

CITY COMMISSION MEETING
AGENDA FOR SEPTEMBER 15, 2015
5:30 P.M.
CITY HALL COMMISSION CHAMBERS
300 SOUTH FIFTH STREET

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE-Annie Henschel, 5th Grader at Clark Elementary

ADDITIONS/DELETIONS

PROCLAMATION: Storytelling Month – Palmer Stroup & Meg Hancock

WORKSHOP PRESENTATION: Transportation Improvements-Transportation Alternative Program-

S. ERVIN

	I.	<u>MINUTES</u>
	II.	<u>RESOLUTION</u>
		A. Declaration of Official Intent to Reimburse Advances Made for Capital Outlays (Relocation of Pavilion and Related Costs) To Be Made From Subsequent Borrowings– GOB 2016 – CITY MGR
	III.	<u>APPOINTMENT</u>
		A. Paducah Human Rights Commission
	IV.	<u>MOTION</u>
		A. R & F Documents
	V.	<u>MUNICIPAL ORDERS</u>
		A. Personnel Changes
		B. Apply for Transportation Alternative Program Grant Award – S. ERVIN
		C. Accept Bid for 622, 626, 630, 634 South 12 th Street and 1115 Ohio Street – S. ERVIN
	VI.	<u>ORDINANCES – ADOPTION</u>
		A. Accept Bid and Approve Contract for Construction of Single Family Residence at 1606 Harrison – S. ERVIN
		B. Authorize Mayor to Execute a Subordination Agreement between the City and CFSB for 533 Madison Street – S. ERVIN
		C. Amend 126-76, Sign Ordinance of the Paducah Code of Ordinances –

		S. ERVIN
		D. Amending Section 126-83, Landscape Regulations of the Paducah Zoning Ordinance – S. ERVIN
		E. Amending Section 126-108, Downtown Business Townlift Zone, B-2-T, of the Paducah Zoning Ordinance – S. ERVIN
		F. Approve Sole Source Purchase of Body Cameras for Police Officers – POLICE CHIEF BARNHILL
	VII.	<u>ORDINANCES - INTRODUCTION</u>
		A. Approve Sale of 421 North 5 th Street – S. ERVIN
		B. Accept the JAG Grant Award – POLICE CHIEF BARNHILL
		C. Accept the Bulletproof Vest Partnership Grant Award – POLICE CHIEF BARNHILL
		D. 2015-2016 Kentucky Highway Safety Program Grant Award – POLICE CHIEF BARNHILL
		E. Payment to Paducah Convention & Visitors Bureau Sponsorship for 2015 Rayovac FLW Series Championship – CITY MGR
	VIII.	<u>CITY MANAGER REPORT</u>
	IX.	<u>MAYOR & COMMISSIONER COMMENTS</u>
	X.	<u>PUBLIC COMMENTS</u>
	XI.	<u>EXECUTIVE SESSION</u>

Agenda Action Form Paducah City Commission

Meeting Date: 09-15-2015

Short Title: Declaration of Official Intent to Reimburse Advances Made for Capital Outlays (Relocation of Pavilion and related costs) To Be Made From Subsequent Borrowings – GOB 2016

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Jonathan Perkins
Presentation By: Steve Doolittle

Background Information:

As with any debt issue, there are many rules and regulations which must be followed and numerous documents created establishing written evidence of compliance.

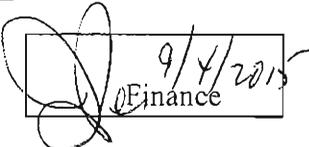
In order to comply with U.S. Treasury Regulations (Section 1.150-2 of IRC 1986, as amended), the Commission must pass a resolution 'declaring official intent' to reimburse any advance capital outlays associated with the City's upcoming debt issue.

Advance capital outlays (**maximum** disbursements made before we have bond proceeds in hand) related to the City's future borrowings might be considered as part of the debt issue capital outlays upon passage of the attached resolution.

Pavilion relocation (land, engineering, construction) \$1,600,000

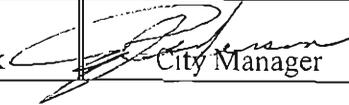
Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: Account Name: Debt Issue – GOB 2016
Account Number: Debt Service & Invest Fund


9/4/2015
Finance

Staff Recommendation: Recommend that the attached resolution be adopted.

Attachments: Resolution for Reimbursement of Advance Capital Outlays

Department Head	City Clerk 	City Manager
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RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF PADUCAH, KENTUCKY, MAKING
DECLARATION OF OFFICIAL INTENT WITH RESPECT TO
REIMBURSEMENT OF TEMPORARY ADVANCES MADE FOR CAPITAL
EXPENDITURES TO BE MADE FROM SUBSEQUENT BORROWINGS**

WHEREAS, Treasury Regulation § 1.150-2 (the "Reimbursement Regulations"), issued pursuant to Section 150 of the Internal Revenue Code of 1986, as amended, (the "Code") prescribes certain requirements by which proceeds of tax-exempt bonds, notes, certificates or other obligations included in the meaning of "bonds" under Section 150 of the Code ("Obligations") used to reimburse advances made for Capital Expenditures (as hereinafter defined) paid before the issuance of such Obligations may be deemed "spent" for purposes of Sections 103 and 141 to 150 of the Code and therefore, not further subject to any other requirements or restrictions under those sections of the Code; and

WHEREAS, such Reimbursement Regulations require that an Issuer (as hereinafter defined) make a Declaration of Official Intent (as hereinafter defined) to reimburse any Capital Expenditure paid prior to the issuance of the Obligations intended to fund such Capital Expenditure and require that such Declaration of Official Intent be made no later than sixty (60) days after payment of the Capital Expenditure and further require that any Reimbursement Allocation (as hereinafter defined) of the proceeds of such Obligations to reimburse such Capital Expenditures occur no later than eighteen (18) months after the later of the date the Capital Expenditure was paid or the date the property acquired with the Capital Expenditure was placed in service, except that any such Reimbursement Allocation must be made no later than three years after such Capital Expenditure was paid; and

WHEREAS, the City of Paducah, Kentucky wishes to ensure compliance with the Reimbursement Regulations;

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

SECTION 1. Definitions. The following definitions apply to the terms used herein:

"Allocation" means written evidence that proceeds of Obligations issued subsequent to the payment of a Capital Expenditure are to reimburse the Issuer for such payments. "To allocate" means to make such an allocation.

