



**CITY COMMISSION MEETING
AGENDA FOR APRIL 13, 2021
5:30 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 Commissioner Gault

PLEDGE OF ALLEGIANCE

ADDITIONS/DELETIONS

MAYOR'S REMARKS

PROCLAMATION Sexual Abuse Awareness and Prevention Month - Caroline Glynn Neal, Lotus

PRESENTATION WKCTC Community Scholarship Program - Lee Emmons and Dr. Anton Reece

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

	I.	<u>CONSENT AGENDA</u>
	A.	Approve Minutes for March 23 & 30, 2021
	B.	Receive & File Documents
	C.	Personnel Actions
	D.	Accept Donation of Property Located at 514 Marton Street - S KYLE
	E.	2021 Kentucky League of Cities (KLC) Insurance Services Workers' Safety Grant Application and Acceptance in an amount up to \$3,000 - S KYLE
	F.	KOHS 2021 Grant Application in the amount of \$93,975 for an X-Ray System for the Paducah Police Department Bomb Squad - B LAIRD
	II.	<u>MUNICIPAL ORDER(S)</u>

		A.	Authorization for Mayor to execute an Employment Agreement with Nicholas Hutchison for the Director of Planning position - J ARNDT
		B.	Application for a Utilities Assistance grant through the Community Development Block Grant Coronavirus Response Program in the amount of \$200,000 - T WILSON
	III.	<u>ORDINANCE(S) - EMERGENCY</u>	
		A.	Business License Deadline Extended to May 17, 2021 - J PERKINS
	IV.	<u>ORDINANCE(S) - ADOPTION</u>	
		A. Amendment to Professional Services Contract with Strand Associates in the amount of \$49,000.00 - R MURPHY	
		B. Zoning text amendment of Section 126-87 Mobile Food Vehicles - J SOMMER	
		C. Zoning text amendment of Section 126-115 Historical Zones, H-1 and H-2 - J SOMMER	
	V.	<u>ORDINANCE(S) - INTRODUCTION</u>	
		A.	Authorize the Application for an Entertainment Destination Center in Downtown Paducah - K BYERS
		B.	BUILD Grant Environmental Assessment – Change Order #1 to BFW Engineering & Testing, Inc contract for \$12,200.00 - R MURPHY
		C.	Approve Budget Amendment in an amount of \$154,000 for Industrial Development Authority RDAAP Matching Funds Payment - J ARNDT
		D.	Approve Amendment to Sec. 2-142 of the Code of Ordinances related to the time of Regular Commission Meetings - J ARNDT
	VI.	<u>COMMENTS</u>	
		A.	Comments from the City Manager
		B.	Comments from the Board of Commissioners

		C.	Comments from the Audience
	VII.	<u>EXECUTIVE SESSION</u>	

March 30, 2021

At a Called Meeting of the Paducah Board of Commissioners held on Tuesday, March 30, 2021, at 4:30 p.m., in the Commission Chambers of City Hall located at 300 South 5th Street, Mayor Bray presided. Upon call of the roll by the City Clerk, the following answered to their names: Commissioners Guess, Henderson, Wilson and Mayor Bray (4). Commissioner Gault arrived at 4:35 p.m.

EXECUTIVE SESSION

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

- Issues which might lead to the appointment, dismissal or disciplining of an employee, as permitted by KRS 61.810(1)(f)
- A specific proposal by a business entity where public discussion of the subject matter would jeopardize the location, retention, expansion or upgrading of a business entity, as permitted by KRS 61.810(1)(g)

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

RECONVENE IN OPEN SESSION

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

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

ADJOURN

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

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

Meeting ended at approximately 6:55 p.m.

ADOPTED: April 13, 2021

George Bray, Mayor

ATTEST:

Lindsay Parish, City Clerk

March 23, 2021

At a Regular Meeting of the Paducah Board of Commissioners held on Tuesday, March 23, 2021, at 5:30 p.m., in the Commission Chambers of City Hall located at 300 South 5th Street, Mayor Bray presided. Upon call of the roll by the City Clerk, the following answered to their names: Commissioners Gault, Guess, Henderson, Wilson and Mayor Bray (5).

INVOCATION:

Commissioner Henderson led the invocation

PLEDGE OF ALLEGIANCE

Mayor Bray led the pledge.

MAYOR'S REMARKS

- Paducah will receive funding under the American Rescue Plan. The amount is population based and a final figure has not yet been determined.
- Recently the Commission adopted their priorities. These priorities are being presented as part of our City Manager recruitment process.
- No final decisions have been made in determining what the \$20 million bond proceeds will be used for; however, he wanted everyone to be assured that the Commission will use the proceeds in the best way possible for the benefit of the City.

NEW EMPLOYEE INTRODUCTIONS

- Nathan Simmons, Deputy Fire Marshall
- Jeremi Bumpus and Julia Sutterfield – Police Recruit Officers

PRESENTATIONS

Communications Manager, Pam Spencer, offered the following summaries:

KCCMA Recognition

“City Manager Jim Arndt presented Assistant City Manager Michelle Smolen with a poster from the Kentucky City/County Management Association signed by the State’s city managers and assistant city managers. The poster shows Smolen’s cover on PM Magazine which featured her award as Assistant City Manager of the Year through her professional organization, ICMA.”

Public Relations Campaign - Paducah's Quality of Place

“Paducah Convention & Visitors Bureau Executive Director Mary Hammond updated the Board on the public relations services through the Lou Hammond Group. The City engaged the company through the CVB in December 2020 for a targeted campaign to highlight Paducah’s quality of place for tourism and relocation. Lou Hammond Group has had 312 targeted pitches about Paducah with 11 resulting articles in national publications that have had a total reach of 210 million people. Paducah Power System and the Paducah Area Chamber of Commerce are partners in this six-month campaign. Those interested in visiting or relocating to Paducah are encouraged to visit [Paducah CVB Relocation Information](#).”

CONSENT AGENDA

Mayor Bray asked if the Board wanted any items on the Consent Agenda removed for separate consideration. Mayor Bray requested that Item I(H) be removed for separate discussion. Mayor Bray asked the City Clerk to read the remaining items on the Consent Agenda.

I(A)	Approve Minutes for March 4, March 9 and March 11, 2021, Paducah Board of Commissioners Meetings
I(B)	Receive & File Documents <u>Minute File:</u> 1. Notice of Special Called Meeting of the Board of Commissioners – March 4, 2021 2. Notice of Special Called Meeting of the Board of Commissioners – March 11, 2021 <u>Contract File:</u> 1. Purchase of Rollout Containers, Lids and Additional Replacement Parts from Toter, Inc. MO #2424 2. MAP-GIS Esri License 3-year Renewal \$210,000 MO #2436 <u>Proposals:</u> 1. City Management Recruitment Proposals: a. GovHR USA (winning proposal) b. Strategic Government Resources c. Executive Search Services
I(C)	Personnel Actions
I(D)	A MUNICIPAL ORDER AUTHORIZING AN APPLICATION FOR AND ACCEPTANCE OF A 2021-2022 KENTUCKY HOUSEHOLD HAZARDOUS WASTE GRANT THROUGH THE KENTUCKY DIVISION OF WASTE MANAGEMENT IN AN AMOUNT OF \$25,545 TO ASSIST IN FUNDING THE CITY/COUNTY ANNUAL SPRING CLEAN-UP DAY AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATED TO SAME (MO #2441; BK 11)
I(E)	A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO APPLY FOR THE PARK STEWARD GRANT PROGRAM THROUGH THE NATIONAL PARK SERVICE IN THE AMOUNT OF \$3,000 (MO #2442; BK 11)
I(F)	A MUNICIPAL ORDER AUTHORIZING AN APPLICATION FOR AN AMERICAN ASSOCIATION OF RETIRED PERSONS (AARP) COMMUNITY CHALLENGE GRANT IN THE AMOUNT OF \$31,066 FOR BOTTLE FILLER STYLE FOUNTAINS FOR THE PADUCAH PARKS DEPARTMENT, AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATED TO SAME (MO #2443; BK 11)

March 23, 2021

I(G)	A MUNICIPAL ORDER ACCEPTING AN FY 2020 CERTIFIED LOCAL GOVERNMENT MATCHING GRANT PROGRAM THROUGH THE KENTUCKY HERITAGE COUNCIL THE AMOUNT OF \$22,500, AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATED TO SAME (MO #2444; BK 11)
I(H)	A MUNICIPAL ORDER ACCEPTING A 2020 KENTUCKY OFFICE OF HOMELAND SECURITY (KOHS) GRANT AWARD IN THE AMOUNT OF \$314,450, FOR RADIO EQUIPMENT UPGRADES FOR THE PADUCAH POLICE DEPARTMENT, AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATED TO SAME

Commissioner Wilson offered motion, seconded by Commissioner Gault, that the items on the consent agenda be adopted as presented.

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

MUNICIPAL ORDERS

KOHS GRANT AWARD \$314,450 FOR RADIO EQUIPMENT UPGRADES – PADUCAH POLICE DEPARTMENT

Commissioner Wilson offered motion, seconded by Commissioner Henderson, that the Board of Commissioners adopt a Municipal Order entitled, “A MUNICIPAL ORDER ACCEPTING A 2020 KENTUCKY OFFICE OF HOMELAND SECURITY (KOHS) GRANT AWARD IN THE AMOUNT OF \$314,450, FOR RADIO EQUIPMENT UPGRADES FOR THE PADUCAH POLICE DEPARTMENT, AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATED TO SAME”

Adopted on call of the roll yeas, Commissioners Gault, Guess, Henderson, Wilson and Mayor Bray (5). **(MO #2445; BK 11)**

PURCHASE OF ONE (1) ONE-TON TRANSIT VAN FOR USE BY THE POLICE DEPARTMENT

Commissioner Gault offered Motion, seconded by Commissioner Henderson, that the Board of Commissioners adopt a Municipal Order entitled, “A MUNICIPAL ORDER AUTHORIZING THE PURCHASE OF A ONE-TON TRANSIT VAN IN THE AMOUNT OF \$46,682.00 FOR USE BY THE PADUCAH POLICE DEPARTMENT, AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR SAME”

Adopted on call of the roll yeas, Commissioners Gault, Guess, Henderson, Wilson and Mayor Bray (5). **(MO #2446; BK 11)**

March 23, 2021

ORDINANCE ADOPTION

CLOSURE OF ALLEY – 2170 & 2190 IRVIN COBB DRIVE

Commissioner Wilson offered motion, seconded by Commissioner Guess, that the Board of Commissioners adopt an Ordinance entitled, “AN ORDINANCE PROVIDING FOR THE CLOSING OF AN ALLEY EXTENDING NORTHWEST OF IRVIN COBB DRIVE BETWEEN 2170 & 2190 IRVIN COBB DRIVE, 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 closing of an alley extending northwest of Irvin Cobb Drive between 2170 & 2190 Irvin Cobb Drive, and authorizes, empowers and directs the Mayor to execute a quitclaim deed from the City to the property owners in or abutting the public ways to be closed.

Adopted on call of the roll yeas, Commissioners Gault, Guess, Henderson, Wilson and Mayor Bray (5) **(ORD 2021-03-8677; BK 36)**

CLOSURE OF ALLEY – 1039 & 1041 KENTUCKY AVENUE AND BETWEEN 1034 BROADWAY AND 1039 KENTUCKY AVENUE

Commissioner Guess offered motion, seconded by Commissioner Gault, that the Board of Commissioners adopt an Ordinance entitled, “AN ORDINANCE PROVIDING FOR THE CLOSING OF TWO ALLEYS EXTENDING NORTH OF KENTUCKY AVENUE BETWEEN 1039 & 1041 KENTUCKY AVENUE AND BETWEEN 1034 BROADWAY & 1039 KENTUCKY AVENUE, 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 closing of two alleys extending North of Kentucky Avenue between 1039 & 1041 Kentucky Avenue and between 1034 Broadway & 1039 Kentucky Avenue, and authorizes, empowers and directs the Mayor to execute a quitclaim deed from the City to the property owners in or abutting the public ways to be closed.

