



**CITY COMMISSION MEETING
AGENDA FOR AUGUST 28, 2018
5:30 P.M.
CITY HALL COMMISSION CHAMBERS
300 SOUTH FIFTH STREET**

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

ADDITIONS/DELETIONS

PROCLAMATION: Attendance Awareness Month – Troy Brock, Director of Pupil Personnel, Paducah Independent Schools

PRESENTATION: Innovations Branding House

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. Minutes
		B. Paducah Planning Commission Reappointments
		C. Human Rights Appointment
		D. Historical & Architectural Review Commission Appointment & Reappointments
		E. Receive & File Documents
		F. Personnel Actions – M. RUSSELL
		G. Declaration and Sale of Surplus Property for 605 South 8th Street – T. TRACY
		H. Declaration and Sale of Surplus Property for 603 South 8th Street – T. TRACY
		I. Declaration and Sale of Surplus Property for 517 North 7th Street –

		T. TRACY
		J. Declaration and Sale of Surplus Property for 1216 Park Avenue – T. TRACY
		K. Purchase of ZTR Mowers for Parks Department – R. MURPHY
		L. Approve Emergency Notification Order– J. ARNDT
	II.	<u>ORDINANCE(S) – EMERGENCY</u>
		A. Approve Change Order No. 3 for City Hall Renovation Project Phase I – R. MURPHY
		B. Approve Change Order No. 4 for City Hall Renovation Project Phase I – R. MURPHY
		C. Notice Requirement for all Private Correctional Facilities – J. ARNDT
	III.	<u>ORDINANCE(S) – INTRODUCTION</u>
		A. Approve Final Subdivision for the Colgan Properties, LLC Commercial Subdivision – R. MURPHY
		B. Repeal Traffic Commission Ordinance – J. ARNDT
	IV.	<u>DISCUSSION</u>
		A. Traffic Study for Buckner Lane, Pines Road & Pecan Drive
	V.	<u>COMMENTS</u>
		A. Comments from the City Manager
		B. Comments from the Board of Commissioners
		C. Comments from the Audience
	VI.	<u>EXECUTIVE SESSION</u>

August 21, 2018

At a Called Meeting of the Board of Commissioners, held on Tuesday, August 21, 2018, at 5:30 p.m., held at the Commission Chambers of City Hall located at 300 South 5th Street, Mayor Harless presided, and upon call of the roll by the City Clerk, the following answered to their names: Commissioners Abraham, Holland, Wilson and Mayor Harless (4). Commissioner Rhodes was absent (1).

INVOCATION

Commissioner Holland gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Harless led the pledge.

PRESENTATION(S)

ANNUAL NATIONAL QUILT MUSEUM REPORT

Frank Bennett, CEO of the National Quilt Museum gave an update on the growth of the National Quilt Museum over the last several years. He informed the Commission that the Museum receives visitors from more than 40 countries each year and has experienced approximately 50.9% growth over the past seven years. Based on the average amount visitors spend while in Paducah visiting the Museum, the overall impact to the local economy is approximately \$17.4 million.

CONSENT AGENDA

Mayor Harless asked if the Board wanted any items on the Consent Agenda removed. No items were removed and the Mayor asked the City Clerk to read the items on the Consent Agenda.

I(A)	Minutes for the July 23, July 24 and August 7, 2018 City Commission Meetings
I(B)	<p><u>Receive & File Documents</u></p> <p><u>Minute File:</u></p> <ol style="list-style-type: none">1. Notice of Cancellation for the Board of Commissioners Meeting on August 14, 20182. Notice of Called Meeting for the Board of Commissioners Meeting on July 23, 20183. Amended Notice of Called Meeting for the Board of Commissioners on August 7, 20184. Certificate of Liability Insurance and Right of Way Bond – StoneBridge Construction <p><u>Deed File:</u></p> <ol style="list-style-type: none">1. Quitclaim Deed – 2315 Powell Street (MO #2105) <p><u>Contract File:</u></p> <ol style="list-style-type: none">1. Contract For Services-<ol style="list-style-type: none">a. Luther F. Carson Four Rivers Center (MO #2129)b. Paducah Transit Authority (MO #2130)c. Paducah Junior College – Art School (MO # 2131)d. Paducah Junior College – Scholarship Fund (MO #2132)e. Brooks Stadium Commission – Signed by City Managerf. National Quilt Museum – Signed by City Manager2. Agreement between City of Paducah and HDR Engineering – Paducah Levee

	<p>Reconstruction Project, Phase 2 (Signed by City Manager)</p> <ol style="list-style-type: none"> 3. Renewal Agreement with Finley Fire Equipment (d/b/a Bluegrass Fire Equipment) for SCBA (MO #1970) 4. Edward Byrne Memorial Justice Assistance Grant (JAG) (MO #2123) 5. Change Order #2 – City Hall Restoration Project (Ord # 2018-7-8541) 6. Agreement between City of Paducah and HDR Engineering – Pavement Evaluation – (Ord # 2018-7-8542) <p><u>Financials File:</u></p> <ol style="list-style-type: none"> 1. Moody’s Investors Services – Annual Comment on Paducah July 23, 2018 2. Paducah Water Works – Financial Highlights for June 2018 3. WKCTC – Television Department Annual Report (July 2017 – June 2018) 4. Upper Town Heritage Foundation Inc. Form 990 5. Yeiser Art Center – Financial Statement (through June 30, 2017) <p><u>Proposals</u></p> <ol style="list-style-type: none"> 1. Surplus Property Sale Sealed Bid – 2315 Powell Street (MO #2105) 2. Bids for Parks Utility Vehicle (all bids came in under \$20,000) <ol style="list-style-type: none"> a. McKeel Equipment b. Heartland Outdoor Equipment 3. Bids for Six pickup trucks for use by multiple departments <ol style="list-style-type: none"> a. Linwood Motors *(Chosen bid) b. Paducah Ford
I(C)	Personnel Actions
I(D)	A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR A STRATEGIC HEALTH RISK ADVISOR & STRATEGIC BENEFIT PLACEMENT SERVICES AND AN ADVISORY AGREEMENT SERVICES ADDENDUM WITH PEEL & HOLLAND FINANCIAL GROUP FOR ADMINISTRATION OF THE CITY OF PADUCAH’S HEALTH INSURANCE (M.O. # 2133; BK 10)
I(E)	A MUNICIPAL ORDER RATIFYING THE MAYOR’S EXECUTION OF A GRANT APPLICATION AND ALL DOCUMENTS NECESSARY IN PARTNERSHIP WITH THE PADUCAH ART HOUSE ALLIANCE THROUGH THE NATIONAL ENDOWMENT FOR THE ARTS (NEA) FOR AN OUR TOWN GRANT IN THE AMOUNT OF \$200,000 FOR PHASE II OF THE RESTORATION OF THE COLUMBIA THEATRE AND AUTHORIZING THE PLANNING DEPARTMENT TO SUBMIT SAID GRANT THROUGH THE ONLINE GRANT PORTAL (M.O. # 2134; BK 10)
I(F)	A MUNICIPAL ORDER APPROVING THE EXECUTION OF A GRANT APPLICATION TO OBTAIN A 2018-2019 EDWARD BYRNE MEMORIAL JUSTICE ACCOUNTABILITY GRANT, THROUGH THE U.S. DEPARTMENT OF JUSTICE, IN THE AMOUNT OF \$11,816.00, TO BE USED BY THE PADUCAH POLICE DEPARTMENT FOR THE PURCHASE OF HAND HELD RADIOS (M.O. # 2135; BK 10)

August 21, 2018

I(G)	A MUNICIPAL ORDER APPROVING AN AGREEMENT WITH THE KENTUCKY DEPARTMENT FOR LOCAL GOVERNMENT TO OBTAIN A COMMUNITY DEVELOPMENT BLOCK GRANT AWARD ON BEHALF OF THE FOUR RIVERS BEHAVIORAL HEALTH CENTER POINT RECOVERY CENTER, AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATING TO SAME (M.O. # 2136; BK 10)
I(H)	A MUNICIPAL ORDER AUTHORIZING THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT FOR THE PAT AND JIM BROCKENBOROUGH ROTARY HEALTH PARK FROM GAMETIME THROUGH THE US COMMUNITIES PURCHASING COOPERATIVE IN THE AMOUNT OF \$51,157.19 (M.O. # 2137; BK 10)
I(I)	A MUNICIPAL ORDER ACCEPTING THE BID FOR SALE TO THE CITY OF SIX (6) PICKUP TRUCKS IN THE AMOUNT OF \$145,412 FOR USE BY THE PARKS DEPARTMENT AND THE FLEET AND STREET DIVISIONS OF THE ENGINEERING-PUBLIC WORKS DEPARTMENT, AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR SAME (M.O. # 2138; BK 10)
I(J)	A MUNICIPAL ORDER AUTHORIZING THE PURCHASE OF DUMPSTERS, LIDS AND REPLACEMENT PARTS IN AN AMOUNT OF \$120,000 FOR FY2018-2019 FOR UTILIZATION BY COMMERCIAL BUSINESSES WITHIN THE CITY OF PADUCAH (M.O. # 2139; BK 10)
I(K)	A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH BARKLEY REGIONAL AIRPORT IN THE AMOUNT OF \$110,000 FOR GENERAL AVIATION AND AIR CARRIER SERVICES (M.O. # 2140; BK 10)
I(L)	A MUNICIPAL ORDER NAMING THE LAKE AT BOB NOBLE PARK "LAKE GERRY B. MONTGOMERY" (M.O. # 2141; BK 10)

Mayor Harless offered motion, seconded by Commissioner Holland, that the items on the consent agenda be adopted as presented.

Adopted on call of the roll, yeas, Commissioners Abraham, Holland, Wilson and Mayor Harless (4).

MUNICIPAL ORDER(S)

MUNIS CONTRACT AMENDMENT FOR CODES & PERMITTING PHASE

Commissioner Abraham offered motion, seconded by Commissioner Holland, that a Municipal Order entitled, "A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH TYLER TECHNOLOGIES FOR THE LICENSE OF SOFTWARE AND THE PROCUREMENT OF RELATED PRODUCTS AND SERVICES," be adopted..

Adopted on call of the roll, yeas, Commissioners Abraham, Holland, Wilson and Mayor Harless (4).
(MO # 2142; BK 10)

August 21, 2018

ORDINANCE(S) – ADOPTION

APPROVE STREET CLOSURE FOR 24th & ADAMS STREET

Commissioner Holland offered motion, seconded by Commissioner Abraham, that the Board of Commissioners adopt an Ordinance entitled, “AN ORDINANCE PROVIDING FOR THE CLOSING OF A PORTION OF ADAMS STREET, A PORTION OF SOUTH 24TH STREET AND AN ALLEY PARALLEL TO SOUTH 24TH AND 25TH STREETS, BETWEEN ADAMS STREET AND JACKSON STREET, AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATING TO SAME.” This Ordinance is summarized as follows: That the City of Paducah hereby authorizes the closing of a portion of Adams Street, a portion of South 24th Street and an alley parallel to South 24th and 25th Streets, between Adams Street and Jackson Street, and authorizes the Mayor to execute all documents necessary to complete the transfer of property to the property owners in or abutting the public ways to be closed.

Adopted on call of the roll, yeas, Commissioners Abraham, Holland, Wilson and Mayor Harless (4). (ORD # 2018-8-8544; BK 35)

COMMENTS

COMMENTS FROM THE CITY MANAGER

City Manager Arndt invited everyone to attend Music on the Riverfront this Saturday, August 25th. The City Manager and Assistant City Manager Michelle Smolen have been working on the Strategic Plan to align the action steps with the citizen survey and budget. Two of the budget committees have held their first meeting and the others will be holding their first meetings soon.

COMMENTS FROM THE BOARD OF COMMISSIONERS

Commissioner Abraham commented on the Keeton Correctional Facility. Recent escapes from the facility have caused concern for the surrounding neighborhood. Commissioner Abraham suggests that the Commission and staff look at a process to notify residents of escapes from the facility and look at the City’s options for revoking the facility’s business license.

PUBLIC COMMENTS

Ron Ward commented on the potential for public-private partnerships to provide music in downtown Paducah on Friday nights.

ADJOURN

Mayor Harless offered motion, seconded by Commissioner Holland, to adjourn the meeting. All in favor.

Meeting ended at approximately 6:28 p.m.

ADOPTED: August 28, 2018

Brandi Harless, Mayor

ATTEST:

Lindsay Parish, City Clerk

August 28, 2018

Minute File:

1. Notice of Called Meeting of Board of Commissioners – August 21, 2018
2. Certificate of Liability Insurance – 3C's Concrete Work, LLC

Deed File:

1. Deed of Conveyance – City of Paducah to Paducah-McCracken County Industrial Development Authority (Ord. #2018-8-8543)

Contract File:

1. Contract with Peel & Holland - Strategic Health Risk Advisor & Strategic Benefit Placement Services (MO #2133)
2. Contract For Services – Barkley Regional Airport Authority (MO#2140)
3. Updated Exhibit to Assistance Agreement between COP and the Kentucky Infrastructure Authority (MO#1929)

Bids File

1. Bid Documents for Three (3) ZTR mowers:
 - (a) Tapps Outdoor Equipment
 - (b) ERB Equipment Company
 - (c) Treads & Auto Service, Inc.
 - (d) Hutson, Inc.
 - (e) Heartland Outdoor Equipment* (Recommended bid for acceptance)
2. Surplus Property Sealed Bid Form – 603 South 8th Street
 - (a) Shenon Minter
 - (b) Macedonia Missionary Baptist Church*
3. Surplus Property Sealed Bid Form –605 South 8th Street
 - (a) Shenon Minter
 - (b) Macedonia Missionary Baptist Church*
4. Surplus Property Sealed Bid Form – 1216 Park Avenue
 - (a) Darrell Matheny*
5. Surplus Property Sealed Bid Form – 517 North 7th Street
 - (b) Kathleen Kelly*

CITY OF PADUCAH
August 28, 2018

Upon the recommendation of the City Manager, the Board of Commissioners of the City of Paducah order that the personnel changes on the attached list be approved.