"Capital Expenditure" means any expense for an item that is properly depreciable or amortizable or is otherwise treated as a capital expenditure for purposes of the Code, as well as any costs of issuing Reimbursement Bonds.

"Declaration of Official Intent" means a written declaration that the Issuer intends to fund Capital Expenditures with an issue of Reimbursement Bonds and reasonably expects to be reimbursed from the proceeds of such an issue.

"Issuer" means the City of Paducah, Kentucky.

"Reimbursement" means the restoration to the Issuer of money temporarily advanced from other funds, including moneys borrowed from other sources, of the Issuer to pay for Capital Expenditures before the issuance of Obligations intended to fund such Capital Expenditures. "To reimburse" means to make such a restoration.

"Reimbursement Bonds" means Obligations that are issued to reimburse the Issuer for Capital Expenditures, and for certain other expenses permitted by the Reimbursement Regulations, previously paid by or for the Issuer.

"Reimbursement Regulations" means Treasury Regulation § 150-2 and any amendments thereto or superseding regulations, whether in proposed, temporary or final form, as applicable, prescribing conditions under which the proceeds of Obligations may be allocated to reimburse the Issuer for Capital Expenditures and certain other expenses paid prior to the issuance of the Obligations such that the proceeds of such Obligations will be treated as "spent" for purposes of Sections 103 and 141 to 150 of the Code.

SECTION 2. Declaration of Official Intent.

(a) The Issuer declares that it reasonably expects that the Capital Expenditures described in Section (b), which were paid no earlier than sixty (60) days prior to the date hereof, or which will be paid prior to the issuance of any Obligations intended to fund such Capital Expenditures, will be reimbursed with the proceeds of Obligations, representing a borrowing by the Issuer in the maximum principal amount, for such Reimbursements, of \$1,600,000; and

(b) The Capital Expenditures to be reimbursed are for the acquisition of land, engineering and the construction cost associated with the relocation of the pavilion, and other related expenses.

SECTION 3. Reasonable Expectations. The Issuer does not expect any other funds (including the money advanced to make the Capital Expenditures that are to be reimbursed), to be reserved, allocated on a long-term basis, or otherwise set aside by the Issuer or any other entity, with respect to the Capital Expenditures for the purposes described in Section 2(b).

SECTION 4. Severability. If any section, paragraph or provision of this Resolution 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 Resolution.

SECTION 5. Open Meeting. It is found and determined that all formal actions of this City Commission of the Issuer concerning and relating to the adoption of this resolution were adopted in an open meeting of this City Commission of the Issuer; and that all deliberations of this City

Commission of the Issuer and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SECTION 6. Effective Date. This Resolution shall take effect from and after its passage, as provided by law.

The undersigned has been authorized by the City Commission of the Issuer to sign this resolution on behalf of the City Commission of the Issuer.

CITY OF PADUCAH, KENTUCKY

Mayor

Attest:

City Clerk

Adopted by the Board of Commissioners, September 15, 2015
Recorded by Tammarra S. Sanderson, City Clerk, September 15, 2015
\\resoln\bond-GOB 2016-pavilion & related costs

CERTIFICATE

I, the undersigned City Clerk of the City of Paducah, Kentucky, certify that the foregoing is a true copy of a Resolution adopted by the City of Paducah, Kentucky at a meeting of the City Commission held on the _____ day of _____, 2015.

I further certify that all actions taken in connection with the resolution were in compliance with the requirements of KRS 61.810, 61.815, 61.820 and 61.825, and that said resolution is now in full force and effect, all as appears from the official records of the City in my custody and under my control.

Witness my hand as City Clerk of the City of Paducah, Kentucky this _____ day of _____, 2015.

City Clerk

September 15, 2015

I move that the following documents and bids be received and filed:

DOCUMENTS

1. Certificates of Liability Insurance:
 - a. B & R Electrical, Inc.
 - b. Physiotherapy Associates Holdings, Inc.
2. Commissioner's Deed for 504 North 16th Street .
3. Master Commissioner's Deed of Correction with Clarence Griggs and Griffin, Inc.
4. Contracts/Agreements:
 - a. Change Order # 1 with Woodall Companies, LLC for the Park Services Recreation Center Roof Replacement (ORD # 2015-09-8290)
 - b. Reimbursement Agreement with Atmos Energy for gas line relocation/extension/construction for the Olivet Church Roadway Improvement Project (ORD # 2015-09-8291)

BID FOR PLANNING DEPARTMENT

421 North 5th Street

1. Adam Moyers and Brandy Harless *
2. Frank and Joann White (Non-Responsive Bidder)

622, 630, 626, 634 South 12th Street & 1115 Ohio Street

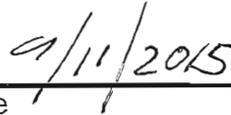
1. Aaron Prather *
2. Julieann Rose

CITY OF PADUCAH
September 15, 2015

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



Date

CITY OF PADUCAH
PERSONNEL ACTIONS
September 15, 2015

NEW HIRE - FULL-TIME (F/T)

<u>PARKS - ADMINISTRATIVE</u>	<u>POSITION</u>	<u>RATE</u>	<u>NCS/CS</u>	<u>FLSA</u>	<u>EFFECTIVE DATE</u>
Raney, Jill T	Administrative Assistant III	\$16.50/Hr	NCS	Non-Ex	October 1, 2015