Adopted on call of the roll yeas, Commissioners Gault, Guess, Henderson, Wilson and Mayor Bray (5) **(ORD 2021-03-8678; BK 36)**

BID AWARD FOR 2021-2022 STREET RESURFACING PROGRAM – JIM SMITH

Commissioner Henderson offered motion, seconded by Commissioner Wilson, that the Board of Commissioners adopt an Ordinance entitled, “AN ORDINANCE ACCEPTING THE BID OF JIM SMITH CONTRACTING COMPANY, LLC, FOR THE CITY OF PADUCAH’S CALENDAR YEARS 2021 AND 2022 STREET RESURFACING PROGRAM, AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR SAME.” This ordinance is summarized as follows: That the City of Paducah accepts the bid of Jim Smith Contracting Company, LLC, for the City of Paducah’s calendar years 2021 and 2022 street resurfacing program with the option of a one-year renewal agreement upon the mutual agreement of both parties, said bid being in substantial compliance with the bid specifications and advertisement for bids, and as contained in the bid of Jim Smith Contracting Company, LLC, of February 25, 2021, and authorizes the Mayor to execute a contract for the following prices:

March 23, 2021

RESURFACING

ITEM	DESCRIPTION	UNIT	UNIT PRICE
1.	Bituminous Surface/Base	Ton	\$78.00
2.	Milling Texture	Ton	\$50.00
3.	Shoulder Construction	Ton	\$40.00

PAVEMENT MARKINGS

ITEM			UNIT BID
<u>NO</u>	<u>DESCRIPTION</u>	<u>UNIT</u>	<u>PRICE</u>
1	Paint – 4” Line	L.F.	\$0.25
2	Paint – 12” Stop Lines	L.F.	\$2.50
3	Paint – 24” Stop Lines	L.F.	\$5.00
4	Paint – Straight Arrow	Each	\$50.00
5	Paint - Turn Arrow	Each	\$50.00
6	Paint - Combination Arrow	Each	\$100.00
7	Paint – 8” Crosswalks	L.F.	\$1.25
8	Paint - "School"	Each	\$125.00
9	Paint - RR Crossings	Each	\$500.00
10	Paint – “STOP”	Each	\$200.00
11	Paint – “ONLY”	Each	\$200.00
12	Paint – Handicap Symbol	Each	\$35.00
13	Paint – 4” Parking Lot Lines	L.F.	\$0.50
14	Thermo – 4” Line	L.F.	\$1.25
15	Thermo – 12” Stop Lines	L.F.	\$4.50
16	Thermo – 24” Stop Lines	L.F.	\$9.00
17	Thermo – Straight Arrow	Each	\$100.00
18	Thermo - Turn Arrow	Each	\$100.00

March 23, 2021

19	Thermo – Combination Arrow	Each	\$250.00
20	Thermo – 8” Crosswalks	L.F.	\$3.00
21	Thermo - "School"	Each	\$275.00
22	Thermo - RR Crossings	Each	\$500.00
23	Thermo – “STOP”	Each	\$250.00
24	Thermo – “ONLY”	Each	\$250.00

EQUIPMENT RENTAL

ITEM NO	DESCRIPTION	UNIT	HOURLY PRICE
1	Excavator – Small	HR	\$140.00
2	Excavator - Medium	HR	\$175.00
3	Excavator with Mulching Head	HR	\$175.00
4	Skid Steer Loader	HR	\$120.00
5	Dump Truck -Tandem	HR	\$85.00
6	Dump Truck – Tri-axle	HR	\$85.00
7	Motor Grader - Medium	HR	\$175.00
8	Dozer- Small	HR	\$155.00
9	Dozer- Medium	HR	\$175.00
10	Laborer	HR	\$70.00
11	Vibratory Roller – Small	HR	\$130.00
12	Vibratory Roller - Medium	HR	\$150.00

Adopted on call of the roll yeas, Commissioners Gault, Guess, Henderson, Wilson and Mayor Bray (5) (**ORD 2021-03-8679; BK 36**)

APPROVE AFSCME CONTRACT 2021-2024

Commissioner Wilson offered motion, seconded by Commissioner Henderson, that the Board of Commissioners adopt an Ordinance entitled, “AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF PADUCAH AND AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES, AFL-CIO, LOCAL 1586.” This Ordinance is summarized as follows: This ordinance authorizes the Mayor to execute a contract between the City of Paducah and American Federation of State, County, and Municipal Employees, AFL-CIO, Local 1586, which will expire June 30, 2024.

Adopted on call of the roll yeas, Commissioners Gault, Guess, Henderson, Wilson and Mayor Bray (5) (**ORD 2021-03-8680; BK 36**)

March 23, 2021

ORDINANCE INTRODUCTION

AMENDMENT TO PROFESSIONAL SERVICES CONTRACT WITH STRAND ASSOCIATES

Commissioner Gault offered motion, seconded by Commissioner Guess, that the Board of Commissioners introduce an Ordinance entitled, “AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NO. 1 TO THE AGREEMENT WITH STRAND ASSOCIATES, INC. FOR PROFESSIONAL SERVICES RELATED TO STORMWATER ASSISTANCE.” This Ordinance is summarized as follows: This Ordinance authorizes the Mayor to execute Amendment No. 1 to the Agreement with Strand Associates, Inc. for professional services related to Stormwater assistance. Said Amendment increases the agreement by \$49,000.00 for a total Agreement amount of \$74,000.00. This expenditure shall be charged to the MAP Fund- Construction Materials/Storm Sewer Account.

ZONING TEXT AMENDMENT OF SECTION 126-87 MOBILE FOOD VEHICLES

Commissioner Guess offered motion, seconded by Commissioner Gault, that the Board of Commissioners introduce an Ordinance entitled, “AN ORDINANCE AMENDING CHAPTER 126 OF THE CODE OF ORDINANCES OF THE CITY OF PADUCAH RELATED TO MOBILE FOOD VEHICLES.” This Ordinance is summarized as follows: This ordinance amends Section 126-87 *Mobile Food Vehicles* of the Paducah Code of Ordinances to clarify exemptions for mobile food vehicles under the zoning ordinance. Specifically, mobile food vehicles operating under a special event permit or permanent mobile food vehicles are exempted from this section of the zoning ordinance. Further, this ordinance adds coffee trucks that move from place-to-place and are stationary in the same location for no more than ten (10) minutes at a time to the exemptions.

ZONING TEXT AMENDMENT OF SECTION 126-115 HISTORICAL ZONES, H-1 AND H-2

Commissioner Henderson offered Motion, seconded by Commissioner Wilson, that the Board of Commissioners introduce an Ordinance entitled, “AN ORDINANCE AMENDING CHAPTER 126 OF THE CODE OF ORDINANCES OF THE CITY OF PADUCAH RELATED TO HISTORICAL ZONES.” This Ordinance is summarized as follows: This ordinance amends Section 126-115 *Historical Zones, H-1 & H-2* of the Paducah Code of Ordinances to standardize verbiage, remove screening requirements in the H-1 Zone, allow multi-family dwellings as conditional uses in the H-2 Zone, protect the existing historic housing stock by now allowing further subdivisions of single-family and two-family structures, remove redundant principal permitted uses, standardize and label dimensional requirements to reflect how they appear in other zones, enumerate standards for historical integrity that were intended to be stand-alone standards and remove the requirement for mandatory informal meetings with petitioners.

V. DISCUSSION

Communications Manager, Pam Spencer, offered the following discussion summaries:

March 23, 2021

Entertainment Destination Center

“Business Development Specialist Kathryn Byers provided an overview of the proposed Entertainment Destination Center (EDC) program. The goals of the EDC are to draw people to Paducah's downtown, strengthen existing local businesses, and attract new entrepreneurs. This license through the State would boost existing restaurant and hospitality industries by allowing customers to take to-go alcoholic drinks in designated cups from participating businesses and stroll our historic streets, browse the windows of our local boutiques, watch the towboats on the river, and partake in outdoor events. This could be in place by summer.

Visit [Entertainment Destination Center](#) for more information about the proposed EDC including a list of frequently asked questions and a map of the proposed area. To provide input, send an [email](#).”

City of Paducah General Fund Key Performance Indicators (KPI)

“Finance Director Jonathan Perkins provided an overview of the City’s main operating fund, the General Fund, and revenues and expenditures for the fiscal year through the end of January. At the end of January 2021, the General Fund had received nearly \$17.9 million in revenue from property tax, payroll tax, insurance premium tax, and business licenses. This amount is more than 9 percent ahead of the year-to-date expected budget.”

CITY MANAGER COMMENTS

- The three finalists for the Planning Director position will be at City Hall on Thursday for interviews. Expect to have a recommendation at the April 13 Commission meeting.

COMMISSION COMMENTS

- Commissioner Wilson continues to get requests for pickle ball courts. The Mayor added that he hopes that pickleball courts will be a part of the Outdoor Sports Park planning.

PUBLIC COMMENTS

- Todd Blume, owner of Paducah Beer Works – He appreciates being briefed on the Entertainment Destination Center. He supports this program, and thinks it will be good for all involved.

EXECUTIVE SESSION

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

- 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 Gault, Guess, Henderson, Wilson and Mayor Bray
(5)

March 23, 2021

RECONVENE IN OPEN SESSION

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

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

ADJOURN

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

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

ADOPTED: April 13, 2021

George Bray, Mayor

ATTEST:

Lindsay Parish, City Clerk

April 13, 2021

Minute File:

1. Notice of Special Called Meeting of the Board of Commissioners of the City of Paducah – March 30, 2021

Deed File:

1. Deed of Conveyance – Shaw to City of Paducah – 729 South 13th Street **MO #2404**
2. Deed of Conveyance – Darnell to City of Paducah – 540 Locust Drive **MO #2433**
3. Deed of Conveyance – Embry and Hayes to City of Paducah – 1256 South Sixth Street – **MO #2434**

Contract File:

1. Purchase of Solid Waste Dumpsters from Municipal Equipment, Inc. – State Contract – **MO #2381**
2. Commonwealth of Kentucky – Historic Preservation Grant \$22,500 – **MO #2441**
3. Purchase of 2021 Ford Transit Van for Paducah Police Department – State Contract - **MO #2446**
4. Interlocal Cooperation Agreement – City of Paducah, McCracken County, Paducah-McCracken County Industrial Development Authority and GPED – **ORD 2020-12-8664**
5. Agreement Between the City of Paducah and AFSCME Local 1586 – **ORD 2021-03-8680**
6. GovHR USA – Recruitment Proposal – City Manager Search – CM Signed
7. Moran Environmental Recovery (MER Commercial Diving Division) – Riverfront Soundings – 2021 – Signed by Rick Murphy

Financials File:

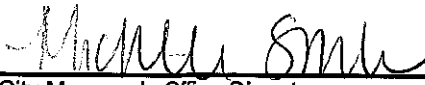
1. Paducah Water Works – February, 2021
2. GPEDC – Financial Statements – Years Ended June 30, 2020 and 2019

Bids File:

1. Street Resurfacing Program 2021-2022 – Jim Smith Contracting **ORD 2021-03-8679**

CITY OF PADUCAH
April 13, 2021

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

4/8/2021
Date

**CITY OF PADUCAH
PERSONNEL ACTIONS
April 13, 2021**

NEW HIRES - FULL-TIME (F/T)

E911	POSITION	RATE	NCS/CS	FLSA	EFFECTIVE DATE
Jones, Emilee A.	Telecommunicator	\$17.06/hr	NCS	Non-Ex	April 22, 2021

NEW HIRES - PART-TIME (P/T)

E911	POSITION	RATE	NCS/CS	FLSA	EFFECTIVE DATE
Genis, Kimberly	Telecommunicator	\$22.34/hr	NCS	Non-Ex	April 1, 2021

PARKS & RECREATION

Blakemore, Kaitlin A.	Coach	\$8.50/hr	NCS	Non-Ex	April 15, 2021
Conner, Davonte	Parks Maintenance - Laborer	\$11.00/hr	NCS	Non-Ex	April 19, 2021
Williams, Bernard	Parks Maintenance - Laborer	\$11.00/hr	NCS	Non-Ex	April 19, 2021
White, Tre Shaun M.	Parks Maintenance - Laborer	\$11.00/hr	NCS	Non-Ex	April 19, 2021

PAYROLL ADJUSTMENTS/TRANSFERS/PROMOTIONS/TEMPORARY ASSIGNMENTS

FIRE - SUPPRESSION	PREVIOUS POSITION AND BASE RATE OF PAY	CURRENT POSITION AND BASE RATE OF PAY	NCS/CS	FLSA	EFFECTIVE DATE
Burton, Jody	Assistant Chief \$27.87/hr	Assistant Chief \$28.71/hr	NCS	Non-Ex	April 8, 2021

PARKS & RECREATION

Wurth, Mary	Senior Administrative Assistant \$19.96/hr	Senior Administrative Assistant \$20.56/hr	NCS	Non-Ex	April 8, 2021
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PLANNING

Axt, Katie	Principal Planner \$34.40/hr	Principal Planner \$35.09/hr	NCS	Ex	April 8, 2021
Byers, Kathryn	Business Development Specialist \$25.26/hr	Business Development Specialist \$25.77/hr	NCS	Ex	April 8, 2021
Reason, Melanie	Planner \$21.32/hr	Planner \$21.75/hr	NCS	Ex	April 8, 2021
Sommer, Joshua	Senior Planner \$26.50/hr	Senior Planner \$27.03/hr	NCS	Ex	April 8, 2021

TERMINATIONS - FULL-TIME (F/T)

E911	POSITION	REASON	EFFECTIVE DATE
Genis, Kimberly	Telecommunicator	Resignation	March 31, 2021

PARKS & RECREATION

Boyarski, Zachary	Recreation Specialist	Resignation	April 14, 2021
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PUBLIC WORKS

Smith, James L.	Concrete Finisher	Resignation	March 26, 2021
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TERMINATIONS - PART-TIME (P/T)

PARKS & RECREATION	POSITION	REASON	EFFECTIVE DATE
Cates, Tristan	Recreation Leader	Resignation	March 26, 2021
Davenport, Sydney	Recreation Leader	Resignation	March 26, 2021
Hancock, Holly	Recreation Leader	Resignation	March 26, 2021
Sanderson, Gary	Park Ranger	Resignation	July 16, 2020
Terry, Kallie	Recreation Leader	Resignation	March 26, 2021
William, Sarah	Recreation Leader	Resignation	March 26, 2021

Agenda Action Form

Paducah City Commission

Meeting Date: April 13, 2021

Short Title: Accept Donation of Property Located at 514 Marton Street - **S KYLE**

Category: Municipal Order

Staff Work By: Greg Cherry

Presentation By: Greg Cherry

Background Information: Union Planters Bank, N.A., f/d/b/a Peoples First National Bank & Trust Company would like to donate this property - 514 Marton Street to the City of Paducah.

Union Planters Bank purchased this property at the Commissioner's Sale December 15, 2000. For some unknown reasons this property was never maintained by Union Planters Bank. The next door neighbors have been mowing this property and the City has been mowing the property since 2008. After making contact with Union Planters Bank they are wanting to donate this property to the City. Union Planters Bank has paid the County taxes. This will benefit the City to receive this property. 514 Marton Street will be turned over to Planning for future re-development.

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

If yes, please list the Commission Priority:

Communications Plan:

Funds Available: Account Name:
Account Number:

Staff Recommendation: Authorize Mayor Bray to sign the deed transferring 514 Marton Street to the City of Paducah.

Attachments:

1. MO 514 Marton Street

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER ACCEPTING THE DONATION OF REAL
PROPERTY LOCATED AT 514 MARTON STREET TO THE CITY OF PADUCAH,
AND AUTHORIZING THE MAYOR TO EXECUTE A CONSIDERATION
CERTIFICATE IN THE DEED OF CONVEYANCE FOR SAME

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. The City of Paducah hereby accepts the donation of real
property located at 514 Marton Street owned by Union Planters Bank, N.A., f/d/b/a
Peoples First National Bank & Trust Company.