City Manager's Signature

8/23/18

Date

**CITY OF PADUCAH
PERSONNEL ACTIONS
August 28, 2018**

NEW HIRES - FULLTIME (F/T)

<u>EPW - STREET</u>	<u>POSITION</u>	<u>RATE</u>	<u>NCS/CS</u>	<u>FLSA</u>
Breeden III, Allen D.	ROW Maintenance Person	\$16.69/Hr.	NCS	Non-Ex
Lynn, Dalton	ROW Maintenance Person	\$16.69/Hr.	NCS	Non-Ex
McManus, Gregory L.	ROW Maintenance Person	\$16.69/Hr.	NCS	Non-Ex
Orenduff, Hunter B.	ROW Maintenance Person	\$16.69/Hr.	NCS	Non-Ex

PAYROLL ADJUSTMENTS/TRANSFERS/PROMOTIONS/TEMPORARY ASSIGNMENTS

	<u>PREVIOUS POSITION AND BASE RATE OF PAY</u>	<u>CURRENT POSITION AND BASE RATE OF PAY</u>	<u>NCS/CS</u>	<u>FLSA</u>
<u>PARKS SERVICES</u>				
Byas, Jaylon S.	Laborer \$15.88/Hr.	ROW Maintenance Person \$18.54/Hr.	NCS	Non-Ex
Roberts, Matthew R.	ROW Maintenance Person \$18.54/Hr.	Laborer \$17.26/Hr.	NCS	Non-Ex

TERMINATIONS - FULLTIME (F/T)

<u>POLICE OPERATIONS</u>	<u>POSITION</u>	<u>REASON</u>
Sykes, Nicholas S. **Failed post-employment testing	Police Officer Recruit	Employment offer rescinded

Agenda Action Form Paducah City Commission

Meeting Date: *August 28, 2018*

Short Title: **Determination and Sale of Surplus Property at 605 South 8th Street**

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: *Nancy Upchurch*
Presentation By: *Tammara Tracy*

Background Information:

Municipal Order 1816 adopted by the commission Feb. 10, 2015 determined that this property is surplus and authorized the transfer to Harland Brazier. Mr. Brazier never exercised his right to purchase the property. Legal counsel advised that the order is to be rescinded when a new buyer is presented.

This action would rescind Municipal Order 1816, determine that 605 South 8th Street is surplus property owned by the City of Paducah, and authorize the transfer of the vacant lots to the best-evaluated bid. Legal advertising and posting on the property was done in accordance with city code. Two sealed bids were received.

Bid # 1: *Macedonia Missionary Baptist church submitted a bid for \$50.0 for the lot. Plans include maintaining the property and using it for church functions and activities.*

Bid # 2: *SheNon Minter submitted a bid for \$500.00 for the lot. His proposal states that he has been to the bank and discussed his desire to develop properties; however he did not include any proof of financial ability or specific details of future plans for this particular property with his proposal.*

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

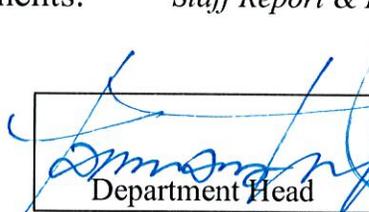
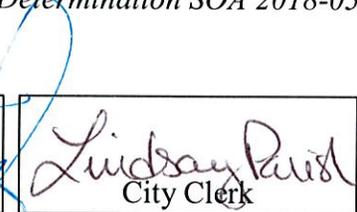
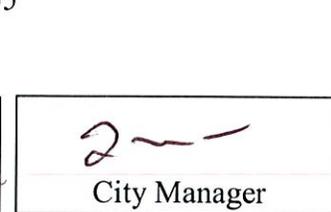
Funds Available: Account Name: *N/A*
 Account Number: *N/A*

Finance

Staff Recommendation:

Accept Bid #1 subject to the review and approval by the Director of Planning of the final site plan, elevations and construction plans of any future development.

Attachments: *Staff Report & Determination SOA 2018-055*

 Department Head	 City Clerk	 City Manager
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STAFF REPORT & DETERMINATION DISPOSITION OF ASSETS

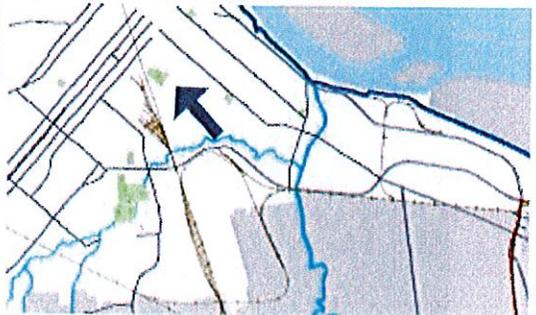
SOA 2018-055 August 28, 2018

General Information

The disposition of surplus or excess property is governed by City Code Section 2-668; the sealed bid procedure is set out in City Code Section 2-645.

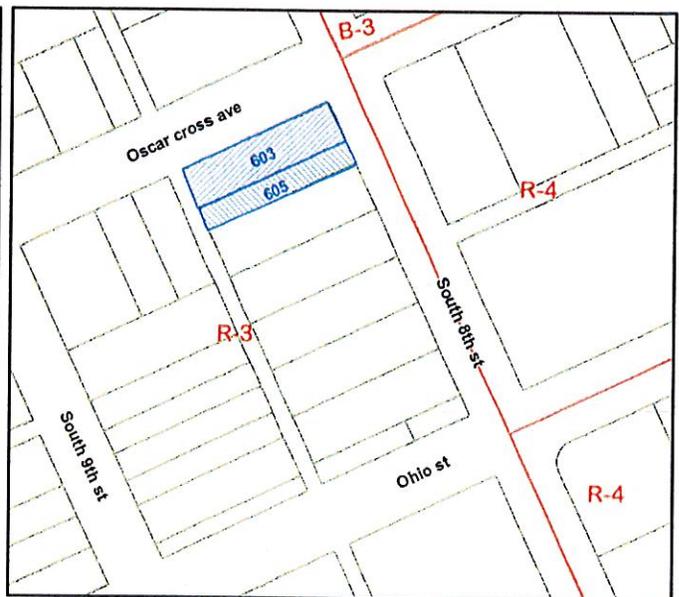
The disposition of any property requires a written determination that includes: a description of the property; its intended use at the time of acquisition; the reason why it is in the best interest of the city to dispose of the item; and the method of disposition to be used.

Property Description & Information

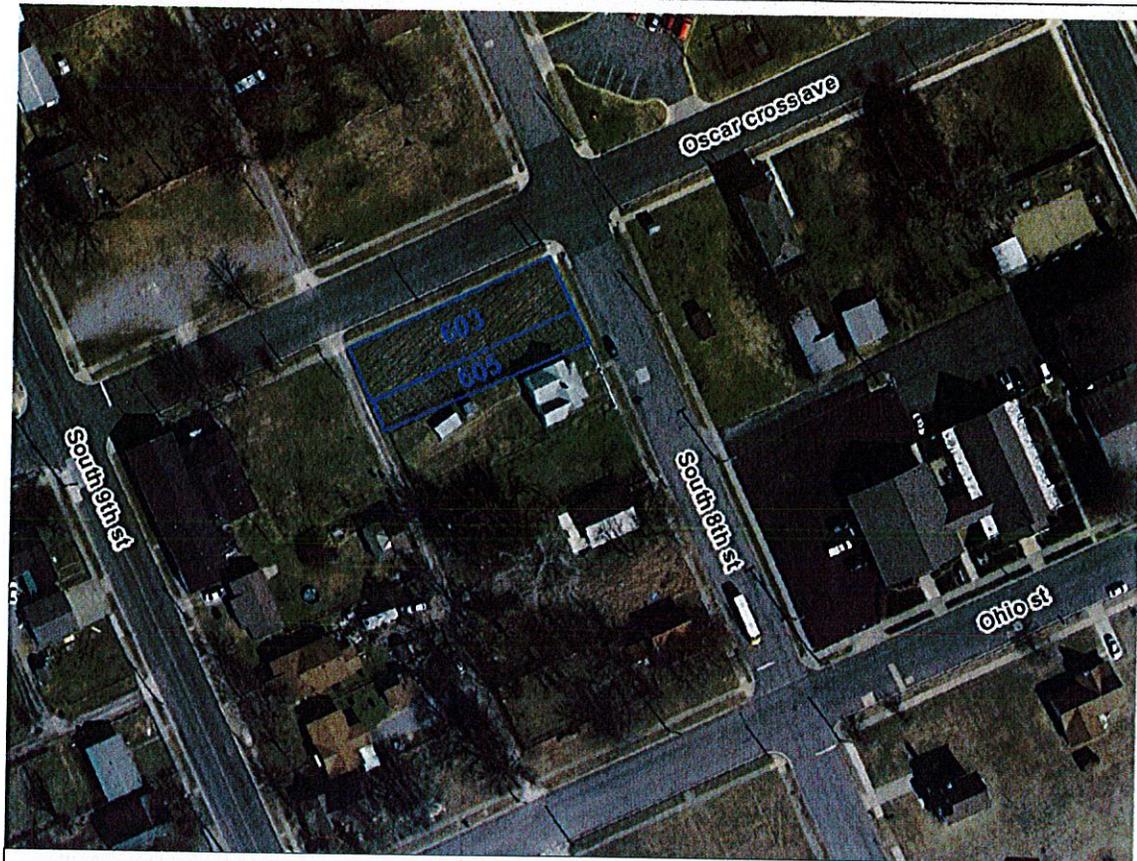
ADDRESS	605 South 8 th Street	 <p>General Vicinity Map</p>
CASE No.	SOA 2018-55	
SIZE OF PROPERTY	25' by 165' approx.	
IMPROVEMENTS	None	
ZONING	R-3	
COMPREHENSIVE PLAN	Neighborhood Conservation	
FLOODPLAIN	No	



Comprehensive Land Use Plan



Zoning Map



Aerial – 605 South 8th Street is outlined & crosshatched

Acquisition of the Property

The city has been abating the property prior to acquisition since 1989 and the total amount of the liens on the property was \$17,590. The property went through foreclosure in 2014 and the city acquired the lot by commissioners deed dated July 22, 2014 and recorded in Deed Book 1282 Page 338 recorded on July 24, 2014. The City had no intended use when it was acquired.

Disposition of the Property

It is in the best interest of the City to transfer ownership of this property to a responsible owner placing the property back on the tax rolls and eliminating the maintenance and liability costs, provided the development would not destabilize or undermine property values in the surrounding area or be counter to future land use goals. The Comprehensive Plan's Future Land Use map recommendations Neighborhood Conservation.

Bid Information

In accordance with these regulations, a legal ad ran in the Paducah Sun on June 10, 2018 requesting interested parties to submit a sealed bid on or before 9 AM on June 25, 2018. Notice was also posted on the property requesting sealed bids. Two bids were received before the deadline.

BID #1	Macedonia Missionary Baptist Church	Bid Amount: \$50
	Proposal includes maintaining the property and using it for church functions and activities.	
BID #2	SheNon Minter	Bid Amount: \$500
	The proposal states that the applicant has been to the bank and discussed the intention to develop the properties; however no documentation, proof of financial ability, or specific details were submitted.	

Staff Recommendation

This lot is very narrow measuring 25' in width. Since the lot is substandard, staff strongly recommends that this lot not be sold as freestanding, but rather it should be associated with the lot on either side.

Since neither bid was from the property owner of 607 South 8th Street, it is recommended **that the disposal of this lot match the disposal of lot at 603 South 8th Street** subject to the review and approval by the Director of Planning of the final site plan, elevations and construction plans of any building that would be located on the property.

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER REPEALING MUNICIPAL ORDER NO. 1816 RELATED TO THE PURCHASE OF REAL PROPERTY LOCATED AT 605 SOUTH 8TH STREET BY HARLAND BRAZIER; FURTHER DECLARING THE PROPERTY TO BE SURPLUS PROPERTY, ACCEPTING THE BID OF MACEDONIA MISSIONARY BAPTIST CHURCH IN THE AMOUNT OF \$50.00 PLUS RECORDING AND DEED PREPARATION FEES FOR REAL PROPERTY LOCATED AT 605 SOUTH 8TH STREET AND AUTHORIZING THE MAYOR TO EXECUTE THE DEED AND ALL DOCUMENTS RELATED TO SAME

WHEREAS, the City adopted Municipal Order No. 1816 on February 10, 2015, authorizing the sale of 605 South 8th Street to Mr. Harland Brazier; and

WHEREAS, Mr. Brazier never exercised his right to purchase the property; and

WHEREAS, it is necessary to repeal Municipal Order No. 1816; and

WHEREAS, pursuant to Section 2-668 of the Code of Ordinances of the City of Paducah, Kentucky, a written determination has been made that the City does not have any use at this time or in the future for property located at 605 South 8th Street, which constitutes surplus real estate; and

WHEREAS, the City advertised for bids on June 10, 2018, and bids were opened on June 25, 2018; and

WHEREAS, two bids were received for the property located at 605 South 8th Street; and

WHEREAS, the City desires to accept the best-evaluated bid of Macedonia Missionary Baptist Church.