TERMINATIONS - PART-TIME (P/T)/TEMPORARY/SEASONAL

<u>PARKS SERVICES</u>	<u>POSITION</u>	<u>REASON</u>	<u>EFFECTIVE DATE</u>
Bailey, Kaitlin J	Recreation Leader	Seasonal Employment	August 27, 2015
Clark, Morgan	Recreation Leader	Seasonal Employment	August 27, 2015
Davidson, Ricky	Sports Official	Seasonal Employment	August 27, 2015
Eicholtz, Kayla	Recreation Leader	Seasonal Employment	August 27, 2015
Fell, Oliver O	Recreation Leader	Seasonal Employment	August 27, 2015
Hatton, Baron	Recreation Leader	Seasonal Employment	August 27, 2015
Kollenberg, Johnny F	Recreation Leader	Seasonal Employment	August 27, 2015
Phelps, Bethany J	Summer Camp Coordinator	Seasonal Employment	August 27, 2015
Reinhardt, Victoria	Recreation Leader	Seasonal Employment	August 27, 2015
Smith, Benjamin D.	Recreation Leader	Seasonal Employment	August 27, 2015
Starnes, Devon C	Recreation Leader	Seasonal Employment	August 27, 2015
Stewart, Kelly A	Recreation Leader	Seasonal Employment	August 27, 2015
Turner, Jesse M.	Recreation Leader	Seasonal Employment	August 27, 2015

TERMINATIONS - FULL-TIME (F/T)

<u>POLICE - SUPPORT SERVICES</u>	<u>POSITION</u>	<u>REASON</u>	<u>EFFECTIVE DATE</u>
Lynch, Tracy L	Records Manager	Resignation	August 27, 2015

<u>EPW - FLEET MAINTENANCE</u>	<u>POSITION</u>	<u>REASON</u>	<u>EFFECTIVE DATE</u>
Ford, Thomas Neal	EPW Fleet Supervisor	Retirement	September 30, 2015

Agenda Action Form Paducah City Commission

Meeting Date: 15 September 2015

Short Title: 2015 Transportation Alternatives Program (TAP) Grant – Broadway/Jefferson Street Two-Way Conversion with Bike Lanes

Ordinance Emergency Municipal Order Resolution Motion

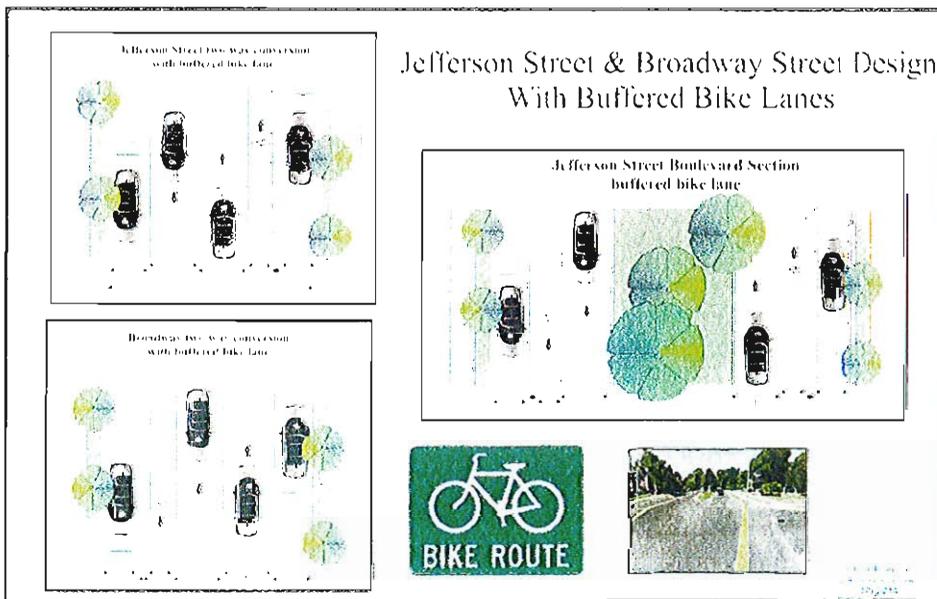
Staff Work By: Steve Ervin, Sheryl Chino

Presentation By: Steve Ervin

Background Information: The Kentucky Transportation Alternatives Program (TAP), formerly known as the Transportation Enhancement Grant program, has provided four consecutive awards of approximately \$500,000 for constructing phases of the Greenway Trail. Those four projects were designed to construct an Intermodal Transportation Alternative from Jefferson Street to the Perkins Creek Nature Preserve.

The Planning Department is proposing to submit a TAP application for the following:

1. Completion of a Traffic Study, Signing and Pavement Marking Plan and Engineering and Design for project.
2. Conversion of Broadway and Jefferson Street from one-way to two-way and include dedicated bike lanes on both streets.



3. Broadway considerations may include replacing traffic signals with all-way stops signs on 9th, 7th, 6th and 5th Street. Jefferson Street considerations may include replacing traffic signals with all-way stops on 6th and 9th Street.

All three improvements are recommendations presented to the City of Paducah by Jeff Speck in 2014.

- Add Bike Lanes – “The news is full of American cities that have created significant cycling populations by investing in downtown bike networks. According to Speck, bikes help slow cars down and new bike lanes are a great way to use up excess road width currently dedicated to oversized driving lanes and, when properly designed, bike lanes make streets safer for drivers, cyclists, and pedestrians alike”.
- Avoid one-way streets – “A second recommendation from Speck is to avoid one-way streets. One-ways have a history of damaging downtown retail district, principally because they distribute vitality unevenly, and often in unexpected ways. Furthermore, according to Speck, one-ways intimidate out-of-towners, who are afraid of becoming lost, and they frustrate locals, who are annoyed by all the circular motions and additional traffic lights they must pass through to reach their destinations”.
- Convert signalized intersections – “Four-way stop signs, which require motorists to approach each intersection as a negotiation, turn out to be much safer than signals. Unlike at signalized intersections, there is considerable eye-contact among users. Drivers slow down, but never have to wait for more than a few seconds, and pedestrians and bicyclists are generally waved through first”.

The estimated cost of the project including implementation is \$610,700. The TAP program requires a 20-percent match. The Planning Department is applying for \$488,560 from the TAP program; matching funds in the amount of \$122,140 will be provided through existing fund in Project Account # MR0056.

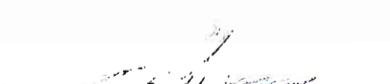
Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: Project Title:
Project #:
File #:
Account #: MR0056
CFDA #: 20.205


Finance

Staff Recommendation: Authorize the Mayor to sign all required grant application documents.