SECTION 2. The Mayor is hereby authorized to execute a Consideration
Certificate in the Deed of Conveyance between Union Planters Bank, N.A., f/d/b/a
Peoples First National Bank & Trust Company and the City of Paducah to transfer the
real property to the City.

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

George Bray, Mayor

ATTEST:

Lindsay Parish, City Clerk

Adopted by the Board of Commissioners, April 13, 2021
Recorded by Lindsay Parish, City Clerk, April 13, 2021
\mo\prop donated – 514 Marton Street

Agenda Action Form

Paducah City Commission

Meeting Date: April 13, 2021

Short Title: 2021 Kentucky League of Cities (KLC) Insurance Services Workers' Safety Grant Application and Acceptance in an amount up to \$3,000 - **S KYLE**

Category: Municipal Order

Staff Work By: Ty Wilson, Stefanie Suazo, Ronald Rathman

Presentation By: Steve Kyle

Background Information: The KLCIS Safety Grant Program was developed in 1999 as a way for members to stretch their safety budgets. This grant has a 50/50 matching funds safety grant program that will reimburse a city up to \$3,000 for prior-approved items/equipment that will reduce Workers' Compensation exposures.

For this funding cycle, the Fire Department is applying for grant funding of \$3,000 to reimburse the cost of personal protective equipment. The 50/50 matching requirement will be fulfilled by prior purchases related to reducing worker's compensation exposures.

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

If yes, please list the Commission Priority:

Communications Plan: There is no communication plan in place at this time.

Funds Available: Account Name:
Account Number:

Staff Recommendation: Authorize and direct the Mayor to execute all required grant application and acceptance documents.

Attachments:

1. app & award - klc safety grant 2021

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE AN APPLICATION FOR A 2021 MATCHING INSURANCE SERVICES SAFETY GRANT IN THE AMOUNT OF \$3,000 THROUGH THE KENTUCKY LEAGUE OF CITIES FOR REIMBURSEMENT FOR PRIOR APPROVED ITEMS/EQUIPMENT THAT WILL REDUCE WORKERS' COMPENSATION EXPOSURES, ACCEPTING ANY GRANT FUNDS AWARDED BY KLCIS, AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATED TO SAME

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. The Mayor is hereby authorized to execute an application to obtain a 2021 Matching Insurance Services Safety Grant in the amount of \$3,000 from the Kentucky League of Cities. The grant will be used for reimbursement for prior-approved items/equipment that will reduce Workers' Compensation exposures.

SECTION 2. That the City of Paducah hereby authorizes the acceptance of any and all grant funds awarded by the Kentucky League of Cities Insurance Services Safety Grant and authorizes the Mayor to execute the Grant Agreement and all related documents.

SECTION 3. The 50/50 matching requirement will be fulfilled by prior purchases related to reducing worker's compensation exposures.

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

George Bray, Mayor

ATTEST:

Lindsay Parish, City Clerk

Adopted by the Board of Commissioners, April 13, 2021
Recorded by Lindsay Parish, City Clerk, April 13, 2021
\\mo\grants\app & award - klc safety grant 2021

Agenda Action Form

Paducah City Commission

Meeting Date: April 13, 2021

Short Title: KOHS 2021 Grant Application in the amount of \$93,975 for an X-Ray System for the Paducah Police Department Bomb Squad - **B LAIRD**

Category: Municipal Order

Staff Work By: Ty Wilson, Joseph Hayes

Presentation By: Brian Laird

Background Information: The Kentucky Office of Homeland Security (KOHS) grant program, funded by the U.S. Department of Homeland Security, can be used by city and county governments, area development districts and public universities to address high-priority preparedness gaps in order to prevent, protect against, mitigate, respond to, and recover from acts of terrorism. In 2018, the City of Paducah received \$117,582 for the purchase of four (4) bomb suits for the Police Department's FBI Certified Bomb Squad. In 2019, the City received \$442,181.76 for an EOD Robot. In 2020, the City received \$314,450 for Radio Upgrades.

For the 2021 KOHS funding cycle, the Paducah Police Department is seeking funding to purchase an X-Ray system that would allow bomb techs the ability to remotely view high-definition X-Ray images of suspected explosive devices from longer ranges and with greater detail. The system will reduce bomb tech exposure to hazardous devices by limiting the time spent near a device. This system will replace the current X-Ray that was purchased through a grant 12 years ago. The current system is no longer supported and has reached the end of its shelf-life. There is no match for this grant.

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

If yes, please list the Commission Priority:

Communications Plan: N/A

Funds Available: Account Name:
Account Number:

Staff Recommendation: Authorize and direct the Mayor to execute all required grant application documents including the Kentucky Procurement Policy.

Attachments:

1. app-KOHS Police x-ray system 2021

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE A GRANT APPLICATION THROUGH THE KENTUCKY OFFICE OF HOMELAND SECURITY (KOHS) FOR FUNDS IN THE AMOUNT OF \$93,975, FOR PURCHASE OF AN X-RAY SYSTEM FOR THE PADUCAH POLICE DEPARTMENT BOMB SQUAD, TO EXECUTE THE KENTUCKY PROCUREMENT POLICY AND ALL OTHER DOCUMENTS WHICH ARE DEEMED NECESSARY BY KOHS

WHEREAS, the City of Paducah, Kentucky desires to make an application for United States Department of Homeland Security funds to purchase an X-Ray system that would allow bomb techs the ability to remotely view high-definition X-Ray images of suspected explosive devices from longer ranges and with greater detail; and

WHEREAS, the system will reduce bomb tech exposure to hazardous devices by limiting the time spent near a device; and

WHEREAS, the current system is no longer supported and has reached the end of its shelf-life.

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

SECTION 1. The Mayor is hereby authorized to execute and furnish all required grant application documentation including the Kentucky Procurement Policy for a 2021 grant application through the Kentucky Office of Homeland Security in the amount of \$93,975, to be used for the purchase of an x-ray system for the Paducah Police Department Bomb Squad. No local cash or in-kind match is required.

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, April 13, 2021

Recorded by Lindsay Parish, City Clerk, April 13, 2021

\mo\grants\app-KOHS Police x-ray system 2021

Agenda Action Form

Paducah City Commission

Meeting Date: April 13, 2021

Short Title: Authorization for Mayor to execute an Employment Agreement with Nicholas Hutchison for the Director of Planning position - **J ARNDT**

Category: Municipal Order

Staff Work By: James Arndt, Michelle Smolen, Stefanie Suazo

Presentation By: James Arndt

Background Information: The Director of Planning position has been vacant since January 2021. After posting the position on various planning association websites as well as our internal system, we received a pool of well qualified applicants. After a rigorous recruitment process that consisted of virtual interviews, four panel interviews, included one with the Board of Commissioners the position has been offered to Nicholas Hutchison. Mr. Hutchison has two degrees in Planning and eight plus years of progressive work experience in the St. Joseph, MO area.

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 that the Board of Commissioners approve the municipal order for the Mayor to execute the employment contract with Nicholas Hutchison for the Director of Planning position.

Attachments:

1. Planning Director - Signed Contract

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER APPROVING AN EMPLOYMENT AGREEMENT
BETWEEN THE CITY OF PADUCAH AND NICHOLAS HUTCHISON FOR
EMPLOYMENT AS DIRECTOR OF PLANNING, 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 Nicholas Hutchison to be employed in the position of Director of Planning.

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, _____
Recorded by Lindsay Parish, City Clerk, _____
\\mo\agree-employment – Nicholas Hutchison– Director of Planning

**AGREEMENT TO EMPLOY NICHOLAS HUTCHISON
AS DIRECTOR OF PLANNING**

This Agreement made and entered into this 13th day of April 2021, by and between the **CITY OF PADUCAH, KENTUCKY**, a Municipal Corporation, hereinafter called "City", and Nicholas Hutchison, hereinafter called "Director of Planning", both of whom understand as follow:

WITNESSETH:

WHEREAS, the Board of Commissioners of the City of Paducah desires to employ Nicholas Hutchison as Director of Planning; and

WHEREAS, the Board of Commissioners desires to (1) secure and retain the services of Nicholas Hutchison as Director of Planning and to provide inducement for his to remain in such employment, (2) to make possible full work productivity and independence by assuring his morale and peace of mind with respect to future security, and (3) to provide a just means for terminating his service at such time that the Board of Commissioners may desire to no longer employ his as Director of Planning; and

WHEREAS, Nicholas Hutchison desires to accept employment as Director of Planning of the City of Paducah;

NOW THEREFORE, the parties agree as follows:

1. APPOINTMENT

The Board of Commissioners appointed Nicholas Hutchison as Director of Planning of the City of Paducah on April 13, 2021.

2. DUTIES

Director of Planning shall serve under the direction of the City Manager. He will perform the duties of Director of Planning as prescribed by the laws of the Commonwealth of Kentucky, the Charter and Ordinances of the City of Paducah, and will perform additional tasks and functions as directed by the City Manager.

3. TERM

Director of Planning serves at the pleasure of the Board of Commissioners. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the Board of Commissioners to terminate the services of the Director of Planning at any time, subject only to State Law and the "Termination of Appointment" section of this Agreement.

4. BEGINNING DATE

Director of Planning will begin his duties on May 20, 2021. The beginning date of the effect of this contract will be April 13, 2021.

5. PLANNING DIRECTOR COMMITMENTS

While serving as Director of Planning, Nicholas Hutchison agrees to remain in the exclusive employ of the City, except that he may engage in occasional teaching, writing or speaking on his own time.

Nicholas Hutchison recognizes that it is important for City Department Directors to be actively involved in the community and encourages residence in the City to help demonstrate a commitment to the community.

6. INDEMNIFICATION

Whenever the Director of Planning shall be sued for damages arising out of the performance of his duties, the City shall provide defense counsel for the Director of Planning in such suit and indemnify him from any judgment rendered against him, provided that such indemnity shall not extend to any judgment for damages arising out of any willful wrongdoing. Said indemnification shall extend beyond termination of employment and the otherwise expiration of this Agreement to provide protection for any such acts undertaken or committed in his capacity as Director of Planning, regardless of whether the notice of filing of a lawsuit occurs during or following employment with the City.

7. HOURS OF WORK

The minimum workweek for the Director of Planning shall be 40 hours plus any additional time reasonably required to discharge the responsibilities of the office. Since the Director of Planning must devote a great deal of time outside of normal office hours to City business, he is allowed to take compensatory time off during normal office hours.

8. SALARY

City agrees to pay Director of Planning an annual base salary of EIGHT-SEVEN THOUSAND AND FIVE HUNDRED DOLLARS (\$87,500).

9. COMPENSATION ADJUSTMENT

The Director of Planning will be eligible for any cost of living (COLA) increase on July 1st, 2021, as approved by Board of Commissioners. The City Manager will review the Director of Planning compensation beginning six-months from his date of hire, and then review annually thereafter. After successful completion of his first six-months, he is eligible for a two and one-half percent increase (2.5%) in salary. Thereafter, in considering compensation increases the City Manager will weigh the Director of Planning performance, the compensation

of Director of Planning serving comparable jurisdictions in Kentucky and neighboring states, increases granted to other employees, and the resources of the City according to the Compensation Policy.

10. RELOCATION EXPENSE

The City will reimburse the Planning Director in an amount up to THREE THOUSAND DOLLARS, (\$3,000) for expenses such as travel to and from, hotels, and other moving expenses associated with establishing a principal residence in the greater Paducah area. All such reimbursements are subject to the City's receipt of written supporting documentation of such expenses.

11. RETIREMENT

The Director of Planning will participate in Kentucky's defined benefit retirement program as provided by the City for the benefit of its employees.

12. LEAVE

The Director of Planning shall accrue sick leave and vacation leave at the same rate as other general employees with the same number of years of service as he has, with the exception that ten days paid vacation will be available immediately. Leave accrual limits that apply to other administrative employees will apply to the Director of Planning.

13. PROFESSIONAL DEVELOPMENT

The City will pay the Director of Planning professional association subscriptions; memberships and participation costs, including attendance at an annual professional association conference; and within budgetary limits will support his continued professional development.

14. INSURANCE AND OTHER BENEFITS

The Director of Planning will participate in the City's health insurance and other benefits on the same terms as provided for other administrative employees. The Director of Planning will receive a cell phone stipend in accordance with the General Administration Cell Phone Policy (GA-35 Rev 2.)

15. TERMINATION OF APPOINTMENT

Non-voluntary termination of the Director of Planning must be conducted in accord with KRS 95.450 or similar legislation in effect at the time of termination.

If the Board of Commissioners decides to terminate the Director of Planning or requests his resignation, the Board of Commissioners will either give the Director of Planning three months' notice before the termination takes effect, or will offer to pay a severance payment

to the Director of Planning. Such severance payment shall be a lump sum cash payment equal to three months of salary as defined in Paragraph 8 above.

If the Director of Planning elects to accept the aforesaid severance payment, he will sign a severance agreement, which generally releases the City of any and all claims that the Director of Planning may have as a result of his employment and/or termination.

If the Director of Planning is terminated by the Board of Commissioners, health insurance benefits shall continue in full force and coverage, at City expense, for a period of three months or until similar coverage is provided to the Director of Planning by a subsequent employer and is in full force and effect, whichever comes first. Such continuation of group health insurance coverage shall be in addition to any protection afforded the Director of Planning by the Consolidated Omnibus Budget Reconciliation Act of 1988 (COBRA). Coverage under COBRA shall begin on the date all coverage extended under these severance provisions expires.

In the event the Director of Planning is terminated for "just cause", then the City's only obligation to the Director of Planning is to pay all compensation and benefits accrued but unpaid at the date of termination. "Just cause" is defined as: (1) willful neglect of duty; (2) felony or misdemeanor conviction of any crime involving moral turpitude; (3) dishonesty; (4) recurrent insobriety; (5) violation of duties to the City by any other act(s) of a similar nature which bring discredit to the City.

Should the Director of Planning be permanently disabled or otherwise unable to perform his duties because of sickness, accident, injury, mental incapacity or health for a period of four successive weeks beyond any accrued leave, the Board of Commissioners shall have the right to terminate this Agreement subject to the severance provisions of this section.