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

SECTION 1. That the City of Paducah hereby repeals Municipal Order No. 1816 entitled, "A MUNICIPAL ORDER ACCEPTING THE BID OF HARLAND BRAZIER IN THE AMOUNT OF \$300 FOR PURCHASE OF THE REAL PROPERTY

LOCATED AT 605 SOUTH 8TH STREET AND AUTHORIZING THE MAYOR TO EXECUTE A DEED FOR SAME” in its entirety.

SECTION 2. The Board of Commissioners hereby declares the property located at 605 South 8th Street to be surplus property as it relates to the operations of the City. Further, the Board of Commissioners hereby accepts the bid of Macedonia Missionary Baptist Church in the amount of \$50.00 plus recording and deed preparation fees for the purchase of real property located at 605 South 8th Street subject to the review and approval by the Director of Planning of the final site plan, evaluations and construction plans of any future development.

SECTION 3. The Mayor is hereby authorized to execute a deed and any necessary documents relating to same to complete the sale of the real property approved in Section 2 above.

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

Brandi Harless, Mayor

ATTEST:

Lindsay Parish, City Clerk

Adopted by the Board of Commissioners, August 28, 2018

Recorded by Lindsay Parish, City Clerk, August 28, 2018

\\mo\prop sale-repeal & sell - 605 South 8th



STAFF REPORT & DETERMINATION
DISPOSITION OF ASSETS
 SOA 2018-054 AUGUST 28, 2018

General Information

The disposition of surplus or excess property is governed by City Code Section 2-668; the sealed bid procedure is set out in City Code Section 2-645.

The disposition of any property requires a written determination that includes: a description of the property; its intended use at the time of acquisition; the reason why it is in the best interest of the city to dispose of the item; and the method of disposition to be used.

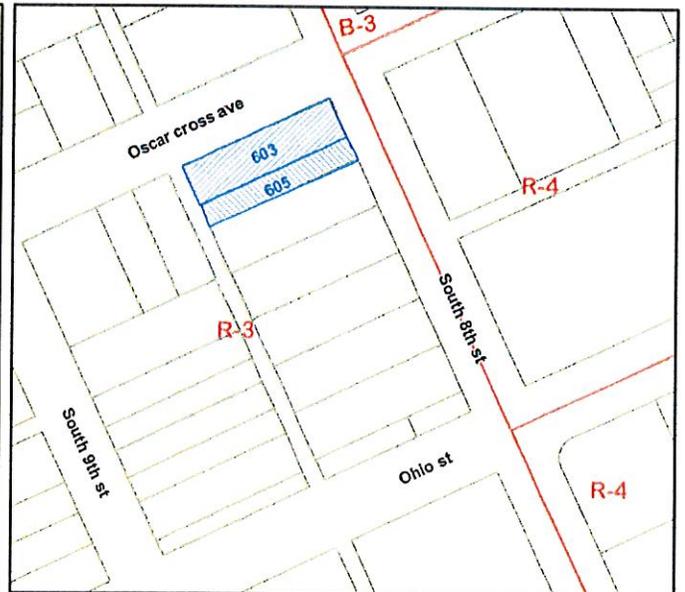
Property Description & Information

ADDRESS	603 South 8 th Street	
CASE NO.	SOA 2018-54	
SIZE OF PROPERTY	41' by 165' approx.	
IMPROVEMENTS	None	
ZONING	R-3	
COMPREHENSIVE PLAN	Neighborhood Conservation	
FLOODPLAIN	No	

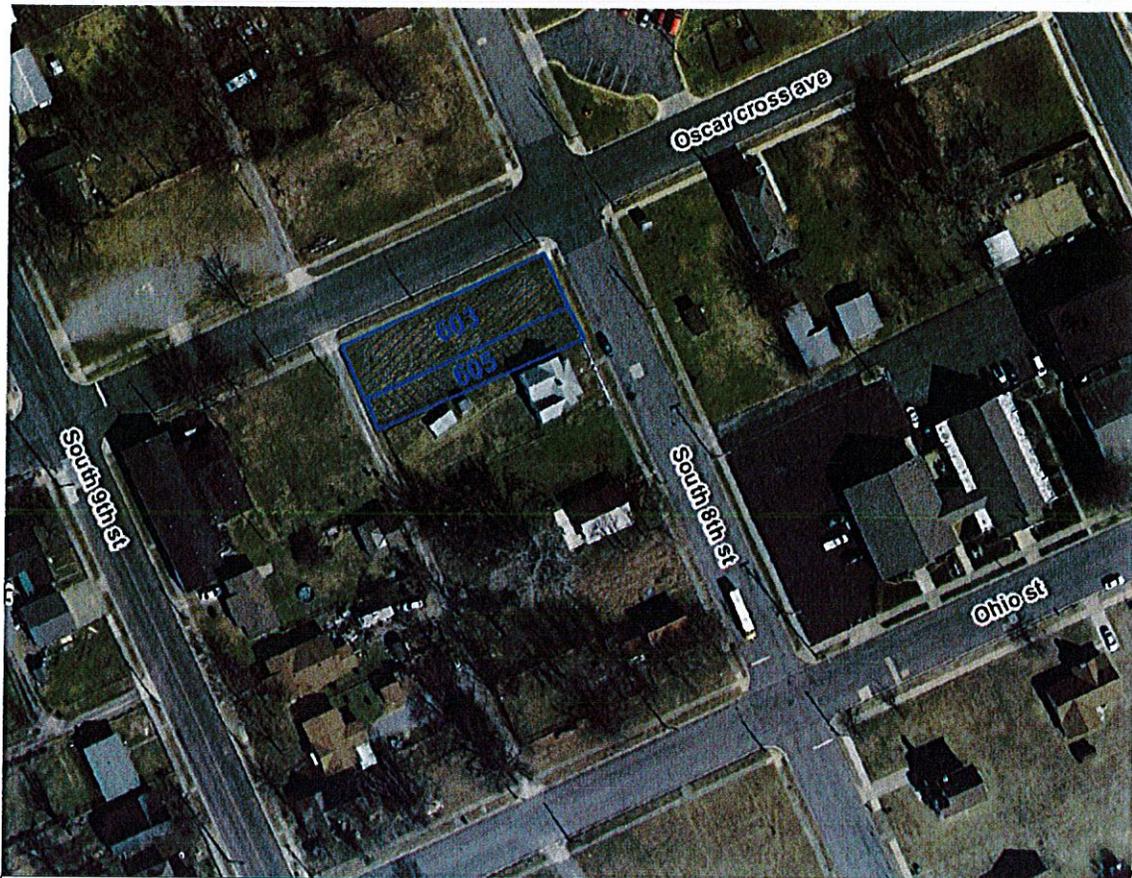
General Vicinity Map



Comprehensive Land Use Plan



Zoning Map



Aerial – 603 South 8th Street is outlined

Acquisition of the Property

The city has been abating the property prior to acquisition since 1989 and the total amount of the liens on the property was \$17,590. The property went through foreclosure in 2014 and the city acquired the lot by commissioners deed dated July 14, 2014 and recorded in Deed Book 1281 Page 683 recorded on July 14, 2014. The City had no intended use when it was acquired.

Disposition of the Property

It is in the best interest of the City to transfer ownership of this property to a responsible citizen placing the property back on the tax rolls and eliminating the maintenance and liability costs, provided the development would not destabilize or undermine property values in the surrounding area or be counter to future land use goals. The Comprehensive Plan's Future Land Use map recommendations Neighborhood Conservation.

Bid Information

In accordance with these regulations, a legal ad ran in the Paducah Sun on June 10, 2018 requesting interested parties to submit a sealed bid on or before 9 AM on June 25, 2018. Notice was also posted on the property requesting sealed bids. Two bids were received before the deadline.

BID #1	Macedonia Missionary Baptist Church	Bid Amount: \$50
	Proposal includes maintaining the property and using it for church functions and activities.	
BID #2	SheNon Minter	Bid Amount: \$500
	The proposal states that the applicant has been to the bank and discussed the intention to develop the properties; however no documentation, proof of financial ability, or specific details were submitted.	

Staff Recommendation

The area in which the lot is located is distressed. The type and quality of development on every lot contributes to the success or distress of the overall area.

The lots are located across the street from the Hotel Metropolitan site (Upper Town Heritage Foundation) which is an important community heritage site that is ongoing historic restoration efforts.

Not-for-profit and religious uses can provide a stabilizing force if maintained at a high standard and developed in a cohesive manner. Bid #1 proposes lawn care and church activities for the church located immediately across the alley.

Infill development is generally always preferred and encouraged; however, it is critical that any development is at a quality level that encourages reinvestment in the area. Consequently, any new development should be compatible and uphold the positive aspects of the existing development pattern. Bid #2 did not submit any plans or documentation regarding any intended development.

Staff recommends rejecting Bid #2 based upon the incomplete nature of the bid (lack of information and financial commitment).

Therefore, it is recommended to **accept Bid #1** subject to the review and approval by the Director of Planning of the final site plan, elevations and construction plans of any building that would be located on the property.

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER REPEALING MUNICIPAL ORDER NO. 1815 RELATED TO THE PURCHASE OF REAL PROPERTY LOCATED AT 603 SOUTH 8TH STREET BY HARLAND BRAZIER; FURTHER DECLARING THE PROPERTY TO BE SURPLUS PROPERTY, ACCEPTING THE BID OF MACEDONIA MISSIONARY BAPTIST CHURCH IN THE AMOUNT OF \$50.00 PLUS RECORDING AND DEED PREPARATION FEES FOR REAL PROPERTY LOCATED AT 603 SOUTH 8TH STREET AND AUTHORIZING THE MAYOR TO EXECUTE THE DEED AND ALL DOCUMENTS RELATED TO SAME

WHEREAS, the City adopted Municipal Order No. 1815 on February 10, 2015, authorizing the sale of 603 South 8th Street to Mr. Harland Brazier; and

WHEREAS, Mr. Brazier never exercised his right to purchase the property; and

WHEREAS, it is necessary to repeal Municipal Order No. 1815; and

WHEREAS, pursuant to Section 2-668 of the Code of Ordinances of the City of Paducah, Kentucky, a written determination has been made that the City does not have any use at this time or in the future for property located at 603 South 8th Street, which constitutes surplus real estate; and

WHEREAS, the City advertised for bids on June 10, 2018, and bids were opened on June 25, 2018; and

WHEREAS, two bids were received for the property located at 603 South 8th Street; and

WHEREAS, the City desires to accept the best-evaluated bid of Macedonia Missionary Baptist Church.

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

SECTION 1. That the City of Paducah hereby repeals Municipal Order No. 1815 entitled, "A MUNICIPAL ORDER ACCEPTING THE BID OF HARLAND BRAZIER IN THE AMOUNT OF \$300 FOR PURCHASE OF THE REAL PROPERTY

LOCATED AT 603 SOUTH 8TH STREET AND AUTHORIZING THE MAYOR TO EXECUTE A DEED FOR SAME” in its entirety.

SECTION 2. The Board of Commissioners hereby declares the property located at 603 South 8th Street to be surplus property as it relates to the operations of the City. Further, the Board of Commissioners hereby accepts the bid of Macedonia Missionary Baptist Church in the amount of \$50.00 plus recording and deed preparation fees for the purchase of real property located at 603 South 8th Street subject to the review and approval by the Director of Planning of the final site plan, evaluations and construction plans of any future development.

SECTION 3. The Mayor is hereby authorized to execute a deed and any necessary documents relating to same to complete the sale of the real property approved in Section 2 above.

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

Brandi Harless, Mayor

ATTEST:

Lindsay Parish, City Clerk

Adopted by the Board of Commissioners, August 28, 2018
Recorded by Lindsay Parish, City Clerk, August 28, 2018
\\mo\prop sale-repeal & sell – 603 South 8th



STAFF REPORT & DETERMINATION
DISPOSITION OF ASSETS
 SOA 2018-066 AUGUST 28, 2018

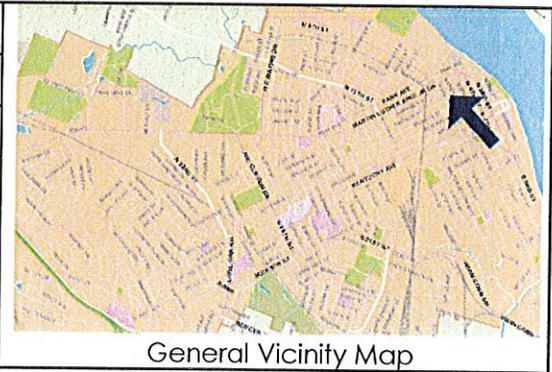
General Information

The disposition of surplus or excess property is governed by City Code Section 2-668; the sealed bid procedure is set out in City Code Section 2-645.

The disposition of any property requires a written determination that includes: a description of the property; its intended use at the time of acquisition; the reason why it is in the best interest of the city to dispose of the item; and the method of disposition to be used.

Property Description & Information

ADDRESS	517 North 7 th Street
CASE NO.	SOA 2018-066
SIZE OF PROPERTY	32' by 115' approx.
IMPROVEMENTS	None
ZONING	H-2
COMPREHENSIVE PLAN	Neighborhood Conservation
FLOODPLAIN	No





Aerial – 517 North 7th Street is outlined

Acquisition of the Property

This lot was donated to the City of Paducah to be used to further the redevelopment of the Lower Town area in 2004 by Lewis and Patsy Chumbler. The city has maintained the property since that time.

Disposition of the Property

It is in the best interest of the City to transfer ownership of this property to a responsible citizen placing the property back on the tax rolls and eliminating the maintenance and liability costs. The proposed development is consistent with the intended use at the time the property was acquired and with the intentions of the Comprehensive Plan and redevelopment strategy..