Attachments: None

 Department Director	 City Clerk	 City Manager
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MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER AUTHORIZING THE APPLICATION FOR A 2015 TRANSPORTATION ALTERNATIVES PROGRAM (TAP) GRANT IN THE AMOUNT OF \$488,560. THROUGH THE KENTUCKY TRANSPORTATION CABINET, FOR THE BROADWAY JEFFERSON STREET TWO-WAY CONVERSION WITH BIKE LANES PROJECT

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. The Mayor is hereby authorized to execute an application and all documents relating to same, with the Kentucky Transportation Cabinet requesting a 2015 Transportation Alternatives Program (TAP) Grant in the amount of \$488,560, for the Broadway Jefferson Street Two-Way Conversion with Bike Lanes Project.

SECTION 2. Local Cash Match of \$122,140 will be provided through existing fund in project account no. MR0056.

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

Mayor

ATTEST:

Tammara S. Sanderson, City Clerk

Adopted by the Board of Commissioners, September 15, 2015
Recorded by Tammara S. Sanderson, City Clerk, September 15, 2015
no grants Transp Alternatives 2015 app

Agenda Action Form Paducah City Commission

Meeting Date: September 14, 2015

Short Title: Declaration and Sale of Surplus Property at 622, 626, 630, 634 South 12th Street and 1115 Ohio Street

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Nancy Upchurch

Presentation By: Steve Ervin

Background Information:

This action would declare the lots at 622, 626, 630, 634 South 12th Street and 1115 Ohio Street surplus property, owned by the City of Paducah and authorize the sale of the lot. The Planning Department advertised the property in the Paducah Sun on Sunday July 26, 2015 and placed a sign on the lots requesting sealed bids. The deadline to submit was 9 AM, August 10, 2015. We received two bids prior to the deadline.

Aaron Prather submitted the first bid. He owns property directly behind this property and he offers \$1 for the entire tract. He proposes an investment of \$12,450 which includes asbestos removal by a certified contractor, the removal and hauling off of the contents of the house and garage, razing the structure, dump fees, cutting and trimming of trees, grinding of stumps of trees removed, filling, leveling, seeding and future maintenance of the lots. The structure is currently under a demolition order by the City of Paducah, Fire Prevention Division of the Fire Department.

The second bid submitted was from Juliann Rose. She offers \$1000 for the entire tract. In her proposal she states that she will rehab the structure for possible personal residence. She did not include with her proposal and estimated value of investment of the structure or any mention of addressing the demolition order. Staff did contact Ms. Rose to let her know that she had submitted an incomplete proposal and gave her another week to provide a detailed plans to address the demolition order, a third party estimate of the cost of the repairs and a letter financial ability to complete the project. Ms. Rose failed to meet the new deadline.

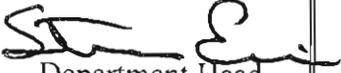
Due to the submittal of an incomplete proposal by Ms. Rose even after being given extra time staff recommends the Commission accept the offer Mr. Aaron Prather of \$1.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

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

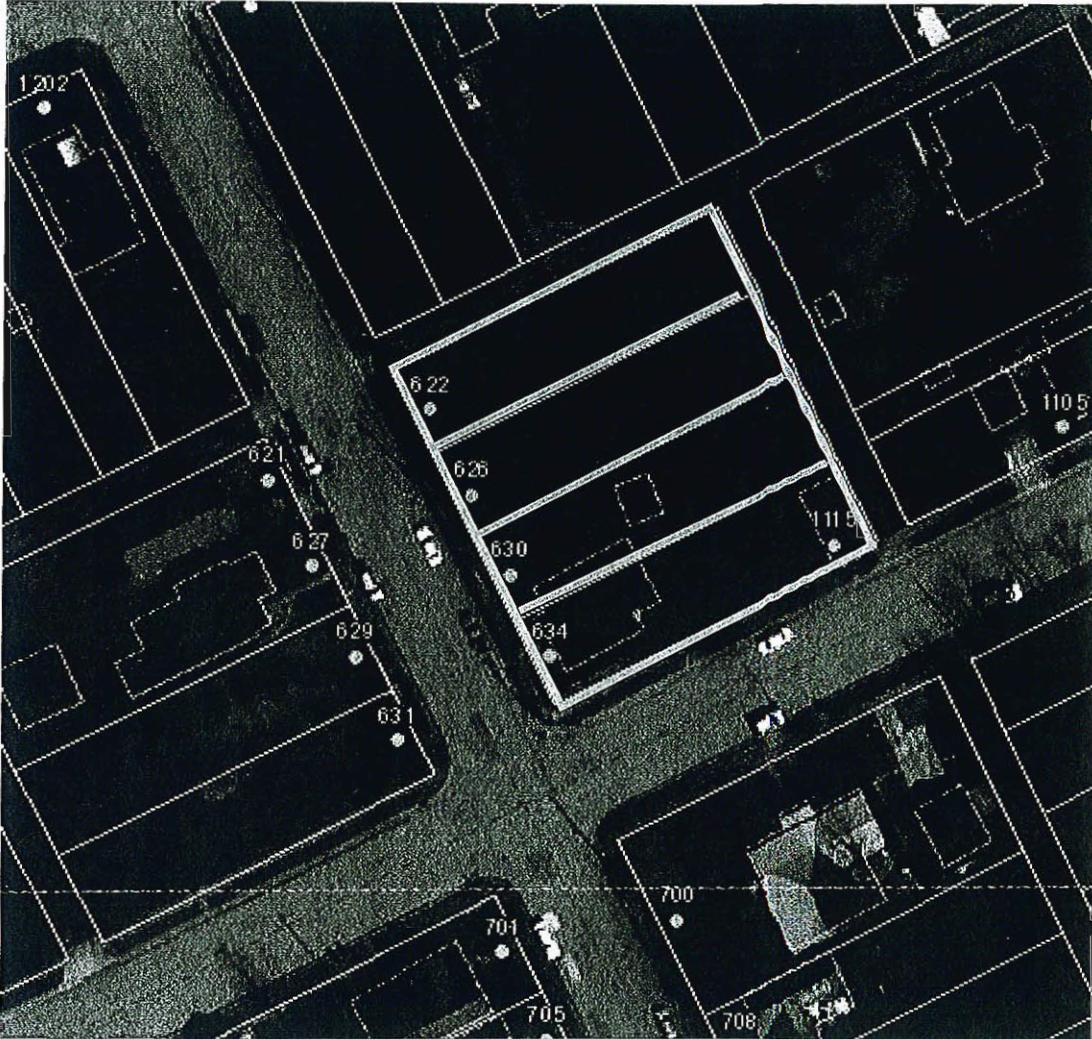
Finance

Attachments: Additional supporting documentation to meet requirements Sec. 2-668 of the Paducah Code of Ordinances.