16. GENERAL PROVISIONS

The text herein shall constitute the entire Agreement between the parties.

This Agreement shall be binding upon and inure to the benefit of the heirs at law and executors of the Director of Planning.

This Agreement shall become effective upon adoption and approval of the Board of Commissioners of the City of Paducah.

If any provision, or any portion thereof, contained in this Agreement is held unconstitutional, invalid or unenforceable, the remainder of this Agreement, or portion thereof, shall not be affected and shall remain in full force and effect.

IN WITNESS WHEREOF, the Board of Commissioners of the City of Paducah has caused this Agreement to be executed on its behalf by the City's Mayor, and Nicholas Hutchison executed this Agreement as Director of Planning this _____ day of April, 2021.

George Bray, Mayor
City of Paducah, Kentucky



Nicholas Hutchison

ATTEST:

Lindsay Parish, City Clerk

Agenda Action Form

Paducah City Commission

Meeting Date: April 13, 2021

Short Title: Application for a Utilities Assistance grant through the Community Development Block Grant Coronavirus Response Program in the amount of \$200,000 - **T WILSON**

Category: Municipal Order

Staff Work By: Ty Wilson

Presentation By: Ty Wilson

Background Information: Governor Andy Beshear announced up to \$38 million is available to local governments to help Kentuckians with overdue utility bills in their jurisdiction. Each unit of local government may request up to \$200,000 for assistance in their communities. The Department for Local Government (DLG) will administer the funding from the Community Development Block Grant Coronavirus Response (CDBG-CV) program established by the U.S. Department of Housing and Urban Development (HUD).

The City of Paducah wishes to submit an application to the DLG. The City will then partner with a community action agency to assist with funding administration. Households are eligible for up to \$250 per month for six consecutive months if:

- They live in a city or county approved of funding;
- Have been financially impacted by COVID-19;
- Are struggling to pay water, sewer, electric, gas or other heating and cooling bills; and
- Have received notice for disconnect between January 21, 2020 and present day and/or up to two months following.

Once the household's application is approved, the local nonprofit community service provider will transfer funds directly to a utility provider on their behalf. A meeting for public comments will be held for the application. The City will enter into a legally binding agreement with West Kentucky Allied Services to facilitate the grant. There is no match.

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

If yes, please list the Commission Priority:

Communications Plan: A public meeting is required as part of the application and closing process for this grant. The public hearing for the application will be held on Thursday, April 15th at 4:00p.m. The last public hearing will be held during the closeout process.

Funds Available: Account Name:
Account Number:

Staff Recommendation: Authorize and direct the Mayor to execute all required grant application documents.

Attachments:

1. app-cdbg- COVID-19 utility assistance 2021

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER AUTHORIZING AN APPLICATION FOR A 2021 CDBG CORONAVIRUS RECOVERY KENTUCKY GRANT IN AN AMOUNT UP TO \$200,000 THROUGH THE DEPARTMENT FOR LOCAL GOVERNMENT FOR OVERDUE UTILITY BILLS ASSISTANCE AND AUTHORIZING THE EXECUTION OF ALL DOCUMENTS RELATED TO SAME

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. The Mayor is hereby authorized to execute an application and all documents relating to same, requesting a CDBG Coronavirus Response (CDBG-CV) grant established by the U.S. Department of Housing and Urban Development (HUD) in the amount up to \$200,000 for overdue utility bills assistance. No local or in-kind match is required.

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 April 13, 2021
Recorded by Lindsay Parish, City Clerk, April 13, 2021
\\mo\grants\app-cdbg- COVID-19 utility assistance 2021

Agenda Action Form

Paducah City Commission

Meeting Date: April 13, 2021

Short Title: Business License Deadline Extended to May 17, 2021 - **J PERKINS**

Category: Emergency

Staff Work By: Jonathan Perkins, Stacey Young

Presentation By: Jonathan Perkins

Background Information: The City of Paducah, Kentucky intends to extend the business license filing due date for the 2021 license (based on 2020 gross receipts) from April 15, 2021 to May 17, 2021. This change is the same time established by the Internal Revenue Service and the State of Kentucky.

This continues to be a challenging time for many, and the City of Paducah wants to help businesses combat the financial impact of the novel coronavirus (COVID-19) where it can. Even with the new deadline, the City urges businesses to consider filing renewals as soon as possible.

All persons to which this change applies must file appropriate forms and pay their business license fee by May 17, 2021, to avoid penalties and interest. Penalties and interest will begin to accrue on any remaining unpaid balances as of May 18, 2021.

The business license filing due date change for 2021 only applies to calendar year filers.

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

If yes, please list the Commission Priority:

Communications Plan:

Funds Available: Account Name: Not applicable

Account Number:

Staff Recommendation: Staff recommends for passage.

Attachments:

1. Business License Deadline Extension - 2021

**AN ORDINANCE AUTHORIZING A GROSS RECEIPT TAX EXTENSION FOR
CALENDAR YEAR FILERS AND DECLARING AN EMERGENCY TO EXIST**

WHEREAS, both the Internal Revenue Service and the Commonwealth of Kentucky have extended the business license (based on calendar 2020 gross receipts) from April 15, 2021 to May 17, 2021; and

WHEREAS, the City of Paducah wants to help businesses combat the financial impact of the novel coronavirus (COVID-19) by authorizing a local extension of the gross receipt tax from April 15, 2021 to May 17, 2021 for calendar year filers.

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

SECTION 1. Authorizations. That in order to combat the financial impact of the novel coronavirus (COVID-19) in the City of Paducah, the filing deadline of the annual Gross Receipts License Tax (Business License Tax) as outlined in Section 106-61 through 106-160 of the Code of Ordinances of the City of Paducah, Kentucky, is hereby extended to May 17, 2021, for calendar year filers. The deadline of May 17, 2021, is the same time established by the Internal Revenue Service and the Commonwealth of Kentucky. The Finance Director shall ensure the tax relief provisions set forth in this Ordinance are effectuated. All persons to which said extension applies must file appropriate forms and pay their gross receipts license tax by May 17, 2021, to avoid penalties and interest. Penalties and interest will begin to accrue on any remaining unpaid balances as of May 18, 2021.

SECTION 2. Limited Applicability. That all other fees and taxes, except for those waived in Section 1 above, shall remain in full force and effect and be due and payable on or before the deadlines specified by the Code of Ordinance of the City of Paducah, Kentucky.

SECTION 3. Emergency Declared. Pursuant to KRS 83A.060, the City Commission suspends the requirement of a second reading of this ordinance. As grounds therefor, the City Commission does hereby declare an emergency to exist due to the need to mitigate the local economic effects of the COVID-19 pandemic by adopting an ordinance before the deadline of April 15, 2021.

SECTION 4. Severability. 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 5. Effective Date. This ordinance shall become effective immediately upon its adoption by affirmative vote of 2/3 or more of the legislative body.

George Bray, Mayor

ATTEST:

Lindsay Parish, City Clerk

Adopted by the Board of Commissioners, April 13, 2021

Recorded by Lindsay Parish, City Clerk, April 13, 2021

Published by the Paducah Sun, _____

ord\Business License Deadline extension - 2021

Agenda Action Form

Paducah City Commission

Meeting Date: April 13, 2021

Short Title: Amendment to Professional Services Contract with Strand Associates in the amount of \$49,000.00 - **R MURPHY**

Category: Ordinance

Staff Work By: Melanie Townsend

Presentation By: Rick Murphy

Background Information: Synopsis:

The City of Paducah has a stormwater permit that requires the City to comply with regulations from the Environmental Protection Agency (EPA) and the Kentucky Division of Water (KDOW). The City has a contract with Strand Associates to help fulfill the requirements of the permit, mainly the Stormwater Quality Management Plan. This ordinance will continue the contract, as well as expand the stormwater work Strand does for the City.

Background:

On March 18, 2020, the City entered into a contract for as-needed stormwater assistance with Strand Associates in the amount not-to-exceed \$25,000.00. The Scope of Services included the following:

1. Assist with annual reporting, stormwater quality management plan updates, and other permit compliance efforts.
2. Attend meetings.
3. Communicate with Kentucky Division of Water staff.

The city wishes to extend the contract to include the above referenced items for the upcoming report cycle ending in April 2022, as well as, incorporating modeling services to assist the City in prioritizing possible stormwater projects on the basis of impact and anticipated costs, preparation of an Operation and Maintenance Plan, and an updated drainage manual as well as training and outreach for local engineers and designers.

The City received Small Municipal Separate Storm Sewer Systems (MS4) permit no. KYG200000 on May 1, 2018. The permit places effluent limitations, monitoring requirements and other conditions upon the City in order to comply with the permit. The City is required to develop, implement, enforce and update as needed a Stormwater Quality Management Plan. The proposed contract amendment incorporates needed work scope in order for the City to meet its regulatory requirements.

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

If yes, please list the Commission Priority: Stormwater

Communications Plan: Presentation for the Board of Commissioners

Communication Manager involved in discussion of projects

Updates for the website, social media posts

Work with Communications Manager to prepare Government 11 project updates

Education for local engineers and designers

Funds Available: Account Name: MAP Fund- Construction Materials/Storm Sewer

Account Number: 23002217-53920

Staff Recommendation: Authorize and direct the Mayor to accept and execute Contract Amendment #1 and any associated documents. Authorization increases Strand's contract by \$49,000.00. The approval of the contract amendment will increase the total contract amount of \$25,000.00 to \$74,000.00.

Attachments:

1. ORD Strand Amendment (1)
2. Strand.Paducah Amendment.General Svcs Agreement (1)

ORDINANCE NO. 2021-____-_____

**AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE
AMENDMENT NO. 1 TO THE AGREEMENT WITH STRAND
ASSOCIATES, INC. FOR PROFESSIONAL SERVICES RELATED TO
STORMWATER ASSISTANCE**

WHEREAS, on March 18, 2020, the City entered into a contract for as-needed stormwater assistance with Strand Associates, Inc. in the amount not-to-exceed \$25,000.00; and

WHEREAS, the City received Small Municipal Separate Storm Sewer Systems (MS4) permit no. KYG200000 on May 1, 2018; and

WHEREAS, said permit places effluent limitations, monitoring requirements and other conditions upon the City in order to comply with the permit; and

WHEREAS, the City is required to develop, implement, enforce and update as needed a Stormwater Quality Management Plan; and

WHEREAS, the Board of Commissioners desires to enter into a contract amendment with Strand Associates, Inc. to incorporate needed work scope in order for the City to meet its regulatory requirements.

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

SECTION 1. The City Commission does hereby approve Amendment No. 1 to the Agreement with Strand Associates, Inc. for professional services related to Stormwater assistance. Said Amendment increases the agreement by \$49,000.00 for a total Agreement amount of \$74,000.00.

SECTION 2. The City Commission does hereby authorize and instruct the Mayor to execute Amendment No. 1 with Strand Associates, Inc. on behalf of the City of Paducah.

SECTION 3. This expenditure shall be charged to the MAP Fund- Construction Materials/Storm Sewer Account Number 23002217-53920.

SECTION 4. 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 Lindsay Parish, City Clerk, _____

Published by The Paducah Sun, _____

\\ord\eng\CO Strand Associates Stormwater Assistance 2021



March 17, 2021

City of Paducah
300 South 5th Street
P.O. Box 2267
Paducah, KY 42002-2267

Attention: Mr. Rick Murphy, P.E., City Engineer

Re: Amendment No. 1 to the March 11, 2020, Agreement for General Services
As-Needed Stormwater Assistance

This is Amendment No. 1 to the referenced Agreement.

Under **Scope of Services**, ADD the following:

- “5. Provide supplemental stormwater modeling to support the development of stormwater projects. Support will include review of existing ENGINEER-prepared models from the Comprehensive Stormwater Master Plan (CSMP) project, supplemental modeling efforts to enhance modeling in the areas, and targeted evaluation of potential alternatives. Provide a short narrative summarizing the modeling results, exhibits for the project areas, and a preliminary opinion of probable construction cost for the alternatives.
- 6. Develop an operation and maintenance plan in accordance with KDOW municipal separate storm sewer system permit requirements.
- 7. Provide training to local developers and engineers on changes to OWNER’s draft stormwater drainage manual prepared by ENGINEER as part of the CSMP project. Finalize the stormwater drainage manual following OWNER’s final review, incorporating OWNER’s comments and local community input, as appropriate.”

Under **Compensation**, CHANGE \$25,000 to “\$74,000.”

IN WITNESS WHEREOF the parties hereto have made and executed this Amendment.

ENGINEER:

OWNER:

STRAND ASSOCIATES, INC.®

CITY OF PADUCAH

DocuSigned by:

Joseph M. Bunker

3/18/2021

Joseph M. Bunker
Corporate Secretary

Date

George Bray
Mayor

Date

Agenda Action Form

Paducah City Commission

Meeting Date: April 13, 2021

Short Title: Zoning text amendment of Section 126-87 Mobile Food Vehicles - **J SOMMER**

Category: Ordinance

Staff Work By: Josh Sommer

Presentation By: Josh Sommer

Background Information: On March 15, 2021; the Paducah Planning Commission forwarded a positive recommendation to the Board of Commissioners to revise Section 126-87 (c) of the Paducah Zoning Ordinance. This change is to clarify exemptions for mobile food vehicles under the zoning ordinance. Specifically, mobile food vehicles operating under a special event permit or permanent mobile food vehicles (as in a mobile food court) are exempted from this section of the zoning ordinance.

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

If yes, please list the Commission Priority:

Communications Plan:

Funds Available: Account Name:
Account Number:

Staff Recommendation: Approval

Attachments:

1. ORD Mobile Food Vehicles Text Amendment (1)
2. Staff Report (1)
3. Signed Resolution (MFV) (3)

ORDINANCE NO. 2021-____-_____

**AN ORDINANCE AMENDING CHAPTER 126
OF THE CODE OF ORDINANCES OF THE CITY OF PADUCAH RELATED TO
MOBILE FOOD VEHICLES**

WHEREAS, any proposed change to the text of the zoning code must be referred to the Paducah Planning Commission and recommendation made to the Paducah Board of Commissioners before enactment; and

WHEREAS, a public hearing was held by the Paducah Planning Commission on March 15, 2021, after advertisement pursuant to law; and

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

WHEREAS, the Planning Commission adopted a proposal to change the text of Section 126-87 *Mobile Food Vehicles* of the City of Paducah zoning ordinance; and

WHEREAS, the City desires to amend certain sections of the Paducah Code of Ordinances to reflect the changes.