Bid Information

In accordance with these regulations, a legal ad ran in the Paducah Sun on Sunday, October 20, 2017 requesting interested parties to submit a sealed bid on or before 10 AM on Nov. 8,

2017. Notice was also posted on the property requesting sealed bids. No responsive and responsible bids were received.

Sec. 2-654(3)c allows competitive negotiations after an invitation for bids has been made in accordance with section 20654 (a) through (e) and no bids have been received from responsive and responsible bidders. In accordance with the above stated condition, one bid was later submitted.

BID #1	Kathleen Kelly	Bid Amount: \$1.00
She proposes a new construction to be both live and work space. The proposed building would be a 20' X 56' slab foundation building consisting of living space in the rear and a art studio to the front. The total proposed investment is \$130,000.		

Staff Recommendation

The lot is located within the H-2 district which requires HARC review and approval of plans and design. Staff has worked with the applicant and i-5 Design Group Inc. to insure that the plans would compatible with the surrounding homes in the neighborhood. The proposed design was approved by HARC on Dec. 11, 2017.

Therefore, it is recommended to **accept the bid and transfer the property** to Kathleen Kelly accepting the offer of \$1.00 subject to the standard clause applied in Lower Town stating that the property would revert back to the City if the owner fails to comply with the submitted proposal.

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER DECLARING THE REAL PROPERTY LOCATED AT 517 NORTH 7TH STREET TO BE SURPLUS PROPERTY, ACCEPTING THE BID OF KATHLEEN KELLY IN THE AMOUNT OF \$1.00 PLUS RECORDING AND DEED PREPARATION FEES FOR PURCHASE OF SAID REAL PROPERTY AND AUTHORIZING THE MAYOR TO EXECUTE THE DEED AND ALL DOCUMENTS RELATED TO SAME

WHEREAS, pursuant to Section 2-668 of the Code of Ordinances of the City of Paducah, Kentucky, a written determination has been made that the City does not have any use at this time or in the future for property located at 517 North 7th Street, which constitutes surplus real estate; and

WHEREAS, the City advertised for bids on October 20, 2017, and no bids were received by the bid opening date of November 8, 2018; and

WHEREAS, pursuant to KRS 82.083(5), the City continued to pursue sale of said property and received a bid from Kathleen Kelly; and

WHEREAS, the City desires to accept the bid of Kathleen Kelly who proposes an investment of \$130,000.00 to construct a building to be used as a living space and art studio.

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

SECTION 1. The Board of Commissioners hereby declares the property located at 517 North 7th Street to be surplus property as it relates to the operations of the City. Further, the Board of Commissioners hereby accepts the bid of Kathleen Kelly in the amount of \$1.00 plus recording and deed preparation fees for the purchase of real property located at 517 North 7th Street.

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

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

Brandi Harless, Mayor

ATTEST:

Lindsay Parish, City Clerk

Adopted by the Board of Commissioners, August 28, 2018
Recorded by Lindsay Parish, City Clerk, August 28, 2018
\\mo\prop sale-517 North 7th Street



STAFF REPORT & DETERMINATION
DISPOSITION OF ASSETS
 SOA 2018-051 AUGUST 28, 2018

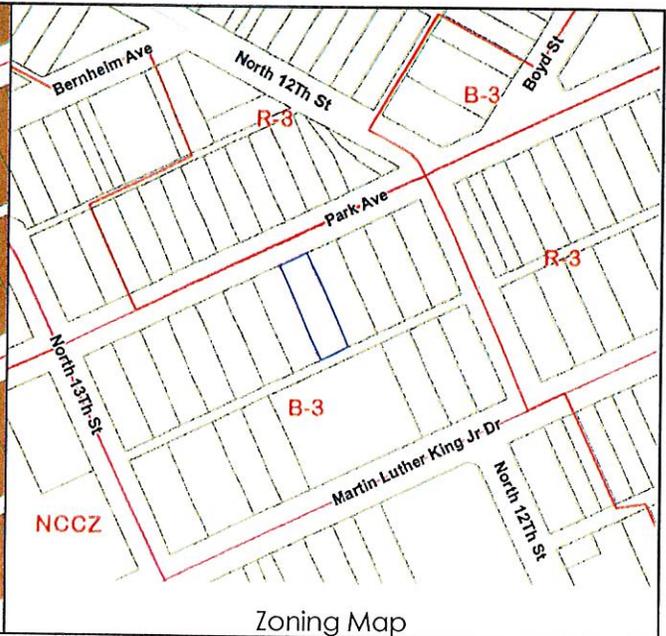
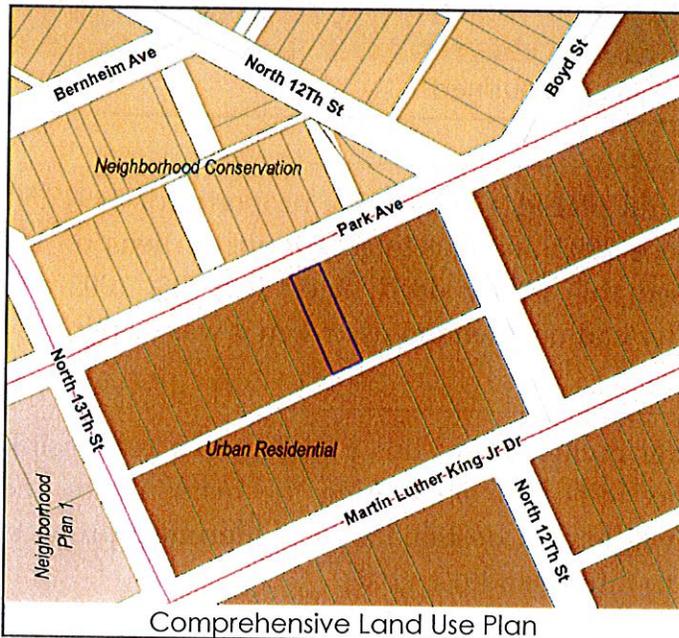
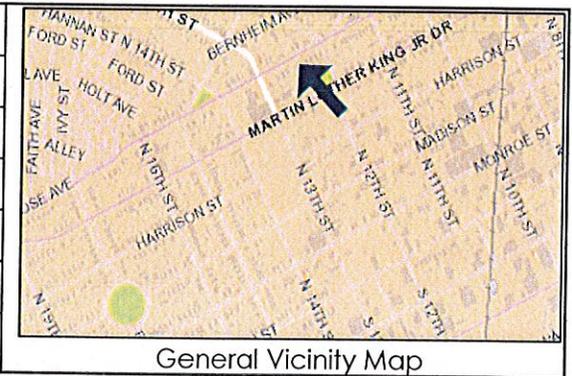
General Information

The disposition of surplus or excess property is governed by City Code Section 2-668; the sealed bid procedure is set out in City Code Section 2-645.

The disposition of any property requires a written determination that includes: a description of the property; its intended use at the time of acquisition; the reason why it is in the best interest of the city to dispose of the item; and the method of disposition to be used.

Property Description & Information

ADDRESS	1216 Park Avenue
CASE NO.	SOA 2018-051
SIZE OF PROPERTY	50' by 165' approx.
IMPROVEMENTS	None
ZONING	B-3
COMPREHENSIVE PLAN	Urban Residential
FLOODPLAIN	No





Aerial – 1216 Park Avenue is outlined

Acquisition of the Property

The City of Paducah demolished the house and placed a lien on the property for \$4947.50. The City has been abating this property since 2005 and the total amount of liens on the property was \$8,332.23. The City purchased this lot by deed dated June 23, 2005 and recorded in Deed Book 1067 Page 404. The City had no intended use when it was acquired.

Disposition of the Property

It is in the best interest of the City to transfer ownership of this property to a responsible citizen placing the property back on the tax rolls and eliminating the maintenance and liability costs, provided the development would not destabilize or undermine property values in the surrounding area or be counter to future land use goals.

Bid Information

In accordance with these regulations, a legal ad ran in the Paducah Sun on June 3, 2018 requesting interested parties to submit a sealed bid on or before 9 AM on June 18, 2018. Notice was also posted on the property requesting sealed bids. Only one bid was received before the deadline.

The bidder resides in McCracken County and owns the adjacent lot at 1216 Park Avenue

BID #1	Darrell Matheny	Bid Amount: \$1.00 plus deed preparation costs (\$77)
	He proposes to put remove one tree that is hazardous and make a circle drive to tie the lot with 1214 Park Avenue with long term plans to erect a 30 X 40 garage at the back of the property. He currently owns the adjacent lot. The proposed investment is \$18,000.	

Staff Recommendation

While the bidder does not have any plans for the property in the immediate future, he does indicate he will build a garage on the property with a proposed completion date of fall 2019. If development occurs, it must occur carefully so not to harm surrounding development, both existing and future. Consequently, any new construction should be compatible and uphold the existing residential development pattern. The surrounding homes have front doors and ample porches oriented toward Park Avenue; the dominant roof pitch matches or exceeds 6/12; and the construction of existing homes uses traditional residential materials and methods. It is further noted that vehicle access is from the alley. These are the type of general characteristics that would be reviewed for compatibility. Any future garage would have to meet the requirements of Section 126-86 (A) (1) of the Paducah Zoning Ordinance.

Therefore, it is recommended to **accept the bid and transfer the property** to Darrell Matheny accepting the offer of \$1.00 plus the cost of deed preparation (\$60.00) and recording fee (\$17.00) subject to the review and approval by the Director of Planning of the final site plan, elevations and construction plans of any building that would be constructed or located on the property.

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER DECLARING THE REAL PROPERTY LOCATED AT 1216 PARK AVENUE TO BE SURPLUS PROPERTY, ACCEPTING THE BID OF DARRELL MATHENY IN THE AMOUNT OF \$1.00 PLUS RECORDING AND DEED PREPARATION FEES FOR PURCHASE OF SAID REAL PROPERTY AND AUTHORIZING THE MAYOR TO EXECUTE THE DEED AND ALL DOCUMENTS RELATED TO SAME

WHEREAS, pursuant to Section 2-668 of the Code of Ordinances of the City of Paducah, Kentucky, a written determination has been made that the City does not have any use at this time or in the future for property located at 1216 Park Avenue, which constitutes surplus real estate; and

WHEREAS, the City advertised for bids on June 3, 2018, and one (1) bid was received and opened on June 18, 2018; and

WHEREAS, the City desires to accept the bid of Darrell Matheny who owns the adjacent property at 1214 Park Avenue and who proposes an investment of \$18,000.00 to remove a hazardous tree, create a circle drive and ultimately erect a 30x40 garage.

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

SECTION 1. The Board of Commissioners hereby declares the property located at 1216 Park Avenue to be surplus property as it relates to the operations of the City. Further, the Board of Commissioners hereby accepts the bid of Darrell Matheny in the amount of \$1.00 plus recording and deed preparation fees for the purchase of real property located at 1216 Park Avenue, subject to the review and approval by the Director of Planning of the final site plan, evaluations and construction plans of the garage that will be located on the property.

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

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

Brandi Harless, Mayor

ATTEST:

Lindsay Parish, City Clerk

Adopted by the Board of Commissioners, August 28, 2018
Recorded by Lindsay Parish, City Clerk, August 28, 2018
\\mo\prop sale-1216 Park Avenue

Agenda Action Form Paducah City Commission

Meeting Date: August 28, 2018

Short Title: Three (3) ZTR Mowers for use by the Parks Department Grounds Maintenance Division

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Randy Crouch, EPW Maintenance Supt.

Dena Alexander, EPW Admin Asst. III

Presentation By: Rick Murphy, P.E., City Engineer-Public Works Director

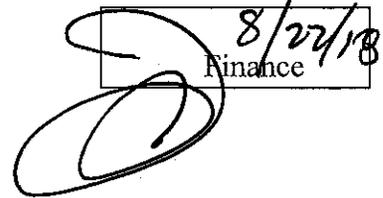
Background Information:

On July 26, 2018, sealed written bids were opened for the purchase of Three (3) ZTR Mowers for use by the Parks Department Grounds Maintenance Division. Lowest evaluated bid was received from Heartland Outdoor containing Two (2) Hustler ZTR 60" Cut Mowers at \$10,249.20 and One (1) Hustler ZTR 48" Cut Mower at \$5,832.70 for a total price of \$26,331.10. The delivery time will be 1 day after contract execution.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

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

Account Number: 71000210-540050

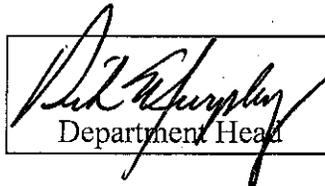
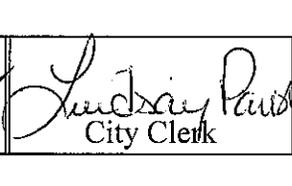
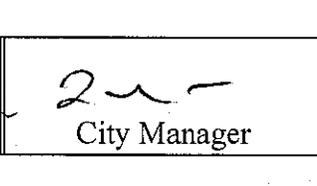
 8/27/18
Finance

Staff Recommendation:

To receive and file the bid and adopt an Municipal Order authorizing the Mayor to execute a contract with Heartland Outdoor for the purchase of Three (3) ZTR Mowers for use by the Parks Department Grounds Maintenance Division in the total amount of \$26,331.10.

