Update 2025

Ordinance Prepared by Amie Clark