BE IT ORDAINED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. That the City of Paducah, Kentucky hereby amends Section 126-87 *Mobile Food Vehicles* of the Paducah Code of Ordinances as follows:

Sec 126-87. Mobile Food Vehicles

(a) *Purpose and intent*

(b) *Definitions.*

(c) *Exemptions.* This section shall not apply to ice-cream or coffee trucks that move from place-to-place and are stationary in the same location for no more than ten (10) minutes at a time. This section also does not apply to food vending push carts, ~~or food~~ stands, Mobile Food Vehicles in operation under a special event permit and Mobile Food Vehicles intended to be stationary, such as; but not limited to, in a mobile food vehicle court.

(d) *Zoning locations*

(e) *Location and hours.*

- (f) *Self-contained units and appurtenances.*
- (g) *Garbage disposal.*
- (h) *Serving articles and alcoholic beverages.*
- (i) *Special Events.*
- (j) *Noise.*
- (k) *Application and permitting.*

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

SECTION 3. Compliance With Open Meetings Laws. The City Commission hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of this City Commission, and that all deliberations of this City Commission and of its committees, if any, which resulted in formal action, were in meetings open to the public, in full compliance with applicable legal requirements.

SECTION 4. Conflicts. All ordinances, resolutions, orders or parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed and the provisions of this Ordinance shall prevail and be given effect.

SECTION 5. Effective Date. This Ordinance shall be read on two separate days and will become effective upon summary publication pursuant to KRS Chapter 424.

George Bray, Mayor

ATTEST:

Lindsay Parish, City Clerk

Introduced by the Board of Commissioners, _____
 Adopted by the Board of Commissioners, _____
 Recorded by the City Clerk, _____
 Published by *The Paducah Sun*, _____
 ord\126-87 Mobile Food Vehicles



TEXT AMENDMENT PADUCAH BOARD OF COMMISSIONERS

CASE NO.	TXT2021-029
TITLE	Mobile Food Vehicles
SECTIONS	Section 126-87. Mobile Food Vehicles (c) Exemptions
DESCRIPTION	Text change to provide for: Exemptions for Mobile Food Vehicles operating under a special event permit or in a mobile food vehicle court

PROCEDURAL NOTE

Zoning text amendments are first heard before the Paducah Planning Commission at a public hearing, pursuant to KRS 100.211 (2). The Planning Commission made a positive recommendation to the Board of Commissioners at the March 15, 2021 meeting.

CONSIDERATIONS

Section 126-87 pertains to how Mobile Food Vehicles are operated. Since it's inception in May of 2017, changes to this section of the zoning ordinance have become necessary and desirable as related to the operation of Mobile Food Vehicles.

This text amendment is intended to clarify that Mobile Food Vehicles operating under a special event permit, such as Quilt Week or BBQ on the River, are exempt from this section of the Zoning Ordinance. Further, Mobile Food Vehicle developments that are intended to be permanent and stationary are also exempted, as in a mobile food vehicle court.

TEXT AMENDMENT

The proposed amendment is as follows:

Sec 126-87. Mobile Food Vehicles

(a) *Purpose and intent*

(b) *Definitions.*

(c) *Exemptions.* This section shall not apply to ice-cream ~~or coffee~~ trucks that move from place-to-place and are stationary in the same location for no more than ten (10) minutes at a time. This section also does not apply to food vending push carts, ~~or food~~ stands, Mobile Food Vehicles in operation under a special event permit and Mobile Food Vehicles intended to be stationary, such as; but not limited to, in a mobile food vehicle court.

(d) *Zoning locations*

- (e) *Location and hours.*
- (f) *Self-contained units and appurtenances.*
- (g) *Garbage disposal.*
- (h) *Serving articles and alcoholic beverages.*
- (i) *Special Events.*
- (j) *Noise.*
- (k) *Application and permitting.*

STAFF RECOMMENDATION

Based upon the above, staff recommends the Board of Commissioners accept the Paducah Planning Commission's positive recommendation and approve the text amendment of Section 126-87 *Mobile Food Vehicles*.

A RESOLUTION CONSTITUTING THE FINAL REPORT OF THE PADUCAH PLANNING COMMISSION ON THE PROPOSED ZONING TEXT AMENDMENT OF SECTION 126-87 *MOBILE FOOD VEHICLES* 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 KRS 100.211, and

WHEREAS, a public hearing was held on March 15, 2021 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 change the text of Section 126-87 *Mobile Food Vehicles* of the City of Paducah zoning ordinance.

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

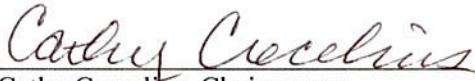
SECTION 1. That this Commission recommend to the Mayor and the Board of Commissioners of the City of Paducah to revise the Paducah zoning ordinance as follows:

Sec 126-87. Mobile Food Vehicles

- (a) *Purpose and intent*
- (b) *Definitions.*
- (c) *Exemptions.* This section shall not apply to ice-cream or coffee trucks that move from place-to-place and are stationary in the same location for no more than ten (10) minutes at a time. This section also does not apply to food vending push carts, ~~or~~ food stands, Mobile Food Vehicles in operation under a special event permit and Mobile Food Vehicles intended to be stationary, such as; but not limited to, in a mobile food vehicle court.
- (d) *Zoning locations*
- (e) *Location and hours.*
- (f) *Self-contained units and appurtenances.*
- (g) *Garbage disposal.*
- (h) *Serving articles and alcoholic beverages.*
- (i) *Special Events.*
- (j) *Noise.*
- (k) *Application and permitting.*

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.


Cathy Crecelius, Chairwoman

Adopted by the Paducah Planning Commission on March 15, 2021

Agenda Action Form

Paducah City Commission

Meeting Date: April 13, 2021

Short Title: Zoning text amendment of Section 126-115 Historical Zones, H-1 and H-2 - **J SOMMER**

Category: Ordinance

Staff Work By: Josh Sommer

Presentation By: Josh Sommer

Background Information: On March 15, 2021; the Paducah Planning Commission forwarded a positive recommendation to the Board of Commissioners to revise Section 126-115 Historical Zones of the Paducah Zoning Ordinance. Specifically, the proposed changes are to standardize verbiage, remove screening requirements in the H-1 Zone as screening does not apply, allow multi-family dwellings as conditional uses in the H-2 Zone, protect the existing historic housing stock by now allowing further subdivisions of single-family and two-family structures, removal of redundant principal permitted uses, standardize and label dimensional requirements to reflect how they appear in other zones, enumerate standards for historical integrity that were intended to be stand-alone standards and remove the requirement for mandatory informal meetings with petitioners, thereby saving them up to a month's time on their projects.

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

If yes, please list the Commission Priority:

Communications Plan:

Funds Available: Account Name:
Account Number:

Staff Recommendation: Approval

Attachments:

1. ORD Historical Zones Text Amendment (1)
2. Staff Report - Historical Zones (1)
3. Signed Resolution (H-1 & H-2) (3)

ORDINANCE NO. 2021-____-_____

**AN ORDINANCE AMENDING CHAPTER 126
OF THE CODE OF ORDINANCES OF THE CITY OF PADUCAH RELATED TO
HISTORICAL ZONES**

WHEREAS, any proposed change to the text of the zoning code must be referred to the Paducah Planning Commission and recommendation made to the Paducah Board of Commissioners before enactment; and

WHEREAS, a public hearing was held by the Paducah Planning Commission on March 15, 2021, after advertisement pursuant to law; and

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

WHEREAS, the Planning Commission adopted a proposal to change the text of Section 126-115 *Historical Zones, H-1 and H-2* of the City of Paducah zoning ordinance; and

WHEREAS, the City desires to amend certain sections of the Paducah Code of Ordinances to reflect the changes.

BE IT ORDAINED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. That the City of Paducah, Kentucky hereby amends Section 126-115 *Historical zones, H-1 and H-2* of the Paducah Code of Ordinances as follows:

Sec. 126-115. Historical zones, H-1 and H-2.

(a) *Use provisions for Historical-Commercial Zone, H-1.* The purpose of the H-1 ~~Historical-Commercial Zone zone~~ is to encourage the development, redevelopment and the preservation of the City's historical-commercial area.

(1) *Principal permitted uses.*

(2) *Minimum yard requirements.* None.

(3) *Minimum area requirements.* None.

(4) *Minimum building height.* None.

(5) ~~*Screening requirements.* Same as section 62-62.~~

~~(6)~~ (5) *Parking requirements.* None.

- (b) *Use provisions for Historical Neighborhood Zone, H-2.* The purpose of the H-2 zone is to encourage the development, redevelopment and preservation of the City's historic neighborhood areas.

(1) Principal permitted uses.

- a. Any principal use permitted in an R-4 zone; except multi-family dwellings shall be conditional uses;
- b. Funeral homes;
- c. Beauty shops and barbershops;
- d. ~~Florist shops~~;
- e. d. Assembly building of cultural, fraternal, professional and labor organizations;
- f. ~~Antique shops~~;
- g. e. Restaurants;
- h. f. Retail establishments, provided they are conducted wholly within a building except for off-street loading and unloading, and provided further that product processing is not allowed on the premises;
- i. ~~Real estate agencies~~;
- j. ~~Insurance agencies~~;
- k. ~~Dressmaker's establishment~~ Tailor shop; and
- l. g. Any similar use which the HARC finds, based upon evidence at a public hearing, that would not impair the historical integrity of the ~~historical neighborhood~~ Historical Neighborhood zone.

2. *Conditionally Permitted Uses*

- a. Lodging Houses
- b. Multi-family dwellings. Existing single-family or two-family dwellings more than fifty (50) years old shall not be subdivided into smaller dwelling units regardless of lot size.

3. *Dimensional requirements.*

- a. Minimum lot area:
 1. Single-family dwelling: Four thousand (4,000) square feet.
 2. ~~Two (2) Family~~ Two-family dwellings: Four thousand (4,000) square feet per unit.
 3. Multi-family dwellings: Three thousand (3,000) square feet per unit.
- b. ~~Minimum side yard: Six (6) feet.~~ Front yard: Twenty-five (25) feet.
- c. ~~Minimum front yard: Twenty-five (25) feet.~~ Side yard: Six (6) feet.
- d. ~~Minimum rear~~ Rear yard: Twenty-five (25) feet.

- e. Maximum building height is thirty-five (35) feet or no higher than two (2) feet taller than the tallest principal building on either side of the proposed new construction.
- (4) *Screening requirements.* Same as provided in section ~~126-72~~ 126-83. For the purposes of screening between the H-2 zone and all adjoining zones, the H-2 zone shall be treated as residential property ~~under section 126-72.~~
- (5) *Parking requirements.* Same as provided in section 126-71, provided that parking areas will be placed ~~to the rear of~~ behind the rear line of the principal structure upon any lot unless the HARC shall find, upon evidence at a public hearing, that the waiver of this provision shall only minimally affect the historical integrity of ~~the neighborhood~~ this zone.
- (6) *Waiver of lot requirements.* The requirements section 126-64 (b) and (c) may be waived by the HARC, upon a finding based on evidence at a public hearing that such waiver will not impair the historical integrity of ~~the neighborhood~~ this zone.
- ~~(7) Reserved.~~
- (c) *Standards for determining historical integrity.* The criteria to be applied in determining the existence of historical integrity as ~~that phrase is~~ used in this section shall be:
 - (1)
 - (2)
 - (3) That the proposed action is in conformity with at least a majority of the applicable guidelines for exterior features promulgated by the Secretary of the Interior of the United States in the publication "Standards of Rehabilitation" (January 1990 Revision: GPO 230 394), as amended from time to time, and as set forth in any subsequent edition of this publication. ~~The proposed action is not addressed in the Standards of Rehabilitation.~~
 - (4) The proposed action is not addressed in the Standards of Rehabilitation.
 - ~~(4) (5) That those portions of the affected real estate which are ordinarily visible from any public roadway within the zone are characteristic in appearance to architectural styles, materials and color shown by the evidence to have been prevalent in Paducah prior to 1940 or at the date of original construction of the structure, whichever date is earlier. The proposed new construction complies with the HARC Advisory Design Guidelines and a majority of the Secretary Standards of Rehabilitation.~~
 - (6) The proposed new construction complies with the HARC Advisory Design Guidelines and a majority of the Secretary Standards of Rehabilitation.
- (d) *Historical and Architectural Review Commission (HARC) established.*
- (e) *Membership of HARC.*
- (f) *Powers and duties of HARC.*
 - (1) *General powers and duties.* ~~The HARC is invested with the following powers and duties:~~
a-c

- d. The HARC is authorized and empowered to grant ~~certificates of appropriateness~~ Certificates of Appropriateness.

e-i

- j. The HARC shall make recommendations for the designation of local historic districts, landmarks and landmark sites.
- k. The HARC may adopt additional guidelines for the protection of historic ~~district~~ districts, landmarks and landmark sites.

l-n

(2) *Designation of historic districts, landmarks and landmark sites.*

- a. Consideration of the designation of a historic district or a landmark and landmark site may be originated by the HARC, or by the filing of an application for designation by a property owner, any resident of the City or any organization in the City. An application shall be filed with the HARC in such form and accompanied by such information as required by this section and the rules of the HARC. A person or organization proposing a designation shall give the HARC the names and addresses of the owners of the affected property and the owners of all adjoining property and property across the street as listed on the tax rolls of the City. The HARC shall promptly notify these owners by certified mail that the property is under consideration for designation and that a public hearing is being held on the proposed designation by the HARC. Written notice shall be considered sufficient when it is mailed to the person at the address listed on the tax rolls of the City ~~or when it is mailed to the last known address of that person.~~

b.