Attachments:

Bids, Bid Tab, Advertisement, Proposed Contract

 Department Head	 City Clerk	 City Manager
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**CITY OF PADUCAH
ENGINEERING-PUBLIC WORKS DEPARTMENT**

Three (3) ZTR Mowers

LOWEST EVALUATED BID

BID OPENING: 2:00 p.m. CST - July 26, 2018

OFFICIAL BIDDER OF RECORD Contact: Mailing Address:	Heartland Outdoor Jami Wilhelm 6897 Ogden Landing West Paducah Ky 42086 270 442-9797	Hutson Inc Alex Hahn 3690 James Sanders Paducah Ky 42001 270 408-1397	Tread's & Auto George Johnson 2311 Cairo Rd Paducah, Ky 42001 270 443-0244	Erb Equipment Chuck Meier 6115 Hwy 45 Paducah, Ky 42002 270 554-1131	Tapp's Auto Michael Haney 2161 Irvin Cobb Dr Paducah, Ky 42003 270 575-0061
Two (2) 60" and One (1) 48" ZTR Mower	\$26,331.10	\$24,392.36	\$29,659.00		\$24,972.66

Delivery Time	1day	42days	7days	14days
Manufacturer	Hustler	John Deere	Exmark	Gravely

REQUIRED DOCUMENTS:

1. Bidder's Required Certification	Yes	Yes	Yes	Yes
2. Manufacturer's Specifications	Yes	Yes	Yes	Yes
3. Warranty Information	Yes	Yes	Yes	Yes
4. Deviations with Information	None	Yes	None	Yes
6. Kentucky State Bidders	Yes	Yes	Yes	Yes

Responsive & Responsible Bidder:	Yes	Yes	Yes	Non Responsive	Yes
Evaluation Score:	951.9	861.15	841.4		907.95
BID RECOMMENDED FOR ACCEPTANCE	Yes	No	No		No

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER ACCEPTING THE BID OF HEARTLAND OUTDOOR EQUIPMENT, INC., FOR SALE TO THE CITY OF THREE (3) ZTR MOWERS IN A TOTAL AMOUNT OF \$26,331.10 FOR USE BY THE PADUCAH PARKS DEPARTMENT GROUNDS MAINTENANCE DIVISION AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR SAME

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. The City of Paducah accepts the bid of Heartland Outdoor Equipment, Inc., for two (2) Hustler ZTR 60" Cut Mowers at \$10,249.20 each and one (1) Hustler ZTR 48" Cut Mower at \$5,832.70.00, for a total price of \$26,331.10, for use by the Paducah Parks Department Ground Maintenance Division, said bid being in substantial compliance with bid specifications, and as contained in the bid of Heartland Outdoor Equipment, Inc., of July 26, 2018.

SECTION 2. The Mayor is hereby authorized to execute a contract with Heartland Outdoor Equipment, Inc., for the purchase of three (3) ZTR Mowers, authorized in Section 1 above, according to the specifications, bid proposal and all contract documents heretofore approved and incorporated in the bid.

SECTION 3. These purchases shall be charged to Fleet Lease Trust Fund – Rolling Stock/Vehicles Account No. 71000210-540050.

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

Mayor

ATTEST:

Lindsay Parish, City Clerk

Adopted by the Board of Commissioners, August 28, 2018
Recorded by Lindsay Parish, City Clerk, August 28, 2018
MOZTR Mowers 8-2018

**CITY OF PADUCAH, KENTUCKY
ENGINEERING-PUBLIC WORKS DEPARTMENT**

AGREEMENT TO PURCHASE THREE (3) ZTR MOWERS

THIS AGREEMENT, made this _____ day of _____, 20____ by and between the **CITY OF PADUCAH**, hereinafter called the **OWNER**, and **HEARTLAND OUTDOORS** hereinafter called the **VENDOR**, for the consideration hereinafter named, agree as follows:

ARTICLE 1. SCOPE OF WORK

The Vendor shall provide **THREE (3) ZTR MOWERS** to be used by the **PARKS DEPARTMENT GROUNDS MAINTENANCE DIVISION** in full compliance with the Bid Proposal Dated **July 23, 2018** and with this Agreement, the Specifications and any Addendum(s) issued.

ARTICLE 2. TIME FOR COMPLETION AND LIQUIDATED DAMAGES

The Vendor hereby agrees to commence work under this Contract and to fully complete the delivery of the aforementioned Vehicle(s) within _____ consecutive calendar days thereafter from the date of this Agreement.

ARTICLE 3. THE CONTRACT SUM

The Owner agrees to pay the Vendor the following, subject to additions and deductions provided therein: **Twenty-Six Thousand Three Hundred Thirty-One Dollars and Ten Cents (\$26,331.10)** as quoted in the aforementioned Vendor's Bid Proposal and as approved by the Board of Commissioners on _____ by Municipal Order # _____.

ARTICLE 4. PAYMENTS

The Owner will make Payment in full upon satisfactory delivery in accordance with the Contract Documents and the Specifications. The Payment shall constitute full compensation for the work and services authorized herein.

ARTICLE 5. GOVERNING LAW

The Parties agree that this Agreement and any legal actions concerning its validity, interpretation and performance shall be governed by the laws of the Commonwealth of Kentucky. The parties further agree that the venue for any legal proceeding relating to this Agreement shall exclusively be in McCracken County, Kentucky.

ARTICLE 6. THE CONTRACT DOCUMENTS

The Specifications and any addendum that may have been issued are fully a part of this Contract as if thereto attached or herein repeated.

IN WITNESS WHEREOF: The parties hereto have executed this Agreement, the day and year first above written.

VENDOR

BY _____
TITLE _____

ADDRESS:

CITY OF PADUCAH, KENTUCKY

BY _____
Brandi Harless, Mayor

ADDRESS:
Post Office Box 2267
Paducah, Kentucky 42002-2267

Agenda Action Form Paducah City Commission

Meeting Date: 08/28/2018

Short Title: Emergency Notification

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: City Manager-James W. Arndt
Presentation By: City Manager-James W. Arndt

Background Information: This Municipal Order requires the City Public Safety Departments to promptly notify the residents that live in the Keeton Correctional Facility neighborhood, after the City receives notification of an escape.

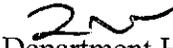
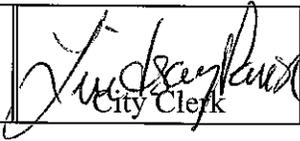
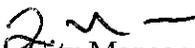
Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: Account Name:
Account Number:

Finance

Staff Recommendation: Approve the Order requiring public notification after an escape.

Attachments: Municipal Order No. ?

 Department Head	 City Clerk	 City Manager
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MUNICIPAL ORDER NO. _____

**AN MUNICIPAL ORDER OF THE CITY OF PADUCAH,
KENTUCKY, DIRECTING THE CITY MANAGER AND
HIS STAFF TO PROMPTLY NOTIFY NEIGHBORHOOD
RESIDENTS AFTER AN ESCAPE OCCURS AT THE
KEETON CORRECTIONAL FACILITY**

WHEREAS, the Board of Commissioners of the City of Paducah believe that it is best interest of the citizens of Paducah for the City to notify the residents that live in the Keeton Correctional Facility neighborhood, after the City receives notification of an escape; and

WHEREAS, the Board of Commissioners of the City of Paducah desire to utilize the most efficient and effective methods possible to make such notification.

NOW, THEREFORE, by the adoption of this Municipal Order, the Board of Commissioners **HEREBY ORDERED THAT**:

SECTION 1. The City Manager and his staff are directed to promptly notify the residents that live within the Keeton Correctional Facility neighborhood, after the City receives notification of an escape.

SECTION 2. This Municipal Order shall become effective on the date of its adoption and shall remain in effect until amended or repealed by action of the Board of Commissioners of the City of Paducah, Kentucky.

Brandi Harless, Mayor

ATTEST:

Lindsay Parish, City Clerk

Adopted by the Board of Commissioners, August 28, 2018
Recorded by Lindsay Parish, City Clerk, August 28, 2018
\\mo\Keeton Correctional Escape Notification

Agenda Action Form

Paducah City Commission

Meeting Date: August 28th, 2018

Short Title: Change Orders #3 and #4: City Hall Phase I Improvement Project

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Maegan Mansfield, P.E., EPW Proj Mgr

Presentation By: Rick Murphy, P.E., City Engineer-Public Works Director

Background Information:

As a part of the City Hall Phase I project, the interior lantern/atrium area of City Hall was to be repaired due to water leaks that had occurred through the skylight windows. The project plans and specifications called for replacement of skylight windows, the replacement of birch trim board surrounding the skylight windows, and the refinishing of the wooden grid. The interior face of the atrium/lantern area was also specified to be painted. According to 1963 original construction plans of the building, the interior face of the lantern was constructed out of concrete. However, during construction it was discovered a plaster finish was applied, although not detailed in original plans or known by the design team.

Upon removal of the wooden grid, small portions of debris from the interior face of the lantern began to fall due to abrasion of the surface. It was anticipated that the interior face would stay intact during the removal of the wooden grid. As increasingly more sections of the interior face began to fall, the project team became concerned that other materials (aside from concrete and plaster) were used in original construction. In order to abide by Kentucky Heritage Council standards, the design team began to formulate a plan to repair the small portions of the interior face that had fallen and/or was loosened due to years of leaking lantern windows constructed with the original structure. Through design team inspection, it was determined that approximately 50% of the ceiling surface is not fully intact and endanger of coming loose. During this time, it was decided that testing of materials for hazardous particles should be performed since the fallen debris was inconsistent with materials indicated on the original plans and it could not be anticipated nor predicted that this material would be disturbed.

On Friday, August 10th, 2018 the City of Paducah was notified that fallen debris from the interior face of the atrium contained a small level of asbestos. Four samples were tested, and it appeared that a thin, white skim coat was placed over the leveling substrate and this thin layer is where the asbestos was present. Asbestos levels fluctuated between 0.75%-1.75% of overall material composition within the white skim coat layer. Upon receipt of these results the City of Paducah immediately met with Summit Environmental Services, Marcum Engineering, and A&K Construction to implement cleanup of fallen debris, monitoring of air quality, and testing of potentially contaminated surfaces.

A&K Construction's sub-contractor, IMAC, arrived on site Friday afternoon to begin clean up over the weekend while City Hall was closed. Summit Environmental was hired by the City to perform air testing monitoring before, during, and after cleanup operations. Summit

Environmental also performed twenty-four dust samples around the first and second floors of the atrium and in the offices open to the atrium to determine the presence and concentration levels of hazardous materials.

Results of air quality monitoring indicated negligible levels of fibers in the air at all three points of the cleanup operation. (Note: air quality monitoring tests for any fibers created from organic materials as well as foreign materials.) Results of the dust samples collected revealed no presence of asbestos fibers, where the acceptable limit of "low or background" level of fibers present is eleven (11) fibers. At the conclusion of testing, the design team felt reassured that staff and public exposure to asbestos was negligible due to this activity.

However, now that asbestos has been identified in the skim coat covering of the atrium, precautions have to be taken in order to avoid further exposure. The design team has recommended the installation of scaffolding versus the previous plan of using a man lift for access, since 100% of the interior face of the atrium must now be removed. The design team has also recommended the installation of a curtain barrier around the lantern area in order to create a safe wall while this material is removed.

The addition of scaffolding and the curtain barrier, as well as emergency operations performed upon discovery of asbestos has created the need for Change Order #3 on the City Hall Project.

The following items are proposed as a part of Change Order #3:

- Item #1: Scaffolding: \$43,156
- Item #2: Curtain Barrier: \$5,615
- Item #3: IMAC Emergency Clean Up Services: \$15,083
 - August 10-13th
 - Limited to fallen debris/loose material at present time.

Net Total for Change Order No. 3: +\$63,854

Change Order #3 covers activities related to the lantern/atrium that have occurred to date. As mentioned previously, 100% of the interior face of the atrium has to be removed since the asbestos discovery. Emergency clean up services included in change order #3 was limited to clean up of fallen debris on the floor and loose materials. IMAC will need to further perform remediation services in order to remove the remaining intact material. This operation will take place from close of business on August 30th, 2018 through September 3rd, 2018. Crews will be present in City Hall 24/7 until operation is complete. City Hall will be closed for business on August 31st, 2018 and will reopen on September 4th, 2018.

After successful removal of existing material, A&K will need to fully repair the interior face back to original appearance by installing an EIFS overlay. The last step in the atrium/lantern area will be to paint the new ceiling and soffits that have water damage from leaks.

Originally, plans called for only the surface inside the lantern to be painted, and it was determined the paint needed to extend through the soffits due to leaks and material removal. These activities are included as a part of Change Order #4.

The following items are proposed as a part of Change Order #4:

- Item #1: Removal of intact lantern ceiling materials: \$97,980

- Item #2: Repair of lantern ceiling using EIFS overlay: \$50,509
- Item #3: Painting of soffit: \$5,704

Net Total for Change Order No. 4: +\$154,193

Change Order #3, increasing A&K Construction's contract by \$63,854 is recommended. The approval of this change order will bring A&K Construction's contract amount to \$4,168,090.

Change Order #4, increasing A&K Construction's contract by \$154,193 is also recommended. The approval of this change order (and change order # 3) will bring A&K Construction's contract amount to \$4,322,283.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: Account Name: City Hall Phase I
 Improvements
 Account Number: PF0076-001-20000-20002
 Project Number: PF0076

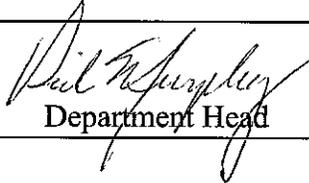
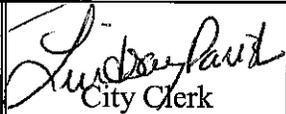
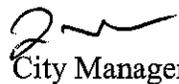
Finance

Staff Recommendation:

Authorize the Mayor to accept and to execute Change Order #3 and Change Order #4, which increases A&K Construction's contract by \$63,854.00 and \$154,193, respectively. The approval of both change orders will increase their contract amount to \$4,322,283.