 Department Head	City Clerk	City Manager
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Sec. 2-668. Disposition of surplus or excess property.

1. Description of property: 622, 626, 630, 634 N. 12th St. and 1115 Ohio



2. Its intended use at the time of acquisition:

This lot was acquired by the City of Paducah by Commissioner's Deed recorded in Deed Book 1299 Page 183 on April 17, 2015. The City did not have a specific use for the property at the time of the acquisition.

3. The reason why it is in the best interest of the City to dispose of the item:

The lots are on the list of properties staff deemed as surplus. It is in the best interest of the City of Paducah to transfer surplus properties to responsible owner thus saving the City the cost of demolishing the structure and maintaining of the lots.

4. The method of disposition to be used:

The Planning Department advertised the property in the Paducah Sun on Sunday July 26, 2015 and placed a sign on the lots requesting sealed bids. The deadline to submit was 9 AM, August 10, 2015. We received two bids prior to the deadline.

Aaron Prather submitted the first bid. He owns property directly behind this property and he offers \$1 for the entire tract. He proposes an investment of \$12,450 which includes asbestos removal by a certified contractor, the removal and hauling off of the contents of the house and garage, razing the structure, dump fees, cutting and trimming of trees, grinding of stumps of trees removed, filling, leveling, seeding and future maintenance of the lots. The structure is currently under a demolition order by the City of Paducah, Fire Prevention Division of the Fire Department.

The second bid submitted was from Juliann Rose. She offers \$1000 for the entire tract. In her proposal she states that she will rehab the structure for possible personal residence. She did not include with her proposal and estimated value of investment of the structure or any mention of addressing the demolition order. Staff did contact Ms. Rose to let her know that she had submitted an incomplete proposal and gave her another week to provide a detailed plans to address the demolition order, a third party estimate of the cost of the repairs and a letter financial ability to complete the project. Ms. Rose failed to meet the new deadline.

Staff will submit a request to the City Commission for a decision on this property at the September 14 meeting.


Steve Ervin,
Director Planning Department


Jeff Pederson,
City Manager

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER ACCEPTING THE BID OF AARON PRATHER IN THE AMOUNT OF \$1 FOR PURCHASE OF REAL PROPERTY LOCATED AT 622, 626, 630, 634 SOUTH 12TH STREET AND 1115 OHIO STREET AND AUTHORIZING THE MAYOR TO EXECUTE A DEED FOR SAME

WHEREAS, pursuant to 2-668 of the Code of Ordinances of the City of Paducah, Kentucky, a written determination has been made by the City Manager that the City does not have any use at this time or in the future for property located at 622, 626, 630, 634 South 12th Street and 1115 Ohio Street, which constitutes surplus real estate; and

WHEREAS, the City advertised for bids on July 26, 2015 and opened on August 10, 2015; and

WHEREAS, the City desires to accept the offer of Aaron Prather. Mr. Prather proposes an investment of \$12,450 which includes asbestos removal, razing the structure, filling, leveling and seeding and future maintenance of the lots.

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. That the City of Paducah accepts the proposal of Aaron Prather in the amount of \$1 for the purchase of real property located at 622, 626, 630, 634 South 12th Street and 1115 Ohio 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.

Mayor

ATTEST:

Tammara S. Sanderson, City Clerk

Adopted by the Board of Commissioners, September 15, 2015
Recorded by Tammara S. Sanderson, City Clerk, September 15, 2015
\mo\prop sale-622-626-630-634 S 12th & 1115 Ohio

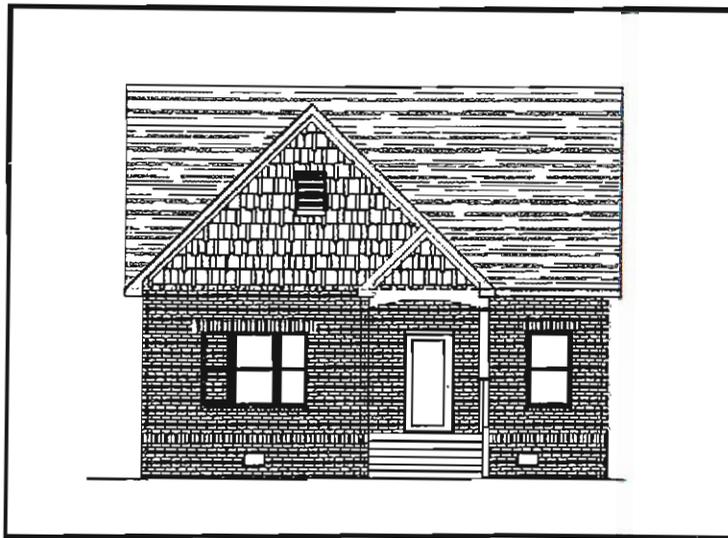
Agenda Action Form Paducah City Commission

Meeting Date: 09/1/2015

Short Title: Request for an Ordinance approving bid for construction of single family residence at 1606 Harrison Street.

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Steve Ervin and Charles Doherty
Presentation By: Steve Ervin



Poplar Hills #3

Background Information:

In keeping with the City's commitment to revitalize the Fountain Avenue neighborhood, the Planning Department is requesting an Ordinance to accept the recommendation of the Urban Renewal and Community Development Agency authorizing the Mayor to execute a contract between the City of Paducah and Mitchell Construction, LLC to build a new single family residence known as "Poplar Hills #3" on the Urban Renewal owned property located at 1606 Harrison Street in the Fountain Avenue neighborhood. The Planning Department staff will oversee the construction of this residence and market the house to new homebuyers during and upon completion of the project. The Fountain Avenue Construction Assistance incentive (Ordinance NO. 2008-7-7435) will be available to prospective homebuyers.