- c. A historic district or landmark shall qualify for designation when it meets one (1) or more of the following criteria, which shall be discussed in a report by the HARC to the Planning Commission. The purpose of the designation of a landmark is to encourage the preservation, rehabilitation and use of these buildings. Each designation of a landmark shall include the designation of a landmark site, which shall consist of the land on which the landmark and related buildings and structures are located and the land that provides the grounds or the setting for the landmark. A historic district or landmark shall be designated because of:

1. Its value as a reminder of the cultural or archeological heritage of the City, State or ~~nation~~ Nation;
2. Its location as a site of a significant local, State or national event;
3. Its identification with a person or persons who significantly contributed to the development of the City, State or ~~nation~~ Nation;

4-7

d-g

(3) *Nominations to the National Register of Historic Places.*

a.

- b. If either or both the Mayor and the HARC recommend that a property should be nominated, the nomination will receive a preliminary review by the Kentucky Historic Preservation Review Board. The Review Board shall make a recommendation to the State Historic Preservation Officer, who decides whether to forward the nomination to the U.S. Secretary of the Interior, who shall make the decision on listing the property on the National Register. The Mayor, the HARC or the property owner may appeal the final decision by the State ~~historic preservation officer~~ Historic Preservation Officer.

(g) *Certificate of Appropriateness required for changes in exterior appearance.*

~~(4)~~ *Generally.*

(h) *Application for Certificate of Appropriateness.*

- (1) Before the commencement of any work for which a Certificate of Appropriateness is required ~~as hereinbefore provided~~, an application to the HARC ~~therefor~~ shall be made by the owner and filed in the ~~office of Planning and Zoning~~ the Department of Planning office.

(2)

~~(i) Informal discussion regarding Certificate of Appropriateness.~~

- ~~(1) Upon the submission of an application for a Certificate of Appropriateness, the same shall be placed upon the agenda for the next meeting of the HARC for which the agenda has not, under the rules of the HARC, been completed, and the applicant shall be advised by the office of Planning and Zoning of the date, time and place of that meeting.~~
- ~~(2) At that meeting an informal discussion of the application will be held and the members of the HARC may make suggestions for alterations of the proposal to more nearly comply with the terms of this section. Also, at the initial meeting, the HARC shall set a date, time and place in the reasonably near future for a public meeting.~~

~~(j)~~ (i) *Public hearing on Certificate of Appropriateness.*

- (1) *Action by HARC.* The HARC shall hold a public hearing on each application for a Certificate of Appropriateness submitted to it, after notice is given in the same manner as for ~~hearing before the City Planning Commission~~ a hearing before the Board of Adjustment. The HARC may:

a-d

- (2) *Time limit; findings of fact.*

~~(k)~~ (j) *Grounds for granting certificates of appropriateness a Certificate of Appropriateness.*

- (1) *Additive changes.*

- (2) *Changes by removal.*

- (3) *Routine alterations.* The following list of routine alterations can be issued a Certificate of Appropriateness by the Chairman of HARC without the necessity of a public hearing. The Zoning Administrator will make the determination if the alteration is routine and requires a public hearing. If the proposed change is not listed in this subsection, then the formal application process with a public hearing is required. If the Chairman of HARC elects not to sign the Certificate of Appropriateness for the routine alteration, then the application

shall be forwarded to the ~~Board~~ Commission and go through the formal application process with a public hearing.

a-c

~~(j)~~ (k) *Maintenance and safety standards.*

(1) *Ordinary maintenance and repair permitted.*

(2) *Maintenance required; correction of defects.*

a.

b. The HARC shall request a meeting with a property owner when the owner's building in ~~an~~ a historic district or the owner's landmark is in poor repair, and the HARC shall discuss with the owner ways to improve the condition ~~or~~ of the property. After this step, the HARC may request the ~~City Building Inspector~~ Chief Building Official to take action to require correction of defects in any building designated under this section so that the building shall be preserved in accordance with the purposes of this section.

(3) *Enforcement of safety standards.* Nothing in this section shall be construed to prevent the ~~City Building Inspector~~ Chief Building Official from enforcing all State statutes and provisions of this Code and any other ordinances of the City pertaining to the public safety.

~~(m)~~ — (l) *Appeals.* Any person aggrieved by any action of the HARC may appeal the decision thereof to the Circuit Court in the manner prescribed for appeals from actions of Boards of Adjustment.

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

SECTION 3. Compliance With Open Meetings Laws. The City Commission hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of this City Commission, and that all deliberations of this City Commission and of its committees, if any, which resulted in formal action, were in meetings open to the public, in full compliance with applicable legal requirements.

SECTION 4. Conflicts. All ordinances, resolutions, orders or parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed and the provisions of this Ordinance shall prevail and be given effect.

SECTION 5. Effective Date. This Ordinance shall be read on two separate days and will become effective upon summary publication pursuant to KRS Chapter 424.

George Bray, Mayor

ATTEST:

Lindsay Parish, City Clerk

Introduced by the Board of Commissioners, _____

Adopted by the Board of Commissioners, _____

Recorded by the City Clerk, _____

Published by *The Paducah Sun*, _____

ord\126-115 Historical Zones, H-1 and H-2

A RESOLUTION CONSTITUTING THE FINAL REPORT OF THE PADUCAH PLANNING COMMISSION ON THE PROPOSED ZONING TEXT AMENDMENT OF SECTION 126-115 *Historical Zones, H-1 and H-2* 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 KRS 100.211, and

WHEREAS, a public hearing was held on March 15, 2021 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 change the text of Section 126-115 *Historical Zones, H-1 and H-2* 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. 126-115. Historical zones, H-1 and H-2.

- (a) *Use provisions for Historical-Commercial Zone, H-1.* The purpose of the H-1 ~~Historical-Commercial-Zone~~ zone is to encourage the development, redevelopment and the preservation of the City's historical-commercial area.
 - (1) *Principal permitted uses.*
 - (2) *Minimum yard requirements.* None.
 - (3) *Minimum area requirements.* None.
 - (4) *Minimum building height.* None.
 - ~~(5) *Screening requirements.* Same as section 62-62.~~
 - ~~(6) (5) *Parking requirements.* None.~~
 - (b) *Use provisions for Historical Neighborhood Zone, H-2.* The purpose of the H-2 zone is to encourage the development, redevelopment and preservation of the City's historic neighborhood areas.
 - (1) *Principal permitted uses.*
 - a. Any principal use permitted in an R-4 zone; except multi-family dwellings shall be conditional uses;
 - b. Funeral homes;
 - c. Beauty shops and barbershops;
 - ~~d. Florist shops;~~
 - e. d. Assembly building of cultural, fraternal, professional and labor organizations;
 - ~~f. Antique shops;~~
 - g. e. Restaurants;
 - h. f. Retail establishments, provided they are conducted wholly within a building except for off-street loading and unloading, and provided further that product processing is not allowed on the premises;
 - ~~i. Real estate agencies;~~
 - ~~j. Insurance agencies;~~
 - k. ~~Dressmaker's establishment~~ Tailor shop; and
 - l. g. Any similar use which the HARC finds, based upon evidence at a public hearing, that would not impair the historical integrity of the ~~historical-neighborhood~~ Historical Neighborhood zone.
2. *Conditionally Permitted Uses*
- a. Lodging Houses

- b. Multi-family dwellings. Existing single-family or two-family dwellings more than fifty (50) years old shall not be subdivided into smaller dwelling units regardless of lot size.

3. *Dimensional requirements.*

a. Minimum lot area:

- 1. Single-family dwelling: Four thousand (4,000) square feet.
- 2. ~~Two (2)-Family~~ Two-family dwellings: Four thousand (4,000) square feet per unit.
- 3. Multi-family dwellings: Three thousand (3,000) square feet per unit.

b. Minimum side yard: Six (6) feet. Front yard: Twenty-five (25) feet.

c. Minimum front yard: Twenty-five (25) feet. Side yard: Six (6) feet.

d. ~~Minimum rear~~ Rear yard: Twenty-five (25) feet.

e. Maximum building height is thirty-five (35) feet or no higher than two (2) feet taller than the tallest principal building on either side of the proposed new construction.

- (4) *Screening requirements.* Same as provided in section ~~126-72~~ 126-83. For the purposes of screening between the H-2 zone and all adjoining zones, the H-2 zone shall be treated as residential property ~~under section 126-72.~~

- (5) *Parking requirements.* Same as provided in section 126-71, provided that parking areas will be placed ~~to the rear of~~ behind the rear line of the principal structure upon any lot unless the HARC shall find, upon evidence at a public hearing, that the waiver of this provision shall only minimally affect the historical integrity of ~~the neighborhood~~ this zone.

- (6) *Waiver of lot requirements.* The requirements section 126-64 (b) and (c) may be waived by the HARC, upon a finding based on evidence at a public hearing that such waiver will not impair the historical integrity of ~~the neighborhood~~ this zone.

~~(7) Reserved.~~

- (c) *Standards for determining historical integrity.* The criteria to be applied in determining the existence of historical integrity as that phrase is used in this section shall be:

(1)

(2)

- (3) That the proposed action is in conformity with at least a majority of the applicable guidelines for exterior features promulgated by the Secretary of the Interior of the United States in the publication "Standards of Rehabilitation" (January 1990 Revision: GPO 230 394), as amended from time to time, and as set forth in any subsequent edition of this publication. ~~The proposed action is not addressed in the Standards of Rehabilitation.~~

- (4) The proposed action is not addressed in the Standards of Rehabilitation.

- (4) (5) That those portions of the affected real estate which are ordinarily visible from any public roadway within the zone are characteristic in appearance to architectural styles, materials and color shown by the evidence to have been prevalent in Paducah prior to 1940 or at the date of original construction of the structure, whichever date is earlier. The proposed new construction complies with the HARC Advisory Design Guidelines and a majority of the Secretary Standards of Rehabilitation.

- (6) The proposed new construction complies with the HARC Advisory Design Guidelines and a majority of the Secretary Standards of Rehabilitation.

- (d) *Historical and Architectural Review Commission (HARC) established.*

- (e) *Membership of HARC.*

- (f) *Powers and duties of HARC.*

- (1) *General powers and duties.* ~~The HARC is invested with the following powers and duties:~~

a-c

- d. The HARC is authorized and empowered to grant certificates of appropriateness Certificates of Appropriateness.

e-i

- j. The HARC shall make recommendations for the designation of local historic districts, landmarks and landmark sites.

- k. The HARC may adopt additional guidelines for the protection of historic ~~district~~ districts, landmarks and landmark sites.

l-n

- (2) *Designation of historic districts, landmarks and landmark sites.*

- a. Consideration of the designation of a historic district or a landmark and landmark site may be originated by the HARC, or by the filing of an application for designation by a property

owner, any resident of the City or any organization in the City. An application shall be filed with the HARC in such form and accompanied by such information as required by this section and the rules of the HARC. A person or organization proposing a designation shall give the HARC the names and addresses of the owners of the affected property and the owners of all adjoining property and property across the street as listed on the tax rolls of the City. The HARC shall promptly notify these owners by certified mail that the property is under consideration for designation and that a public hearing is being held on the proposed designation by the HARC. Written notice shall be considered sufficient when it is mailed to the person at the address listed on the tax rolls of the City ~~or when it is mailed to the last known address of that person.~~

b.

c. A historic district or landmark shall qualify for designation when it meets one (1) or more of the following criteria, which shall be discussed in a report by the HARC to the Planning Commission. The purpose of the designation of a landmark is to encourage the preservation, rehabilitation and use of these buildings. Each designation of a landmark shall include the designation of a landmark site, which shall consist of the land on which the landmark and related buildings and structures are located and the land that provides the grounds or the setting for the landmark. A historic district or landmark shall be designated because of:

1. Its value as a reminder of the cultural or archeological heritage of the City, State or ~~nation~~ Nation;
2. Its location as a site of a significant local, State or national event;
3. Its identification with a person or persons who significantly contributed to the development of the City, State or ~~nation~~ Nation;

4-7

d-g

(3) *Nominations to the National Register of Historic Places.*

a.

b. If either or both the Mayor and the HARC recommend that a property should be nominated, the nomination will receive a preliminary review by the Kentucky Historic Preservation Review Board. The Review Board shall make a recommendation to the State Historic Preservation Officer, who decides whether to forward the nomination to the U.S. Secretary of the Interior, who shall make the decision on listing the property on the National Register. The Mayor, the HARC or the property owner may appeal the final decision by the State ~~historic preservation officer~~ Historic Preservation Officer.

(g) *Certificate of Appropriateness required for changes in exterior appearance.*

(+) *Generally.*

(h) *Application for Certificate of Appropriateness.*

(1) Before the commencement of any work for which a Certificate of Appropriateness is required as hereinbefore provided, an application to the HARC therefor shall be made by the owner and filed in the ~~office of Planning and Zoning~~ the Department of Planning office.

(2)

(i) ~~Informal discussion regarding Certificate of Appropriateness.~~

(1) ~~Upon the submission of an application for a Certificate of Appropriateness, the same shall be placed upon the agenda for the next meeting of the HARC for which the agenda has not, under the rules of the HARC, been completed, and the applicant shall be advised by the office of Planning and Zoning of the date, time and place of that meeting.~~

(2) ~~At that meeting an informal discussion of the application will be held and the members of the HARC may make suggestions for alterations of the proposal to more nearly comply with the terms of this section. Also, at the initial meeting, the HARC shall set a date, time and place in the reasonably near future for a public meeting.~~

(+) (i) *Public hearing on Certificate of Appropriateness.*

(1) *Action by HARC.* The HARC shall hold a public hearing on each application for a Certificate of Appropriateness submitted to it, after notice is given in the same manner as for hearing before the ~~City Planning Commission~~ a hearing before the Board of Adjustment. The HARC may:

a-d

(2) *Time limit; findings of fact.*

(+) (j) *Grounds for granting certificates of appropriateness a Certificate of Appropriateness.*

(1) *Additive changes.*

(2) *Changes by removal.*

(3) *Routine alterations.* The following list of routine alterations can be issued a Certificate of Appropriateness by the Chairman of HARC without the necessity of a public hearing. The Zoning Administrator will make the determination if the alteration is routine and requires a

public hearing. If the proposed change is not listed in this subsection, then the formal application process with a public hearing is required. If the Chairman of HARC elects not to sign the Certificate of Appropriateness for the routine alteration, then the application shall be forwarded to the ~~Board~~ Commission and go through the formal application process with a public hearing.

a-c

~~(j)~~ (k) *Maintenance and safety standards.*

(1) *Ordinary maintenance and repair permitted.*

(2) *Maintenance required; correction of defects.*

a.

b. The HARC shall request a meeting with a property owner when the owner's building in ~~an~~ a historic district or the owner's landmark is in poor repair, and the HARC shall discuss with the owner ways to improve the condition ~~or~~ of the property. After this step, the HARC may request the ~~City Building Inspector~~ Chief Building Official to take action to require correction of defects in any building designated under this section so that the building shall be preserved in accordance with the purposes of this section.