Attachments:

Ordinance #2018-1-8512, Summary of Asbestos Testing and Operations, Change Order Request #3, Change Order Request #4, COR #11, COR #12

 Department Head	 City Clerk	 City Manager
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ORDINANCE 2018-8-_____

AN ORDINANCE APPROVING CHANGE ORDER NO. 3 WITH A & K CONSTRUCTION FOR A PRICE INCREASE IN THE AMOUNT OF \$63,854.00 FOR THE CITY HALL PHASE I PROJECT AND DECLARING AN EMERGENCY TO EXIST

WHEREAS, the City Commission approved Ordinance No. 2018-1-8512 on January 23, 2018, to enter into a contract with A & K Construction in the total amount of \$4,293,781.00 for the City Hall Phase I Project; and

WHEREAS, the City Commission approved Ordinance No. 2018-7-8538 on July 10, 2018, which reduced the contract by \$206,381.00, for a total contract price of \$4,087,400.00; and

WHEREAS, the City Commission approved Ordinance No. 2018-7-8541 on July 24, 2018, which increased the contract by \$16,836 for a total contract price of \$4,104,236; and

WHEREAS, Change Order No. 3 is now required for scaffolding, curtain barrier and IMAC Emergency Clean Up Services which are necessary after the discovery of asbestos in the City Hall lantern which together create a net increase to the contract of \$63,854.00, for a total contract price of \$4,168,090.00.

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

SECTION 1. Authorizations & Recitals. The Mayor is hereby authorized to execute Change Order No. 3 with A & K Construction for an overall price increase in the amount of \$63,854.00 for the City of Paducah's City Hall Phase I Project, henceforth, increasing the total contract price to \$4,168,090.00.

SECTION 2. 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 for immediate action for asbestos abatement for the health and wellbeing of city personnel and the public.

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

Brandi Harless, Mayor

ATTEST:

Lindsay Parish, City Clerk

Introduced & Adopted by the Board of Commissioners August 28, 2018

Recorded by Lindsay Parish, Paducah City Clerk, August 28, 2018

Published by The Paducah Sun, _____

ord\eng\chgord 3-City Hall Phase I Project increase emergency

Agenda Action Form

Paducah City Commission

Meeting Date: August 28th, 2018

Short Title: Change Orders #3 and #4: City Hall Phase I Improvement Project

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Maegan Mansfield, P.E., EPW Proj Mgr

Presentation By: Rick Murphy, P.E., City Engineer-Public Works Director

Background Information:

As a part of the City Hall Phase I project, the interior lantern/atrium area of City Hall was to be repaired due to water leaks that had occurred through the skylight windows. The project plans and specifications called for replacement of skylight windows, the replacement of birch trim board surrounding the skylight windows, and the refinishing of the wooden grid. The interior face of the atrium/lantern area was also specified to be painted. According to 1963 original construction plans of the building, the interior face of the lantern was constructed out of concrete. However, during construction it was discovered a plaster finish was applied, although not detailed in original plans or known by the design team.

Upon removal of the wooden grid, small portions of debris from the interior face of the lantern began to fall due to abrasion of the surface. It was anticipated that the interior face would stay intact during the removal of the wooden grid. As increasingly more sections of the interior face began to fall, the project team became concerned that other materials (aside from concrete and plaster) were used in original construction. In order to abide by Kentucky Heritage Council standards, the design team began to formulate a plan to repair the small portions of the interior face that had fallen and/or was loosened due to years of leaking lantern windows constructed with the original structure. Through design team inspection, it was determined that approximately 50% of the ceiling surface is not fully intact and endanger of coming loose. During this time, it was decided that testing of materials for hazardous particles should be performed since the fallen debris was inconsistent with materials indicated on the original plans and it could not be anticipated nor predicted that this material would be disturbed.

On Friday, August 10th, 2018 the City of Paducah was notified that fallen debris from the interior face of the atrium contained a small level of asbestos. Four samples were tested, and it appeared that a thin, white skim coat was placed over the leveling substrate and this thin layer is where the asbestos was present. Asbestos levels fluctuated between 0.75%-1.75% of overall material composition within the white skim coat layer. Upon receipt of these results the City of Paducah immediately met with Summit Environmental Services, Marcum Engineering, and A&K Construction to implement cleanup of fallen debris, monitoring of air quality, and testing of potentially contaminated surfaces.

A&K Construction's sub-contractor, IMAC, arrived on site Friday afternoon to begin clean up over the weekend while City Hall was closed. Summit Environmental was hired by the City to perform air testing monitoring before, during, and after cleanup operations. Summit

Environmental also performed twenty-four dust samples around the first and second floors of the atrium and in the offices open to the atrium to determine the presence and concentration levels of hazardous materials.

Results of air quality monitoring indicated negligible levels of fibers in the air at all three points of the cleanup operation. (Note: air quality monitoring tests for any fibers created from organic materials as well as foreign materials.) Results of the dust samples collected revealed no presence of asbestos fibers, where the acceptable limit of "low or background" level of fibers present is eleven (11) fibers. At the conclusion of testing, the design team felt reassured that staff and public exposure to asbestos was negligible due to this activity.

However, now that asbestos has been identified in the skim coat covering of the atrium, precautions have to be taken in order to avoid further exposure. The design team has recommended the installation of scaffolding versus the previous plan of using a man lift for access, since 100% of the interior face of the atrium must now be removed. The design team has also recommended the installation of a curtain barrier around the lantern area in order to create a safe wall while this material is removed.

The addition of scaffolding and the curtain barrier, as well as emergency operations performed upon discovery of asbestos has created the need for Change Order #3 on the City Hall Project.

The following items are proposed as a part of Change Order #3:

- Item #1: Scaffolding: \$43,156
- Item #2: Curtain Barrier: \$5,615
- Item #3: IMAC Emergency Clean Up Services: \$15,083
 - August 10-13th
 - Limited to fallen debris/loose material at present time.

Net Total for Change Order No. 3: +\$63,854

Change Order #3 covers activities related to the lantern/atrium that have occurred to date. As mentioned previously, 100% of the interior face of the atrium has to be removed since the asbestos discovery. Emergency clean up services included in change order #3 was limited to clean up of fallen debris on the floor and loose materials. IMAC will need to further perform remediation services in order to remove the remaining intact material. This operation will take place from close of business on August 30th, 2018 through September 3rd, 2018. Crews will be present in City Hall 24/7 until operation is complete. City Hall will be closed for business on August 31st, 2018 and will reopen on September 4th, 2018.

After successful removal of existing material, A&K will need to fully repair the interior face back to original appearance by installing an EIFS overlay. The last step in the atrium/lantern area will be to paint the new ceiling and soffits that have water damage from leaks. Originally, plans called for only the surface inside the lantern to be painted, and it was determined the paint needed to extend through the soffits due to leaks and material removal. These activities are included as a part of Change Order #4.

The following items are proposed as a part of Change Order #4:

- Item #1: Removal of intact lantern ceiling materials: \$97,980

- Item #2: Repair of lantern ceiling using EIFS overlay: \$50,509
- Item #3: Painting of soffit: \$5,704

Net Total for Change Order No. 4: +\$154,193

Change Order #3, increasing A&K Construction's contract by \$63,854 is recommended. The approval of this change order will bring A&K Construction's contract amount to \$4,168,090.

Change Order #4, increasing A&K Construction's contract by \$154,193 is also recommended. The approval of this change order (and change order # 3) will bring A&K Construction's contract amount to \$4,322,283.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: Account Name: City Hall Phase I
 Improvements
 Account Number: PF0076-001-20000-20002
 Project Number: PF0076

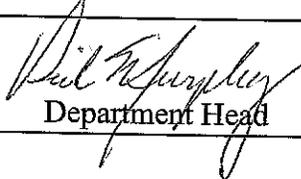
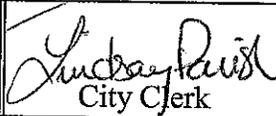
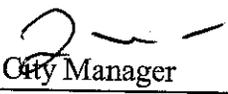
Finance

Staff Recommendation:

Authorize the Mayor to accept and to execute Change Order #3 and Change Order #4, which increases A&K Construction's contract by \$63,854.00 and \$154,193, respectively. The approval of both change orders will increase their contract amount to \$4,322,283.

Attachments:

Ordinance #2018-1-8512, Summary of Asbestos Testing and Operations, Change Order Request #3, Change Order Request #4, COR #11, COR #12

 Department Head	 City Clerk	 City Manager
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ORDINANCE 2018-8-_____

AN ORDINANCE APPROVING CHANGE ORDER NO. 4 WITH A & K CONSTRUCTION FOR A PRICE INCREASE IN THE AMOUNT OF \$154,193.00 FOR THE CITY HALL PHASE I PROJECT AND DECLARING AN EMERGENCY TO EXIST

WHEREAS, the City Commission approved Ordinance No. 2018-1-8512 on January 23, 2018, to enter into a contract with A & K Construction in the total amount of \$4,293,781.00 for the City Hall Phase I Project; and

WHEREAS, the City Commission approved Ordinance No. 2018-7-8538 on July 10, 2018, which reduced the contract by \$206,381.00, for a total contract price of \$4,087,400.00; and

WHEREAS, the City Commission approved Ordinance No. 2018-7-8541 on July 24, 2018, which increased the contract by \$16,836 for a total contract price of \$4,104,236; and

WHEREAS, the City Commission approved Ordinance No. 2018-8-8545 on August 28, 2018, which increased the contract by \$63,854.00, for a total contract price of \$4,168,090.00; and

WHEREAS, Change Order No. 4 is now required for remediation services for removal of intact lantern ceiling materials, repair of lantern ceiling using EIFS overlay and painting of soffit which are necessary after the discovery of asbestos in the City Hall lantern which together create a net increase to the contract of \$154,193.00, for a total contract price of \$4,322,283.00.

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

SECTION 1. Authorizations & Recitals. The Mayor is hereby authorized to execute Change Order No. 4 with A & K Construction for an overall price increase in the amount of \$154,193.00 for the City of Paducah's City Hall Phase I Project, henceforth, increasing the total contract price to \$4,322,283.00.

SECTION 2. 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 for immediate action for asbestos abatement for the health and wellbeing of city personnel and the public.

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

Brandi Harless, Mayor

ATTEST:

Lindsay Parish, City Clerk

Introduced & Adopted by the Board of Commissioners August 28, 2018

Recorded by Lindsay Parish, Paducah City Clerk, August 28, 2018

Published by The Paducah Sun, _____

\\ord\eng\chgord 4-City Hall Phase I Project increase emergency

Agenda Action Form Paducah City Commission

Meeting Date: August 28, 2018

Short Title: Escapee Notice Requirement for all Private Correctional Facilities

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: James W. Arndt

Presentation By: James W. Arndt

Background Information:

It has come to the attention of the City of Paducah that escapees from local private correctional facilities pose a danger to the neighborhood surrounding the facilities. It is the intent of this ordinance to ensure that residents are notified quickly when there is an escape from a local correctional facility.

This ordinance requires all private correctional facilities in the City of Paducah to adhere to all laws and best practices related to surveillance to prevent escapees. Further, said facilities are required to immediately inform the Paducah Police Department, McCracken County Sheriff's Department, Kentucky State Police Department and all correctional facility employees of the escape of a probationer, inmate or parolee from the facility's custody. It also requires all private correctional facilities to develop written policies and procedures within 30 days to ensure that the notice is provided. Further, this ordinance provides the penalty for failure to comply with the notice and policy and procedure requirements.

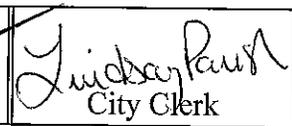
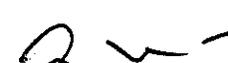
Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: Account Name: N/A
Account Number: N/A

Finance

Staff Recommendation: Enact an ordinance requiring all private correctional facilities to immediately inform local & state law enforcement and facility employees of an escapee, requiring that facilities development of policies and procedures for handling notification, providing a penalty for failure to comply and declaring an emergency to exist.

Attachments: Draft Ordinance

 Department Head	 City Clerk	 City Manager
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CITY OF PADUCAH

ORDINANCE NO. 2018-_____

AN ORDINANCE REQUIRING PRIVATE CORRECTIONAL FACILITIES TO EXERCISE STRICT CONTROL OF INMATES AND GIVE IMMEDIATE NOTICE TO LAW ENFORCEMENT AGENCIES.

WHEREAS, Pursuant to Kentucky Revised Statute 83A.130 local governments may establish rules and regulations necessary for the public health, safety, and welfare; and

WHEREAS, the City of Paducah (hereinafter referred to as "City") wishes to guard against escapes from custody or unaccounted for absences from Private Correctional Facilities (hereinafter referred to as "Facilities") and to immediately provide law enforcement officers with the necessary information to apprehend escapees from Facilities and, further provide for public safety.

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

Section 1. Strict Surveillance and Diligence. In order to prevent escapes and/or unauthorized absences all Facilities, located in the City of Paducah, are hereby directed to adopt and strictly adhere to all local, state and federal laws, including applicable "best practices" for similar enterprises, to prevent escapes or unaccounted for absences and to ensure that all probationers, inmates or parolees, are at All Times accounted for and under its supervision. Any violation of this section may subject Facilities to Section 4, Penalty, set forth below.