On August 16th, 2015, the Planning Department solicited bids on behalf of the Urban Renewal and Community Development agency via a Public Notice published in the Paducah Sun, City website postings, and a request for bids letter to contractors on the Fountain Avenue Qualified Contractors List for the construction of a 1,380 SF single family residence

to be constructed in the Fountain Avenue neighborhood at 1606 Harrison Street. Two bids were received by the deadline on August 25th, 2015. Using the bid scoring criteria published with the requests for bids, Planning Staff ranked the bids with Mitchell Construction LLC scoring the highest. A full staff report will be presented to the Urban Renewal Board on September 1st, 2015 at 4:00 PM CST just prior to the regularly scheduled City commission meeting. Staff anticipates that the URCD Board decision will recommend that the City Commission execute an ordinance authorizing the Mayor to execute a contract between the City and Mitchell Construction LLC for the amount of \$154,360.00 for the construction of the "Poplar Hills #3" as per specifications included in the bid packet.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available:

 8/28/15 Finance
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The project will be funded through the Fountain Avenue Project account CD-0040.

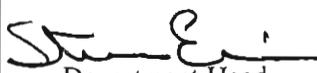
Account Name: Fountain Avenue Project
 Account Number: 040-8827-536-2307
 Project Number: CD-0040

Staff Recommendation:

Staff recommends that the Commission adopt an ordinance authorizing the Mayor to execute a contract between the City of Paducah and Mitchell Construction LLC to construct the single family residence as per house plans known as the "Poplar Hills #3" at 1606 Harrison Street according to the bid specifications as contained in the bid documents dated August 16th, 2015.

Attachments:

- Bid tabulation Sheet
- Two submitted bids
- Bid specifications and plans
- URCD staff report with Bid Scoring Criteria

 Department Head	City Clerk	 City Manager
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Agenda Action Form Paducah City Commission

Meeting Date: September 1, 2015

Short Title: Subordination Agreement - 533 Madison Street

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Steve Ervin
Presentation By: Steve Ervin

Key Components:

On June 26, 2015, the City of Paducah conveyed to Bighorn Properties the Smedley Yeiser House located at 533 Madison Street.

The property was conveyed with two conditions:

- Minimum capital investment amount.
- Requirement that the project be substantially completed within one year or the property would revert back to the City of Paducah.

CFSB is requiring that the City of Paducah to subordinate its re-conveyance rights in the Property so that CFSB has first mortgage interest. Upon approval, Bighorn Properties plans to start the rehabilitation of the property immediately.

Staff Recommendations:

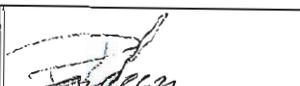
Staff recommendation is that the City Commission agree to subordinate to CFSB

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available:

Account Name:
Account Number:

Finance

 Department Head	 City Clerk	 City Manager
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Agenda Action Form

Paducah City Commission

Meeting Date: September 1, 2015

Short Title: Zoning Text Amendment

Ordinance Emergency Municipal Order Resolution

Staff Work By: Stephen Ervin, Joshua P. Sommer

Presentation By: Stephen Ervin

Background Information:

On July 20, 2015; August 3, 2015 and August 17, 2015; the Paducah Planning Commission held three different public hearings on various signage text amendments and made a positive recommendation to the Paducah City Commission. Included in your packets are different Planning Commission resolutions, however; all the text changes have been combined in this agenda action form for the convenience of the Commission.

Prompting the text changes were:

- A request from the National Quilt Museum for an electronic message sign in the B-2 (Downtown Business Zone). Currently electronic message signs are not permitted in the B-2 Zone, except as campus signs.
- An avenue for the approval and permitting of perforated signage in various business and industrial zones.
- A request from Mt. Kenton cemetery, located at 2535 Lone Oak Road, for a sign. Staff discovered that under the current zoning ordinance, there was no way to permit cemetery signage in residential zones.
- Due to the walkability and historical character of Lower Town, staff wishes for the ability of business to be able to utilize sandwich board signs, which are currently in use around downtown Paducah. Also, several buildings, such as the Ritz Hotel, Artisan Kitchen, Fat Moe's and other business abut the property line. This text amendment will provide an avenue for them to utilize sandwich board signs for better pedestrian visibility.

Sec. 126-76. Sign regulations.

(a) **Purpose.**

(b) **Definitions.**

(15) **Perforated window sign:** A sign made of adhesive-backed PVC vinyl or other similar material that is perforated with a pattern of round, evenly spaced holes. This type of sign is generally applied over windows.

(+516) **Projecting sign:** A sign which is attached directly to the wall of a building or other structure and which extends in a perpendicular direction outward.

- (1617) **Roof sign:** A sign attached to the part of a building considered to be the roof, the roof being that of a building that protects the interior portion of said building.
- (1718) **Sign:** Any name, identification, description, display, illustration or device which is affixed to or represented directly or indirectly upon a building, structure or land, in view of the general public, and which directs attention to a product, place, activity, person, institution or business or otherwise provides information to the public.
- (1819) **Spandrel sign:** A sign attached to the spandrel that covers gasoline dispensers.
- (1920) **Streamer:** A sign made of a string of ribbons, tinsel, pennants or similar devices used to attract attention to the premises where it is displayed.
- (2021) **Surface area of sign:** The entire aggregate area of the actual sign surface. It does not include any structural elements outside the limits of such sign and not forming an integral part of display. Only one side of a double-faced sign structure shall be used in computing total surface area. (See Illustration No. 1).
- (2122) **Temporary sign:** Any sign or display, banner, pennant, valance or advertising display constructed of cloth, canvas, light fabric, cardboard or other light materials, with or without frames, intended or customarily expected to be displayed for a limited period of time only.
- (2223) **Wall sign:** Any sign including a fascia sign which is attached parallel to the face of a wall of a building or other structure.