(3) *Enforcement of safety standards.* Nothing in this section shall be construed to prevent the ~~City Building Inspector~~ Chief Building Official from enforcing all State statutes and provisions of this Code and any other ordinances of the City pertaining to the public safety.

~~(m)~~ (l) *Appeals.* Any person aggrieved by any action of the HARC may appeal the decision thereof to the Circuit Court in the manner prescribed for appeals from actions of Boards of Adjustment.

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.


Cathy Crecelius, Chairwoman

Adopted by the Paducah Planning Commission on March 15, 2021

Agenda Action Form

Paducah City Commission

Meeting Date: April 13, 2021

Short Title: Authorize the Application for an Entertainment Destination Center in Downtown Paducah - **K BYERS**

Category: Ordinance

Staff Work By: Kathryn Byers, Katie Axt, Pam Spencer, Lindsay Parish
Presentation By: Kathryn Byers

Background Information: As a follow up from our Entertainment Destination Center discussion on March 23rd, staff has worked with Denton Law Firm in putting together an Entertainment Destination Center ordinance. Once implemented, this ordinance will allow staff to apply for licensure with the state.

In accordance with the feedback the team received, the proposed EDC operation hours have changed to 6:00 a.m. - 12:00 midnight. Additionally, very slight changes have been made to the boundary to improve pedestrian safety and enhance walkability.

The fee for the State license is \$2,500 annually. The up front cost will be paid from the Planning Department Other Contracts Account, with ongoing annual budgeting coming out of the City Clerk's Office Other Contracts Account. These annual costs will be recouped through participation agreement fees with local participating vendors.

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

If yes, please list the Commission Priority: Downtown

Communications Plan: Preliminary high-level engagement meetings with stakeholders, FAQ for Commissioners and Public, City Project Webpage, send comments to edc@paducahky.gov, March 23rd: City Commission Meeting to discuss Paducah's EDC proposal, April 6th: Introduce ordinance authorizing Mayor to apply with Kentucky Department of Alcoholic Beverage Control, and implement EDC upon state approval, publicize process through legal ad and 30-day comment period, once approved by City and State, continue to educate and celebrate EDC approval.

Funds Available: Account Name: Planning - Other
Clerk - Other

Account Number: 1000-1202-523070
1000-0601-523070

Staff Recommendation: Approval

Attachments: None

CITY OF PADUCAH
ORDINANCE NO. 2021-_____-_____

**AN ORDINANCE ESTABLISHING AN ENTERTAINMENT
DESTINATION CENTER IN THE DOWNTON OF PADUCAH AND
FURTHER DIRECTING THE CITY OF PADUCAH TO APPLY FOR AN
ENTERTAINMENT DESTINATION CENTER LICENSE FROM THE
COMMONWEALTH OF KENTUCKY DEPARTMENT OF ALCOHOLIC
BEVERAGE CONTROL AND FURTHER ESTABLISHING THE
REQUIREMENTS FOR LICENSEES TO SELL ALCOHOLIC
BEVERAGES WITHIN THE ENTERTAINMENT DESTINATION
CENTER.**

WHEREAS, KRS 243.030(21) authorizes the issuance of an Entertainment Destination Center (EDC) License by the Commonwealth of Kentucky Department of Alcoholic Beverage Control; and

WHEREAS, the City meets the requirements under KRS 243.030(21) and 804 KAR 4:370 to enact an EDC; and

WHEREAS, the City seeks to create an EDC within its downtown for which it shall apply for and obtain a license from the Commonwealth of Kentucky Department of Alcoholic Beverage Control; and

WHEREAS, the Entertainment Destination Center will build upon 20 years of revitalization and redevelopment initiatives for our historic Downtown and riverfront; and

WHEREAS, in addition to the Artist Relocation Project, Completion of Flood Wall Murals, Riverfront Development Plan, Renaissance Area Master Plan, Transient Boat Dock, Schultz Park, Paducah Main Street and Downtown Development Grants, Paducah Commons Small Area Master Plan, Greenway Trail, Opportunity Zones, BUILD Grant: Leveraging Connectivity, City Block Redevelopment Project and Town Square, and Paducah Tax Increment Finance District, the creation of an EDC in downtown Paducah will aid in the economic growth of tourism in the City; and

WHEREAS, the Entertainment Destination Center is a catalyst project that will draw people to our Downtown, strengthening our existing local businesses and attracting new businesses and entrepreneurs; and

WHEREAS, a newly established Entertainment Destination Center will boost our restaurant and hospitality industries by allowing customers to take to-go drinks and stroll our historic streets, browse the windows of our local boutiques, watch the towboats on the water, and partake in outdoor events; and

WHEREAS, the City further seeks to establish the requirements for a licensee to sell alcoholic beverages within the EDC.

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

Section 1. A new Article shall be created in Chapter 6 of the City of Paducah, Kentucky Code of Ordinances which shall be titled "Entertainment Destination Center" to state as follows:

The geographical boundaries of the Entertainment Destination Center (EDC) in the City of Paducah lies within the following description:

**CITY OF PADUCAH
ENTERTAINMENT DESTINATION CENTER (EDC) BOUNDARY DISTRICT
LEGAL DESCRIPTION**

An area to be known as the EDC containing 109.40 Acres located on the northeasterly side of the City of Paducah on the banks of the Ohio River and more particularly bounded and described as follows:

Beginning at a point in the centerline intersection of South 3rd Street and Clark Street in the City of Paducah, said point being the southernmost corner of the herein described tract; THENCE FROM SAID POINT OF BEGINNING and running in a northwesterly direction with the centerline of South 3rd Street, N 24°56'04" W a distance of 823.53 feet to a point in the centerline of Kentucky Avenue; thence with the centerline of said Avenue and in a southwesterly direction S 65°01'01" W a distance of 490.16 feet to a point, said point being approximately 72 feet and perpendicular from the intersection of said Avenue and South 4th Street; thence running parallel with South 4th Street N 24°31'24" W a distance of 315.49 feet to a point that is located approximately 100 feet from centerline of Broadway Street as measured perpendicularly; thence running parallel with said street S 65°39'29" W a distance of 338.10 feet to a point in the centerline of South 5th Street; thence running with the centerline of said street and passing Broadway Street, N 24°21'17" W a distance of 159.42 feet to a point in the centerline of said North 5th Street and being approximately 65 feet from Broadway as measured perpendicularly; thence running parallel with said street N 63°54'02" E a distance of 286.85 feet to a point that is approximately 118 feet from the centerline of North 4th Street as measured perpendicularly; thence running parallel with said street N 24°43'58" W a distance of 1581.32 feet to a point in the centerline of Harrison Street; thence running with the centerline of said street N 64°21'50" E a distance of 328.59 feet to a point, the centerline intersection of said street and North Loop Road; thence running with the centerline of said road N 56°49'34" W a distance of 405.28 feet to a point, the centerline intersection of said street and North 4th Street; thence running with the centerline of said street N 25°14'12" W a distance of 467.63 feet to a point in the centerline of Park Avenue; thence running with the centerline of said Avenue S 66°12'55" W a distance of 419.55 feet to a point, the intersection of said Avenue with North 5th Street; thence running with the centerline of said street N 25°28'35" W a distance of 479.63 feet to a point, the approximate end of North 5th Street; thence running approximately with the Paducah Flood Wall N 42°37'23" W a distance of 314.75 feet to a point; thence N 32°04'21" E a distance of 191.80 feet to a point; thence N 78°38'47" E a distance of 177.92 feet to a point; thence running parallel with the Ohio River S 68°10'58" E a distance of 301.20 feet to a point; thence continuing parallel to said river S 61°31'34" E a distance of 346.19 feet to a point; thence encompassing the Old Showroom Lounge on the Paducah Riverfront for the following three calls: N 39°00'43" E a distance of 194.23 feet to a point, S 46°28'13" E a distance of 164.54 feet to a point, and S 39°34'22" W a distance of 83.65 feet to a point; thence with the top of bank and parallel with said river S 52°36'04" E a distance of 568.53 feet to a point; thence continuing with top of bank and said river S 48°31'28" E

a distance of 582.81 feet to a point; thence following the 302 foot contour around Schultz Park per Plat recorded in Section M, Page 1260 in the McCracken County Clerk's office for a distance of 1,426.62 feet to point on the top of the bank, thence; thence with the top of bank and parallel to said river for the following four calls: S 42°01'21" E a distance of 369.35 feet to a point, S 38°37'41" E a distance of 248.00 feet to a point, thence S 30°35'58" E a distance of 312.27 feet to a point, and S 27°14'19" E a distance of 362.21 feet to a point in the extended centerline of Kentucky Avenue; thence running with said centerline S 66°44'28" W a distance of 179.53 feet to a point that is 30 feet from South Water Street as measured perpendicularly; thence running parallel with said street S 25°26'27" E a distance of 372.43 feet to a point; thence S 50°10'24" W a distance of 34.07 feet to a point in the centerline of said street; thence running with the centerline of said street S 12°29'44" W a distance of 360.02 feet to a point; thence S 02°44'09" E a distance of 160.97 feet to a point in the centerline of Clark Street; thence running with centerline of said street S 64°54'20" W a distance of 547.91 feet to a point; the point of beginning, having an area of 109.40 acres.

This description was prepared for establishing the City of Paducah EDC Area only and is not to be used for the conveyance of real property. Bearings and distance have not been verified via field survey.



Certain public spaces including, but not limited to, the Lowertown residential areas are excluded from the EDC licensed premises. A map of the EDC is attached hereto as "Exhibit A " and incorporated fully herein.

Section 2. A new section shall be created in Chapter 6 of the City of Paducah, Kentucky Code of Ordinances to state as follows:

- (a) The City of Paducah shall apply to the Commonwealth of Kentucky Department of Alcoholic Beverage Control for an EDC license and shall be the listed licensee.
- (b) The City Manager for City of Paducah shall serve as the administrator of the EDC license.
- (c) An ABC licensee that is located within the EDC and which sells alcoholic beverages shall be required to hold the necessary alcoholic beverage license or licenses for its premises. Only the applicable existing retail drink licenses are required by the State for an ABC licensee to participate in the EDC. There is no additional license required by the State for a business to operate within the EDC.
- (d) To participate in the EDC, an ABC licensee must submit a written application to the City Manager. After verifying that the ABC licensee has met all of the requirements of the EDC, the City Manager shall enter into a written agreement with the ABC licensee to permit their involvement in the EDC.
 - (1) All ABC licensees approved by the City Manager to operate within the EDC must enter into a written agreement with the City in which ABC licensee agrees to indemnify City and hold City harmless for any incidents which occur as a result of the ABC licensee operating within the EDC, as well as naming the City as an additional insured on the ABC licensee's Liquor Liability Insurance Policy and provide the City a written certification evidencing same.
 - (2) All ABC licensees approved by the City Manager to operate within the EDC must pay a yearly fee.
 - (3) All ABC licensees approved by the City Manager to operate within the EDC must provide supplemental training to all servers and bartenders employed by the ABC licensee. The purpose of this supplemental training will be to educate the employees of the additional regulations the business is subject to as part of the EDC. Proof of this required additional training must be submitted to the City Clerk's Office on or before July 15 of each year.
 - (4) Any EDC Agreement shall automatically terminate upon transfer of the ownership of the EDC licensee. Upon such termination, new ownership will be required to reapply for an EDC license if they desire to participate in the EDC.
 - (5) If permission to participate in the EDC is denied by the City Manager, the ABC licensee may file an appeal of the decision to the Board of

Commissioners who will conduct a hearing as to whether to uphold or overturn the decision of the City Manager.

- (e) During EDC operational hours, customers may leave the premises of an ABC licensee with alcoholic beverage drinks and consume those drinks in any entertainment destination center common area or at other licensed EDC premises within the EDC, if permitted by the ABC licensee if the City:
 - (1) Possesses the common area;
 - (2) Provides adequate security for the common area;
 - (3) Ensures that the public streets are controlled in a manner that ensures public safety and pedestrian protection from vehicular traffic; and
 - (4) Has granted written permission for the conduct to participating ABC licensee and has a signed agreement with the City to conduct these activities.
- (f) An ABC licensee shall hold all necessary licenses to sell alcoholic beverages within the EDC on Sundays, if they plan to participate within the EDC on Sundays.
- (g) Participating ABC licensees may prohibit customers from entering their premises with an alcoholic beverage purchased from a different ABC licensee.
- (h) Patrons are prohibited from taking alcoholic beverages outside the physical boundaries of the entertainment destination center.
- (i) Any drinks that are removed from the premises of an ABC licensee participating in the EDC shall be in a City of Paducah Entertainment Destination cup, which shall meet the requirements of the City regarding the type and design of the cup. These cups shall be purchased by Licensee.
- (j) In no event shall patrons be permitted to bring any alcoholic beverages purchased outside of the EDC into the EDC.
- (k) Operational Hours: Operational hours of the EDC shall be from 6:00 a.m. until 12:00 a.m. and shall run from Sunday through Saturday. These hours are currently consistent with the operating hours for City of Paducah parks.
- (l) Special Events: Alcohol regulations for festivals still apply. The City retains its discretion to apply additional conditions to EDC licensees and to amend district operations during a special event.
- (m) Nothing in this ordinance shall be construed to prohibit minors from entering the EDC common areas.
- (n) License Revocation: All EDC licensees shall agree that they are aware their EDC license may be revoked by City with 24 hours' notice upon a finding by the City Manager, as EDC Administrator, that the EDC licensee has violated any terms or conditions of the EDC Ordinance, the EDC Agreement entered into by the parties, or

any federal, state, or City laws. The EDC Licensee is also aware that the EDC license may be revoked by the City Manager, if the EDC licensee is convicted of serving alcohol to a minor. The EDC licensee may appeal this revocation to the Board of Commissioners within seven (7) days of the notice of revocation. If EDC licensee fails to appeal a license revocation within the time frame set forth herein, such decision shall not be subject to further review.