Section 2. Notice of Escapee. All Facilities shall be, and are hereby, required without delay to immediately inform the Paducah Police Department, McCracken County Sheriff's Department, Kentucky State Police Department, (collectively referred to as "Law Enforcement") and also all employees of the Facilities upon determining that a probationer, inmate, or parolee may have escaped from custody or is otherwise unaccounted for.

Section 3. Policies and Procedures. All Facilities shall be required to promptly develop written policies and procedures which the Facilities shall diligently adhere to in response to a probationer, inmate, or parolee escaping from custody or being otherwise

unaccounted for. The written policy and procedure shall be developed and copies provided to Law Enforcement within thirty (30) days from the adoption of this ordinance.

Section 4. Penalty. The failure of Facilities to strictly comply with the requirements of this ordinance is hereby deemed to be sufficient legal grounds to revoke the Facilities business license pursuant to Chapter 106 of the Code of Ordinances of the City of Paducah.

Section 5. 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 6. Emergency. For the reasons set forth above, an emergency is declared to exist and the provisions of this Ordinance shall become effective immediately upon its adoption by a vote of 2/3 of the City Commission and publication pursuant to KRS 424.

MAYOR

ATTEST:

City Clerk

Introduced & Adopted by the Board of Commissioners, August 28, 2018

Recorded by City Clerk, August 28, 2018

Published in full by *The Paducah Sun*, _____, 2018

Ord\Correctional Facility Escapee Notice Requirement

Denton Law Firm

Agenda Action Form Paducah City Commission

Meeting Date: August 28, 2018

Short Title: **Acceptance of Colgan Properties, LLC Subdivision**

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Eric Hickman, P.E., Stormwater & Drainage Engineer
Presentation By: Rick Murphy, P.E., City Engineer

Background Information:

The final plat of subdivision, the subdivision roadway plans, and stormwater management plan submitted for the Colgan Properties, LLC Subdivision have been reviewed and are approved as noted by letter dated August 23, 2018 by the Engineering – Public Works Department. The aforementioned letter was mailed to the engineer of record and owner on August 23, 2018. On August 20, 2018, the Paducah Planning Commission adopted a Resolution approving the final plat of the Colgan Properties, LLC Subdivision. The City Engineer – Public Works Director required an amount of \$150,000 be submitted as surety for the completion of the public improvements. On August 23, 2018, Colgan Properties, LLC, provided an Irrevocable Letter of Credit #8033 issued by Paducah Bank in the amount of \$150,000 for completion of the subdivision public improvements pursuant to City of Paducah Ordinances.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: Account Name:
Account Number:

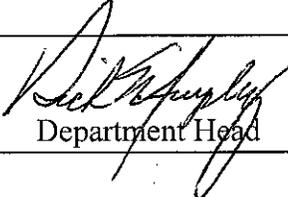
Finance

Staff Recommendation:

To adopt an Ordinance authorizing the Mayor to execute the Final Plat of Subdivision for the Colgan Properties, LLC Subdivision, to accept the Irrevocable Letter of Credit as surety for completion of the public improvements in the amount of \$150,000 and to accept the dedication of the public right of way and easements as shown on said Final Plat

Attachments:

Planning & Zoning Resolution, Letter of Credit, Final Plat, Subdivision Approval Letter

 Department Head	 City Clerk	 City Manager
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ORDINANCE NO. 2018-____ - _____

AN ORDINANCE APPROVING THE FINAL REPORT OF THE PADUCAH PLANNING COMMISSION ON THE PROPOSED FINAL SUBDIVISION FOR PROPERTY LOCATED AT 3501 PECAN DRIVE; ACCEPTING THE DEDICATION OF RIGHT OF WAY; ACCEPTING PUBLIC UTILITY EASEMENTS; AND AUTHORIZING THE MAYOR TO SUBSCRIBE A CERTIFICATE OF APPROVAL ON THE PLAT

WHEREAS, the Paducah Planning Commission held a public hearing on June 18, 2018, and adopted a preliminary subdivision plan for property located at 3501 Pecan Drive; and

WHEREAS, by Resolution dated August 20, 2018, the Paducah Planning Commission recommends to the Board of Commissioners the adoption of an ordinance approving the revised final plat of subdivision of property of Colgan Properties, LLC; and

WHEREAS, the City Engineer has received and approved an Irrevocable Letter of Credit in the amount of \$150,000, for surety as to the completion of public improvements, in accordance with the proposed subdivision plan and the City's specifications.

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

SECTION 1. That a resolution adopted by the Paducah Planning Commission on August 20, 2018, entitled, "A RESOLUTION CONSTITUTING THE FINAL REPORT OF THE PADUCAH PLANNING COMMISSION ON THE PROPOSED FINAL SUBDIVISION FOR PROPERTY LOCATED AT 3501 PECAN DRIVE", be approved as the final report of said Commission respecting the matters set forth therein.

SECTION 2. That the subdivision of said property shall be, and it is hereby, approved as shown on the plat referred to in said subdivision, which plat is entitled, "Final Subdivision Plat Colgan Properties, LLC, U.S. Highway 62 & Pecan Drive Paducah, McCracken Co., KY", and said property is hereby declared to be subdivided as shown on said plat.

SECTION 3. That the City hereby accepts Irrevocable Letter of Credit No. 8033 in the amount of \$150,000.00, for surety of the completion of the street, curbs, gutters and right-of-way in the development that meets the minimum standards required by the City of Paducah Engineering Department pursuant to the City of Paducah Code of Ordinances.

SECTION 4. That the dedication of the public right-of-way and public utility easements shown on said plat shall be, and they are hereby, accepted and shall be maintained by the City of Paducah, but such acceptance shall not constitute an undertaking on the part of this Board or the City of Paducah, Kentucky, for the construction or improvements of said right-of-way. The Mayor is hereby authorized to subscribe a certificate of approval on the plat.

SECTION 5. That if any section, paragraph or provision of this ordinance shall be found to be inoperative, ineffective or invalid for any cause, the deficiency or invalidity of such section, paragraph or provision hereof, it being the purpose and intent of this ordinance to make each and every section, paragraph or provision hereof, it being the purpose and intent of this ordinance to make each and every section, paragraph and provision hereof separable from all other sections, paragraphs and provisions.

SECTION 6. This ordinance shall have two separate readings and will become effective upon summary publication pursuant to KRS Chapter 424.

Brandi Harless, Mayor

ATTEST:

Lindsay Parish, City Clerk

Introduced by the Board of Commissioners, August 28, 2018

Adopted by the Board of Commissioners, _____

Recorded by Lindsay Parish, City Clerk, _____

Published by The Paducah Sun, _____

\\ord\plan\subd- Colgan Properties 3501 Pecan Drive

WOW

August 22, 2018

IRREVOCABLE LETTER OF CREDIT NO. 8033

City of Paducah
Engineering Department
300 S 5th St
Paducah KY 42001

Dear Sir or Madam:

We hereby establish our Irrevocable Letter of Credit No.8033 in your favor for the account of **Colgan Properties, LLC**, dated August 22, 2018, available by your drafts(s) on us at sight, up to the aggregate amount of **One Hundred Fifty Thousand Dollars and No/100 (\$150,000.00)**.

Drafts are not to be presented for collection unless construction of the street, curbs, gutters and right-of-way in the development known as Colgan Properties, LLC Subdivision does not meet the minimum standards required by the City of Paducah Engineering Department. Each draft so drawn under this credit must be marked, "Drawn under The Paducah Bank and Trust Company, 555 Jefferson Street, Paducah, Kentucky, Credit No. 8033, dated August 22, 2018," and be accompanied by a signed statement from an authorized representative of the City of Paducah Engineering Department that Colgan Properties, LLC is in default of the road and infrastructure bond agreement with the City of Paducah Engineering Department and the amount drawn represents the balance required to properly construct the street, curbs, gutters and right of way in the development known as Colgan Properties, LLC Subdivision.

This credit sets forth in full the terms of our obligations to you, and such undertaking shall not in any way be modified or amplified by an agreement in which this credit is referred to or to which this credit relates, and any such reference shall not be deemed to incorporate herein by reference any agreement.

This Letter of Credit is subject, to the International Standby Practices (ISP98), International Chamber of Commerce Publication No. 590.

We hereby agree with you that all drafts drawn under and in compliance with the terms of this credit will be duly honored if drawn and presented for payment to our main office, The Paducah Bank and Trust Company, Attention: Letter of Credit Department, 555 Jefferson Street, Paducah, Kentucky 42001. This Letter of Credit expires August 22, 2019.

Sincerely,



Tom Clayton
Senior Vice President

PADUCAH BANK

A RESOLUTION CONSTITUTING THE FINAL REPORT OF THE PADUCAH PLANNING COMMISSION ON THE PROPOSED FINAL SUBDIVISION FOR PROPERTY LOCATED AT 3501 PECAN DRIVE.

WHEREAS, this Commission, at a public hearing held on June 18, 2018, adopted a preliminary subdivision plan for property located at 3501 Pecan Drive; and

WHEREAS, all matters regarding the plat have been made known to the Commission; and

WHEREAS, a final plat of said subdivision has been submitted to the Paducah Planning Commission, being entitled "Colgan Properties, LLC".

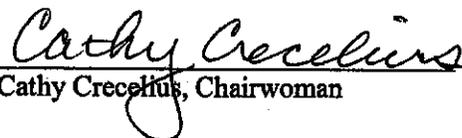
NOW THEREFORE, BE IT RESOLVED BY THE PADUCAH PLANNING COMMISSION:

SECTION 1. That this Commission recommend to the Mayor and Board of Commissioners the adoption of a Resolution or the entry of an Order approving said final plat and the subdivision reflected thereon.

SECTION 2. That this Resolution shall be treated as, and is, the final report of the Paducah Planning Commission respecting the matters appearing herein and it, with a copy of said plat, shall be submitted to the Mayor and Commissioners pursuant to law.

SECTION 3. That said plat shall be released for recording purposes after favorable action by the Mayor and Commissioners upon this report.

SECTION 4. 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 August 20, 2018



CITY OF PADUCAH

300 South 5th Street

P. O. Box 2267

Paducah, KY 42002-2267

www.paducahky.gov

Rick Murphy, P.E.
City Engineer & Public Works Director

Phone: (270) 444-8511

Fax: (270) 444-8689

August 23, 2018

SiteWorx Survey & Design, LLC
Jason Goins, P.E.
124 South 31st Street
Paducah, Kentucky 42001

RE: Colgan Properties, LLC Commercial Subdivision

Dear Jason,

The subdivision plans, stormwater pollution prevention plan (SWPPP) and the stormwater management plan submitted for the above referenced subdivision have been reviewed and are approved, subject to the following conditions as stated below. In making these findings, the Engineering – Public Works Department has relied upon the engineer of record signature and seal on the submitted design plans for purposes of determining compliance with City of Paducah's ordinances. Nothing contained herein shall be construed as an assumption of liability by the City of Paducah Engineering – Public Works Department or a waiver of liability of the engineer who submitted the design plans if it is subsequently determined the engineer of record erred in his/her design calculations and/or application of various materials causing the design plans to become noncompliant with City ordinances.

SUBMITTALS REQUIRED

1. **Specifications** - For **ALL** construction within the right of way to be dedicated, the quality of construction, materials and testing shall equal or exceed the Kentucky Transportation Cabinet Department of Highways Standard Specifications for Road and Bridge Construction.

GENERAL COMMENTS

1. The Developer will be responsible to employ a professional engineer to ensure the construction of all improvements required by the City of Paducah's Subdivision Ordinance are completed in accordance to the plans as approved by the City Engineer and in conformity with all applicable City standards. The Developer will be responsible for all field verifications and inspections and all costs incurred.
2. An Engineering Department's representative will be on site to periodically spot-check the construction in progress. The Engineering Department will not be held responsible for work that is not completed in accordance to the approved subdivision's construction plans.



EQUAL OPPORTUNITY EMPLOYER

3. **ALL** construction of public improvements to be dedicated to the City of Paducah, the quality of construction, materials, and testing shall equal or exceed the Kentucky Transportation Cabinet Department of Highways Standard Specifications for Road and Bridge Construction.
4. The Engineer of Record and the City Engineer shall approve all shop drawings, materials, etc. **prior to ordering/purchasing** these materials.
5. The responsibility of the construction of the improvements and the ownership and maintenance responsibilities during construction shall be those of the developer. Lack of installation of the facilities in accordance with all City requirements will result in the subdivision not being accepted.
6. Prior to final acceptance of the subdivision, a licensed professional engineer must submit the certification that all required improvements were constructed in accordance with the approved plans, specifications, and subdivision ordinance.
7. A one-year warranty period will begin for the entire system on the date of the acceptance letter of the City Engineer.
8. A final set of Construction As-Built plans shall be submitted at the completion of the project. Electronic media submittals are acceptable.
9. It shall be understood the City reserves the right to make field corrections as a result of inadvertent oversights, deficiencies or unforeseen errors to the plans as made evident during construction of any project. It shall also be understood all financial responsibilities resulting from said field revisions will not include the City of Paducah's participation. If any revisions are required, said revisions shall be completed under the direct supervision and approval of the City Engineer's Office.
10. The approval herein shall not in any manner be interpreted as being any type of approval, statement or warranty concerning the location and/or extension of the depicted utility services. The Property Owner/Developer shall be responsible for obtaining the necessary approvals and permits for connections/extensions of utility services through the various utility companies. The approval of this site plan shall be construed as being in conformance with City Ordinance for the site plan requirements.