(c) **General regulations.**

- (1) All signs shall be constructed of approved materials and shall be designed to meet the structural requirements of the applicable building code.
- (2) All electrical work shall conform to all applicable electrical codes.
- (3) No sign shall be erected or maintained at any location where by reason of its position, wording, illumination, size, shape or color it may obstruct, impair, obscure, interfere with the view of, or be confused with, any authorized traffic control sign, signal or device.
- (4) No sign shall contain or make use of any word, phrase, symbol, shape, form or character in such a manner as to interfere with or confuse vehicular or pedestrian traffic.
- (5) No illuminated sign which emits artificial light shall be permitted within 50 feet of property in any residential district unless the sign is attached directly to the facade of the structure. Measurement determinations shall be made by the Zoning Administrator.
- (6) No portion of any sign shall be located at an elevation of less than ten feet measured at a distance of five feet to a street right-of-way line unless the sign is attached directly to the facade of the structure and except as otherwise provided herein. (See Figure #1).
- (7) No sign shall be placed in any public right-of-way, except those signs for public use and regulatory signs outlined in the MUTCD, except as otherwise provided herein. The provisions of subsection 126-76(s) shall not apply to this subsection.
- (8) As to signs which are attached to buildings that are located in the B-2-T, B-2, H-1 and H-2 Zones and further as to signs which are attached to buildings that are within one foot of the public right-of-way in the B-1 and B-3 zones, such signs shall be permitted to encroach into a public right-of-way. However, no portion of any sign and no portion of the mounting of any mast of any sign within the public right-of-way shall be placed at an elevation of less than eight feet above the sidewalk or above the edge of the pavement of the roadway, whichever is higher; nor shall any portion of any such sign, mast or mounting (in the space above eight feet) be placed nearer than two feet from the traveled portion of the roadway or the vertical space above the traveled portion of the roadway, as measured from the face of the curb, or if there is no curb, from the edge of the pavement.
- (9) Traffic visibility at intersections shall be preserved in accordance with section 126-65 of the Code of Ordinances.

- (10) No exterior wall signs shall be attached to or obstruct any window, door, stairway or other opening intended for egress, ingress, ventilation and light.
- (11) No sign shall be attached to any tree, fence or utility pole except by a governmental body or agency.
- (12) All signs shall be adequately maintained. Such maintenance shall include proper alignment of structures, continued readability of the structure and preservation of the structure with paint or other preservatives. Electronic signs shall be free of burned out lights or deadspots.
- (13) All signs placed upon private property must have the written consent of the owner or his agent. If the application is made by a person other than the owner in fee, it shall be accompanied by a verified written statement by the person making the application that the sign is authorized by the owner in fee and that the applicant is authorized to make application.
- (14) The areas of a free standing sign or a wall sign shall be measured by drawing eight or fewer straight lines encompassing the extremities of the sign within the smallest possible area. The area of a free standing sign shall not include poles, supports or other structures which are used solely for support and which do not contain any advertising of any kind. Message signs are allowed as accessory signs on freestanding signs. The area of the message sign shall be included in the total allowable sign area. (See Illustration#1).

Illustration 1

- (15) Interior electronic message signs that change not more than once every 30 seconds shall be permitted in the B-1, B-2, B-3, HBD, M-1 and M-2 zoning districts. Interior electronic message signs in these zones can be no larger than 30 percent of the window.
- (16) Interior electronic signs that change not more than once 30 seconds shall be permitted in the B-2-T and H-1 zoning districts. Interior electronic message signs in these zones can be no larger than four square feet. Only one such sign shall be permitted per structure.
- (17) Hanging banners across or along streets and sidewalks.
 - a. In order to promote general events of a civic and public nature in the Downtown Business Townlift Zone any person, firm, corporation or organization in charge of events of a civil and public nature may hang a banner in an area designated below vertically, on cantilevered arms, pennants, flags or banners from utility poles equipped by the city for such purposes, to publicize an event or season or generally promoting the community, providing the subsequent guidelines are followed.
 - b. Generally, it shall be unlawful for any person to suspend any banner across or along any street, sidewalk or other public way of the city for the purpose of advertising a person's candidacy for public office or for any other purpose.
 - c. Banners for commercial advertisements reflecting price, a business or product promotion of goods or services are prohibited. The banners may reflect only one theme at any given time within a district. Different districts may have different themes at the same time.
 - d. Guidelines
 - 1. Banners hanging over Broadway.
 - (i) Application. Applications for a permit must be submitted to the Parks Services Director 30 days prior to the day the banners are to be installed. Applications are available at the Parks Services office or online from the City's website. Applications should be completed by the chairman or executive director of the sponsoring organization and must contain the name of the person, firm, corporation or organization sponsoring the event;

the requested dates the banner(s) are to be installed and how long they will be requested to remain above the street.

- (ii) Material and dimensional requirements. The banner crossing Broadway must be made of heavy-weight, water-resistant material, with air pockets cut in, and contain at least twelve, heavy duty, reinforced grommets as shown in Figure 1 below. The banner shall measure 30 feet long and five feet high.

Figure #1

- (iii) Review process. The application will be reviewed by the Parks Services Director to insure that the design, material and colors are satisfactory.

2. Permit for Broadway pole banners.

- (i) Application. Applications for a permit must be submitted to the Parks Services office 30 days prior to the day the banners are to be installed. Applications are available at the Parks Services office or online from the City's website. Applications should be completed by the chairman or executive director of the sponsoring organization and must contain the name of the person, firm, corporation or organization sponsoring the event and the dates the banner(s) are to be installed and remain above the street.
- (ii) Material and dimensional requirements. Banners must be constructed of heavyweight, water-resistant fabric. The size of banners is restricted to 30 inches by 80 inches in order to fit the installed brackets. The banner shall be constructed to fit the mounting hardware where the banner can be mounted by slipping the banner arms through the sewn, looped top and bottom of the banner. The loops must be three inches in order to slip over the banner arms. Figure 2 below illustrates the proper construction and mounting. The design shall be the same on both sides of the banner.

Figure #2

- (iii) Review process. The application will be reviewed by the Parks Services Director to insure that the design, material and colors are satisfactory.