Section 3. A new section shall be created in Chapter 6 of the City of Paducah, Kentucky Code of Ordinances which shall be titled "EDC Fees" and to state as follows:

- (a) All ABC licensees participating in the EDC shall be required to pay a yearly fee to City of Two Hundred Fifty Dollars and no/100 (\$250.00). This payment shall be due and payable on or before July 15 of each year.

Section 4. 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 5. This ordinance shall be read on two separate days and will become effective upon summary publication pursuant to KRS Chapter 424.

GEORGE BRAY, MAYOR

ATTEST:

CITY CLERK

Introduced by the Board of Commissioners _____

Adopted by the Board of Commissioners _____

Recorded by City Clerk _____

Published by *The Paducah Sun* _____

ORD\Entertainment Destination Center Alcohol Ordinance 4-21

Ordinance prepared by A. Blackwell – Denton Law

Agenda Action Form

Paducah City Commission

Meeting Date: April 13, 2021

Short Title: BUILD Grant Environmental Assessment – Change Order #1 to BFW Engineering & Testing, Inc contract for \$12,200.00 - **R MURPHY**

Category: Ordinance

Staff Work By: Melanie Townsend

Presentation By: Rick Murphy

Background Information: Summary:

Change Order to include cost for mussel surveys in the project area.

Background:

On April 14, 2020, the City of Paducah approved Ordinance 2020-04-8632, authorizing a professional services contract with BFW Engineering & Testing, Inc., for \$250,000 for environmental services for the Paducah Riverfront Improvement Project (BUILD Grant).

As part of the environmental assessment process, Change Order #1 is recommended to increase the project by \$12,200, adjusting the total environmental assessment project from \$250,000.00 to \$262,200.

During the environmental assessment, it was necessary for BFW to engage the services of a third party to provide mussel surveys along the shoreline as part of the US Fish and Wildlife Services analysis of the impacts of the proposed project on the environment.

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

If yes, please list the Commission Priority: Downtown

Communications Plan: The Environmental Assessment contract with BFW includes a Public Information Plan. This plan is being implemented by the City's Communications Manager.

Funds Available: Account Name: BUILD grant

Account Number: DT0050

Staff Recommendation: Authorize the Mayor to accept and execute Change Order #1 and any associated documents. Authorization increases BFW's contract by \$12,200.00. The approval of the change order will increase the total contract amount of \$250,000.00 to \$262,200.00.

Attachments:

1. ORD Change Order 1 BFW Engineering – BUILD Grant 2021
2. ContractAmendment-BUILDGrantEA-2021-04-01

ORDINANCE NO. 2021-04-_____

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE CHANGE ORDER NO. 1 WITH BFW ENGINEERING & TESTING, INC. TO INCREASE THE CONTRACT BY \$12,200 FOR THE BUILD GRANT ENVIRONMENTAL ASSESSMENT

WHEREAS, On April 14, 2020, the City approved Ordinance 2020-04-8632, authorizing a professional services contract with BFW Engineering & Testing, Inc, for \$250,000 for environmental services for the Paducah Riverfront Improvement Project (BUILD Grant); and

WHEREAS, during the environmental assessment, it was necessary for BFW to engage the services of a third party to provide mussel surveys along the shoreline as part of the US Fish and Wildlife Services analysis of the impacts of the proposed project on the environment; and

WHEREAS, Change Order No. 1 is required for an increase in the amount of \$12,200 adjusting the total construction project from \$250,000 to \$262,200.

BE IT ORDAINED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. The Mayor is hereby authorized to execute Change Order No. 1 with BFW Engineering & Testing, Inc., for an increase in the amount of \$12,200 and a new total contract cost of \$262,200.

SECTION 2. This expenditure shall be charged to the BUILD Grant Project Account DT0050.

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 April 13, 2021

Adopted by the Board of Commissioners, _____

Recorded by Lindsay Parish, City Clerk, _____

Published by The Paducah Sun, _____

\ord\eng\CHGORD1- BFW Engineering – BUILD Grant 2021



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

April 1, 2021

Ty Wilson
City of Paducah
300 South 5th Street
Post Office Box 2267
Paducah, KY 42003

RE: RFQ: 2020 – BUILD EA – Paducah Riverfront Infrastructure Improvement Project Environmental Assessment
Amendment 1 – April 1, 2021

Mr. Wilson:

Bacon Farmer Workman Engineering, Inc. (BFW) is pleased to submit this amendment to the original fee proposal for the Environmental Assessment of the Paducah Riverfront Infrastructure Improvement Project.

Based on the initial needs for the Environmental Assessment, the original fees which were assigned to designated categories included:

Paducah BUILD Grant EA Project		% Complete
NEPA Document Preparation	\$ 60,000.00	90%
Grant Compliance	\$ 15,000.00	90%
Permitting	\$ 60,000.00	90%
Biological / Ecological Resources	\$ 35,000.00	100%
Cultural Resources	\$ 20,000.00	100%
Socioeconomic	\$ 20,000.00	100%
Noise	\$ 10,000.00	100%
Public Communications	\$ 10,000.00	100%
Traffic	\$ 10,000.00	100%
Utilities	\$ 10,000.00	100%
Additional Task - USFWS - Mussel Survey	\$ 12,200.00	100%

The original scope of Biological / Ecological Resources:

Biological/Ecological Resources

- Coordination with United States Fish & Wildlife and Kentucky Fish & Wildlife for Permit Compliance
- Prepare Biological Assessment for the impacted endangered and threatened species and their habitats
- Prepare plans and reports for the designated critical habitats for mussel species – includes minimization and take impacts
- Does not include mussel surveys – assumes previous survey data will be utilized for the biological assessment
- Does not include in-lieu fee payments which could be required if compensatory mitigation is determined to be a permit condition

www.bfwengineers.com

Based on the initial fee proposal, a mussel survey was not included. During the course of the project, USFWS requested a new mussel survey be completed for the project. This survey was completed for \$12,200. BFW is requesting a contract modification to include these additional fees.

Sincerely,

Bacon Farmer Workman Engineering & Testing, Inc.



Mark Workman
Executive Vice President

<u>AUTHORIZATION FOR CONTRACT MODIFICATION</u>	
<u>Mussel Survey – Paducah, KY - \$12,200 – New Total \$262,200</u>	
<u>Signature:</u>	<u>Date:</u>
<u>Printed Name:</u>	
<u>Title:</u>	

Agenda Action Form

Paducah City Commission

Meeting Date: April 13, 2021

Short Title: Approve Budget Amendment in an amount of \$154,000 for Industrial Development Authority RDAAP Matching Funds Payment - **J ARNDT**

Category: Ordinance

Staff Work By: Lindsay Parish, James Arndt, Jonathan Perkins

Presentation By: James Arndt

Background Information: In December of 2020, the City of Paducah passed Ordinance 2020-12-8664, approving an Interlocal Cooperative Agreement between the City of Paducah, Industrial Development Authority and GPED. McCracken County is the recipient of annual payments under the Regional Development Agency Assistance Program (RDAAP). The Interlocal Cooperative Agreement requires that McCracken County designate the annual RDAAP funds to the IDA. Additionally, the Agreement requires that the City match the annual RDAAP Funds and make payment to the IDA. The current contribution amount is \$154,000. This is will be the first annual payment under the newly adopted agreement.

In order to make the contribution to the IDA, a budget amendment is needed to move \$154,000 from the Debt Service Fund Reserve (3000 301010) to the Investment Fund IDA Account. This ordinance authorizes that budget amendment.

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

If yes, please list the Commission Priority:

Communications Plan: N/A

Funds Available: Account Name:
Account Number:

Staff Recommendation: Approval.

Attachments:

1. budget amend 2020-21 - April 2021
2. Inv_6_from_Paducah_McCracken_Co._Industrial_Dev._Authority_9336

ORDINANCE NO. 2021-_____-_____

AN ORDINANCE AMENDING ORDINANCE NO. 2020-6-8641, ENTITLED, “AN ORDINANCE ADOPTING THE CITY OF PADUCAH, KENTUCKY, ANNUAL OPERATING BUDGET FOR THE FISCAL YEAR JULY 1, 2020, THROUGH JUNE 30, 2021, BY ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS FOR THE OPERATION OF CITY GOVERNMENT.”

WHEREAS, in December of 2020, the City of Paducah passed Ordinance 2020-12-8664, approving an Interlocal Cooperative Agreement between the City of Paducah, Industrial Development Authority and GPED; and

WHEREAS, McCracken County is the recipient of annual payments under the Regional Development Agency Assistance Program (RDAAP); and

WHEREAS, the Interlocal Cooperative Agreement requires that McCracken County designate the annual RDAAP funds to the IDA.

WHEREAS, the Interlocal Cooperative Agreement requires that the City match the annual RDAAP Funds and make payment to the IDA.

WHEREAS, funds now need to be transferred into an appropriate account for in order to make the contribution to the IDA; and

WHEREAS, KRS prohibits expenses to exceed the budget in any department and it is therefore necessary to amend the City’s FY2021 budget.

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

SECTION 1. That the annual budget for the fiscal year beginning July 1, 2020, and ending June 30, 2021, as adopted by Ordinance No. 2020-6-8641, be amended by the following re-appropriations:

- Transfer \$154,000 from the Debt Service Fund Reserve to the Investment Fund IDA Account.

SECTION 2. This ordinance shall be read on two separate days and will become effective upon summary publication pursuant to KRS Chapter 424.

George Bray, Mayor

ATTEST:

Lindsay Parish, City Clerk

Introduced by the Board of Commissioners, _____

Adopted by the Board of Commissioners, _____

Recorded Lindsay Parish, City Clerk, _____

Published by *The Paducah Sun*, _____

\\ord\finance\budget amend 2020-21 - April 2021

Paducah McCracken Co. Industrial Dev. Authority
PO Box 1155
Paducah KY 42002-1155

Invoice

Date	Invoice #
4/7/2021	6

Bill To
City of Paducah Jim Arndt PO Box 2267 Paducah KY 42002-2267

P.O. No.	Terms
	Net 30

Description		Amount
Funding for the Paducah McCracken County Industrial Development Authority		154,000.00
Total		\$154,000.00

Agenda Action Form

Paducah City Commission

Meeting Date: April 13, 2021

Short Title: Approve Amendment to Sec. 2-142 of the Code of Ordinances related to the time of Regular Commission Meetings - **J ARNDT**

Category: Ordinance

Staff Work By: Lindsay Parish

Presentation By: James Arndt

Background Information: Section 2-142 of the Code of Ordinances designates the regular day and time for City Commission meetings as the second and fourth Tuesday of each month at 5:30 p.m. This action would change the time of regular City Commission meetings to **5:00 p.m.** on the second and fourth Tuesday of each month. City Commission meetings can sometimes last for several hours. An earlier start time will allow for business to be conducted with fewer instances of meetings that go late into the evenings.

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

If yes, please list the Commission Priority:

Communications Plan: If adopted, the change to the Regular meeting time will be communicated to the public via the Commission meeting highlights, social media posts, as part of the Commission meeting preview graphic, and reflected across the City's website and Commission Meeting agendas. Notice will be sent to local media of the time change. City staff will be informed of the change so that they are able to answer questions from the public about meeting time. The public comment card deadline of 3:30 p.m. for virtual meetings will not change.

Funds Available: Account Name:
Account Number:

Staff Recommendation: Adopt and ordinance amending Section 2-142 of the Paducah Code of Ordinances to

Attachments:

1. 2-142 Commission Meetings Time Change

ORDINANCE NO. 2021-____-_____

AN ORDINANCE AMENDING SECTION 2-142
OF THE CODE OF ORDINANCES OF THE CITY OF PADUCAH RELATING TO THE
TIME OF REGULAR COMMISSION MEETINGS

BE IT ORDAINED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. That the City of Paducah, Kentucky hereby amends Chapter 2 of the Paducah Code of Ordinances by amending the following sections:

Sec. 2-142. - Time and notice of meetings.

- (a) The regular meetings of the Board of Commissioners shall be held at City Hall, unless otherwise noticed, and shall commence at [~~5:30~~] 5:00 p.m. on the second and fourth Tuesdays of each month, except that, when such a meeting falls on a legal holiday recognized by the City, the regular meeting will be held on the following day at the same hour.
- (b) Special or called meetings. See KRS 83A.130 (11).
- (c) Any regular or special meeting may be adjourned to a future time by motion duly passed by the affirmative vote of three (3) members of the Board of Commissioners and any business may be transacted at an adjourned meeting which might properly come before the regular or special meetings.

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

SECTION 3. Compliance with Open Meetings Laws. The City Commission hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of this City Commission, and that all deliberations of this City Commission and of its committees, if any, which resulted in formal action, were in meetings open to the public, in full compliance with applicable legal requirements.

SECTION 4. Conflicts. All ordinances, resolutions, orders or parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed and the provisions of this Ordinance shall prevail and be given effect.

SECTION 5. Effective Date. This Ordinance shall be read on two separate days and will become effective upon summary publication pursuant to KRS Chapter 424.

George Bray, Mayor

ATTEST:

Lindsay Parish, City Clerk

Introduced by the Board of Commissioners, _____
Adopted by the Board of Commissioners, _____
Recorded by the City Clerk, _____
Published by the Paducah Sun, _____
ORD\2-142 Commission Meetings Time Change