ROADWAY - CURB AND GUTTER

1. The developer's engineer/developer/contractor shall notify the City Engineer's office **48 Hours** in advance of the following construction procedures:
 - a. Prior to the placing the D.G.A. Sub-base on any soil subgrade. (Proof rolling required)
 - b. Prior to pouring any curb and gutter placement. (Verification of positive drainage)
 - c. Prior to any asphalt base placement. (Proof rolling required)
2. Traffic control shall be in accordance with the latest edition of the Manual on Uniform Traffic Control Devices.
3. **Once field staking has been completed**, the Engineer/Contractor shall notify the City Engineer's office for approval prior to constructing the curb and gutter.
4. When the contractor feels the DGA is ready for final inspection, this office will verify the prepared surface allows for the designed cross slope, as well as consistent and proper depth of asphalt.
5. No more than 24 hours immediately prior to paving, facilitate a proof roll utilizing, at minimum, a tandem truck with at least 20 tons.
6. **At the time of completion of the curb and gutter**, the Engineer/Contractor shall notify the City Engineer's office for approval of the work completed **prior to the placement of asphalt**.

7. Any pavement and/or curb and gutter grading resulting in water standing will be rejected, and corrected immediately. All costs associated with any necessary corrections shall be born by the developer. The City will not be responsible for any oversights made by the engineers or contractors.
8. All trench backfill within the City of Paducah's right of way shall be in accordance with the City of Paducah's Utility Roadway Trench Detail.
9. **Trench Backfill for sanitary sewer and water line** - 80 psi Flowable fill required if roadway is paved immediately following installation of roadway base. However, if roadway base is allowed to settle for a time period approved by the City Engineer, Flowable Fill will not be required and DGA can be used for backfill.
10. Verification of all required testing and inspection reports shall be submitted to this office by the Developer's Engineer to verify compliance of the approved construction of all public infrastructure. The Developer's Engineer shall also submit verification of all required testing and inspection reports to the appropriate public and private agencies to verify compliance of the construction.
11. Existing roadways damaged during construction shall be repaired to the City Engineer's satisfaction when construction is complete.
12. Prior to any deviation from the approved plans or specifications during construction, approval shall be obtained from the City Engineer in writing.

PUBLIC UTILITIES

1. The Property Owner/Developer shall be responsible for obtaining the necessary approvals and permits for connections/extensions of utility services through the various utility companies.
2. Verification of all required testing, inspection reports and certifications shall be submitted to the appropriate public and private utility agencies by the Developer's Engineer to verify compliance of the approved construction.
3. A copy of the approval and acceptance by the public and private utility agencies shall be provided to the City Engineer prior to subdivision acceptance.

DRAINAGE & GRADING

1. Perpetuation of existing drainage not affected by the proposed project shall be maintained at all times.
2. All ditches disturbed during construction shall be returned to their original lines and grades. The improvement of this site shall not detour or obstruct the necessary drainage required.
3. Excelsior matting is required for the full length of the disturbance in the ditches located within the public right-of-way.

EROSION PREVENTION AND SEDIMENT CONTROL

1. Erosion control prevention measures shall be installed **prior** to stripping of topsoil and vegetative cover. If this is ignored, the project will be subject to being shut down immediately without notice. The project will not resume until proper silt protection has been installed and approved by the City Engineer's office. All potential erosion shall be controlled in such a manner so as to prevent any displacement of silt to the adjacent property owners, streams, and/or right of way. This control shall be implemented through proper installation of silt fence or straw bales during the construction duration and maintained until proper ground cover has been established.

2. **All potential erosion shall be maintained and controlled within the development site. Erosion shall be controlled through proper installation and effective uses of erosion control devices, i.e. silt fences and inlet protection. Applicable erosion control devices/measures shall be perpetually maintained during the construction phase of this project until a proper vegetative ground cover is established. (The general contractor shall be solely responsible for all costs associated with any cleanup/restorations, but not limited to adjacent ditches, creeks, streams, properties, and applicable fines direct and/or indirect should displacement of silt beyond the development site occur.)**

EROSION PREVENTION AND SEDIMENT CONTROL APPROVAL

The Erosion Prevention and Sediment Control Plan dated August 21, 2018 submitted by Jason Goins, P.E. is approved in accordance with City of Paducah Code of Ordinances Chapter 50, Article IV "Erosion Prevention and Sediment Control" with the following conditions:

- All potential erosion shall be maintained and controlled within the development site in accordance with the approved EPSC plan.
- Applicable erosion control devices/measures shall be perpetually maintained during the construction phase of this project until a proper vegetative ground cover is established.

STORMWATER CONVEYANCE AND MANAGEMENT FACILITIES

In accordance with the requirements in City of Paducah Code of Ordinances Chapter 50 – Article III, Stormwater Conveyance and Management shall apply to the following:

STORMWATER MANAGEMENT PLAN APPROVAL

The Regional Stormwater Management Plan submitted for this subdivision on August 21, 2018 is approved in accordance with Section 50 Article III - "Stormwater Conveyance and Management" with the following conditions:

1. **Section 50-155 (7) Construction Certification:** "Prior to final approval of the development, the licensed professional engineer must submit certification that the storm water management and conveyance facilities were constructed in accordance with the approved plan. Final approval shall also provide evidence of the recording of all storm water conveyance and management facilities deed restrictions, easements and rights-of-way. Any request for deviation from the approved plan during construction shall be submitted to the city plan review staff in writing for approval."
2. The Engineer shall verify that the detention facility has positive drainage with side slopes being at least 3:1 for the purpose of maintenance.
3. **The bottom of all detention basins shall be graded/sloped with a 1% grade directly to the outlet point to allow for continuous drainage. No flat bottom detention ponds will be accepted. The ENTIRE detention pond shall be maintained in a "LAWN STATE" for the duration of the detention pond.**

SUBDIVISION PLAT PROCESS

1. Prior to proceeding to the Board of Commission, the developer will need to meet one of the following requirements. Please advise which route the Developer wishes to pursue.
 - a. **Completion of all required improvements in accordance to the City of Paducah's Subdivision Ordinance and accepted by City Engineer. (Note: lots cannot be sold under this scenario until the subdivision is complete and accepted)**

2. Subsequent to approval by the Board of Commissioners, the Final Plat of Subdivision will need to be recorded at the McCracken County Clerk's office.

PUBLIC IMPROVEMENT COMPLETION & ACCEPTANCE PROCESS

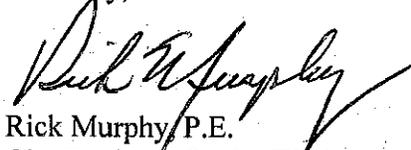
1. Subsequent to completion of the subdivision construction, a licensed professional engineer must submit a letter to the City Engineer stating that all required subdivision improvements, including all public improvements, monumentation, stormwater management system, etc., were constructed in accordance with the approved plans, specifications, and City of Paducah's Subdivision Ordinance.
2. Following receipt of the correspondence from the licensed professional engineer of the completion of the subdivision, a walk-through inspection can be scheduled. The notification of the walk-through meeting date and time shall be addressed to all parties concerned in writing.
3. Subsequent to the walk-thru, if all necessary items have been completed by the developer, a letter will be issued by this office stating that all improvements required by the City of Paducah's Subdivision Ordinance have been completed in conformity with all City standards. A one-year warranty period will begin for the entire system on the date of the acceptance letter.
4. Until full subdivision acceptance by the City, the responsibility of the construction of the improvements and the ownership along with all maintenance responsibilities shall be those of the developer. Lack of installation of the facilities in accordance with all City requirements will result in the subdivision not being accepted.

FOLLOW-UP - CONCLUSIONS

We would like to note that the responsibility of the construction improvements and the ownership and maintenance responsibilities during construction shall be those of the engineer of record, contractor, and developer. Failure to comply with noted conditions outlined herein may result with the development to become unacceptable until such time as potential deficiencies are addressed.

Enclosed, please find a compact disk that contains the electronic version of the approved plans for your files. If you have any questions regarding this matter, please call.

Sincerely,


Rick Murphy, P.E.
City Engineer-Public Works Director

cc: James Arndt, City Manager
Tammara Tracy, Planning Director
John Colgan, Developer
Eric Hickman, P.E., Stormwater & Drainage Engineer

Agenda Action Form Paducah City Commission

Meeting Date: 08/28/2018

Short Title: Repeal Traffic Commission

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: City Manager-James W. Arndt
Presentation By: City Manager-James W. Arndt

Background Information:

This Ordinance repeals the current make up and function of the Traffic Commission. The duties carried out by the Commission will now be completed through the use of a work place procedure, guided by policy, instead of a municipal ordinance. This will make the process more efficient and allow the City Team to effectively meet the needs of the Board of Commissioners and the community.

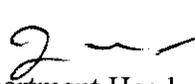
Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: Account Name: N/A
Account Number: N/A

Finance

Staff Recommendation: Approve repealing the traffic commission ordinance in its entirety.

Attachments: Draft Ordinance

 Department Head	 City Clerk	 City Manager
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ORDINANCE NO. 2018-_____

**AN ORDINANCE REPEALING CHAPTER 110, SECTION 110-5
TRAFFIC COMMISSION, OF THE CODE OF ORDINANCES OF THE CITY OF
PADUCAH, KENTUCKY**

WHEREAS, this Ordinance repeals Chapter 110, Sections 110-5, Traffic Commission, of the *Code of Ordinances of the City of Paducah, Kentucky*; and

WHEREAS, this Ordinance is being enacted to repeal the traffic commission in its entirety.

NOW THEREFORE, be it ordained by the City Commission of the City of Paducah as follows:

SECTION 1. That Section 110-5, Traffic Commission, of Chapter 110, Traffic and Vehicles, of the Code of Ordinances of the City of Paducah, Kentucky, is hereby repealed in its entirety:

~~“Sec. 110-5 (a).—There is hereby established a Traffic Commission to serve without compensation, consisting of the City Manager, the Chief of Police, a member of the Police Department designated by the Chief of Police, and a representative of the City Engineer’s office.~~

~~(b) It shall be the duty of the Commission, and to this end it shall have the authority within the limits of the funds at its disposal, to coordinate traffic activities, to carry on educational activities in traffic matters, to supervise the preparation and publication of traffic reports, , to receive complaints having to do with traffic matters, and to recommend to the Board of Commissioners and city officials ways and means of improving traffic conditions and the administration and enforcement of traffic regulations.”~~

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

SECTION 11. 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 12. 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 13. EFFECTIVE DATE. This Ordinance shall be read on two separate days and will become effective upon summary publication pursuant to KRS Chapter 424.

Mayor Brandi Harless

ATTEST:

Lindsay Parrish, City Clerk

Introduced by the Board of Commissioners, August 28, 2018

Adopted by the Board of Commissioners, _____

Recorded by Lindsay Parrish, City Clerk, _____

Published by The Paducah Sun, _____

\ord\110-Traffic and Vehicles – Repeal Traffic Commission

August 17, 2018

At a Called Meeting of the City of Paducah Traffic Commission held on Friday, August 17, 2018, at 10:00 a.m., in the Commission Chambers of City Hall located at 300 South 5th Street, City Manager James Arndt presided, and upon call of the roll by the Clerk of the Commission, the following answered to their names: Police Chief Brandon Barnhill, Assistant Police Chief Anthony Copeland, Engineer/Public Works Director Rick Murphy and City Manager James Arndt (4).

Representatives from HDR as well as Tammara Tracy, Planning Director, were also present to assist in the discussion.

AGENDA ITEM II :

Motion was made by Chief of Police Brandon Barnhill, and seconded by Engineer/Public Works Director Rick Murphy, to adopt the minutes of the June 21, 2018 meeting.

Adopted on call of the roll, yeas, Police Chief Brandon Barnhill, Assistant Police Chief Anthony Copeland, Engineer/Public Works Director Rick Murphy and City Manager James Arndt (4).

AGENDA ITEM III: Traffic Study for Buckner Lane, Pines Road and Pecan Drive Discussion

Two intersections were included in this traffic study. The intersection of Buckner Lane and Pecan Drive and the intersection of Buckner Lane and Pines Road.

Upon comment from Tammara Tracy, Planning Director, regarding a study for a mini roundabout, City Manager James Arndt asked if anyone would entertain a motion to HDR for a study regarding the feasibility of a mini-roundabout at the intersection of Pecan Drive and Buckner Lane. No motion was made.

Buckner Lane/Pecan Drive

After discussion, a motion was made by Engineer/Public Works Director Rick Murphy to recommend to the Board of Commissioners that they approve a “no build” for immediate action and budget in FY2020 Alternate #3 – installation of a Traffic Signal at the intersection of Buckner Lane and Pecan Drive. The motion failed for lack of a second.

After further discussion, a motion was made by Brandon Barnhill and seconded by Anthony Copeland to recommend to the Board of Commissioners the installation of an all-way stop at the intersection of Buckner Lane and Pecan Drive (Alternate 2) for immediate relief and then budget in FY2020 a signal device and turn lane (Alternate 4) at that intersection.

Adopted on call of the roll, yeas, Police Chief Brandon Barnhill, Assistant Police Chief Anthony Copeland, Engineer/Public Works Director Rick Murphy and City Manager James Arndt (4).

Pines Road/Buckner Lane

After discussion, a motion was made by Engineer/Public Works Director Rick Murphy and seconded by Chief of Police Brandon Barnhill to recommend to the Board of Commissioners that they take no action or “No Build” at the Buckner Lane/Pines Road intersection.

Adopted on call of the roll, yeas, Police Chief Brandon Barnhill, Assistant Police Chief Anthony Copeland, Engineer/Public Works Director Rick Murphy and City Manager James Arndt (4).

ADJOURN

Chief Brandon Barnhill offered motion, seconded by Engineer/Public Works Director Rick Murphy to adjourn the meeting. All in favor.

Meeting ended at approximately 11:08 a.m.

Clerk

Chair, City Manager

DRAFT