3. Permit for Jefferson Street pole banners.

- (i) Application. Applications for a permit must be submitted to the Parks Services office 30 days prior to the day the banners are to be installed. Application may take the form of a letter from the chairman or executive director of the sponsoring organization and must contain the name of the person, firm, corporation or organization sponsoring the event; the dates the banner(s) are to be installed and remain above the street.
- (ii) Material and dimensional requirements. Banners must be constructed of heavyweight, water-resistant fabric. The size of banners is restricted to 30 inches by 60 inches in order to fit the installed brackets. The banner shall be constructed to fit the

mounting hardware where the banner can be mounted by slipping the banner arms through the sewn, looped top and bottom of the banner. The loops must be three inches in order to slip over the banner arms. Figure 3 below illustrates the proper construction and mounting. The design shall be the same on both sides of the banner.

Figure #3

- (iii) Review process. The application will be reviewed by the Parks Services Director to insure that the design, material and colors are satisfactory.
4. Permit for Lower Town Arts District pole banners.
- (i) Application. Applications for a permit must be submitted to the Parks Services office at least 30 days prior to the day the banners are to be installed. Applications are available at the Parks Services office or online from the City's website. Applications should be completed by the chairman or executive director of the sponsoring organization and must contain the name of the person, firm, corporation or organization sponsoring the event and the dates the banner(s) are to be installed and remain on the light poles.
 - (ii) Design, materials and colors. Design, materials and color will be reviewed according to the review process as outlined in subsection (c) below. General requirements are as follows:
 - (a) The banner must be made of heavy-weight, water-resistant fabric.
 - (b) Design of the banner. The size of banners is restricted to 24 inches by 48 inches in order to fit the installed brackets. The banner shall be constructed to fit the mounting hardware where the banner can be mounted by slipping the banner arm through the sewn, looped top of the banner and connected to the bottom with a reinforced eyelet in one of the bottom corners. The loop at the top of the banner shall be three inches in diameter in order to slip over the top bracket. The bottom of the banner must have a one-half-inch dowel rod sewn in the bottom for proper display. Figure 4 below illustrates the proper construction and mounting. At a minimum, the banner must contain the Lower Town Arts District logo and/or the words Lower Town Arts District. The banner may include additional information such as an event, season or other appropriate occasion. The words and designs can be arranged in any manner, but all words and designs must be easily discernable. The design shall be the same on both sides of the banner.

Figure #4

- (c) The color scheme of the banner must be appropriate to the historic district and will be reviewed by the Lower Town Arts District Banner Review Committee.
 - (iii) Review process. The application will be reviewed by the Lower Town Arts District Banner Review Committee. The committee shall make an examination to insure that the design, material and colors specified above are met. This committee shall consist of the Director of Planning, Director of Parks Services and the Chairperson of the Historic and Architectural Review Commission.
 - e. Installation and removal of banners. Installation and removal of all banners shall be done by the Public Works Department. The city reserves the right to remove any damaged or unsightly banners, or banners that interfere with traffic or the public right of way.
- (18) Sandwich board Signs: A sandwich board is a freestanding A-Frame sign. Such signs are only authorized in the H-1, H-2, B-2-T and B-2 zones and as provided as follows. Further sandwich board signs may be located in front of businesses in other zones that are constructed adjacent to the front property line and as provided as follows.
 - a. One sandwich board sign shall be permitted per building façade if a projecting sign does not protrude from the façade.
 - b. Sandwich board signs shall be no taller than 36 inches from grade and no wider than 24 inches. Such signs must be secured by a chain or cable in order to remain standing and shall not have moving parts or be illuminated in any manner. Both faces of the sign must have advertising. No blank faces are allowed.
 - c. Such signs can only be placed on a sidewalk that has a minimum of eight (8) feet in width. In no instance can such signs occupy an area that limits any portion of the usable sidewalk to less than five (5) feet and interfere with pedestrian or automobile traffic.
 - d. No portion of any sandwich board sign shall be placed further than 36" from the face of the building.
 - e. Sandwich board signs shall only advertise hours of operation, an event or promotion, or a menu. The sign must be displayed in front of the business for which it is advertising. No off-site advertising is allowed.
 - f. The sandwich board sign can only be displayed during business hours and must be removed when the business is closed. These signs shall be removed from the public right-of-way at any time the weather conditions render the presence of such signs a hazard (i.e. high wind conditions, snow, ice, etc.)
 - g. The sign must be constructed of weather resistant materials and shall be maintained in good repair. Sandwich board signs shall not be constructed of cardboard, OSB or non-marine grade plywood. Sandwich board signs cannot be anchored to the sidewalk, attached or chained to poles, or other structures or appurtenances. Such signs shall be weighted.
 - h. The sandwich board sign may have no protruding features attached. Protruding features include balloons, ribbons, flags or other similar objects as determined by the Zoning Administrator.
 - i. The City of Paducah shall be entitled to request removal or remove any sandwich board sign in the right-of-way if the sign is considered to be a

nuisance. The City of Paducah shall not be required to follow Section 126-76(s) when removing a sign considered a nuisance.

- j. A sign permit must be obtained from the Fire Prevention Department before any sandwich board sign can be placed on the public right-of-way.

(d) **Regulations for temporary signs.**

(e) **Signs permitted in all zones and districts.**

(f) **Signs prohibited in all zones and districts.**

(g) **Signs authorized for R-1, R-2, R-3, NSZ and R-4 Zones.** No signs shall be permitted in the R-1, R-2, R-3, NSZ and R-4 zones in the city except as provided in subsection (e) above and as provided in subsection (e) above, subsection (7) below and as provided as follows:

- (1) Signs with nameplates affixed to the exterior wall of a structure and not exceeding 18 inches by 24 inches in area shall be permitted for each single family dwelling unit. Such nameplates shall indicate nothing other than the name of the premises and/or the name and/or address of the occupants. Such signs may only be illuminated indirectly.
- (2) A sign identifying the name of subdivisions and public or private schools shall be permitted provided such signs do not exceed 48 square feet in area per sign face. Such signs may include an attached or freestanding announcement sign. Subdivision signs may only be illuminated indirectly. Public or private school signs may be lighted. Non-commercial public or private schools may have an electronic message sign. Such signs shall not be erected closer than five feet to any property line unless attached to a building and shall not exceed eight feet in height.
- (3) Bulletin boards and identification signs shall be permitted at places of worship and cemeteries provided such identification signs or bulletin boards do not exceed 48 square feet in area per sign face. One free-standing identification sign is permitted per lot, however, one additional free-standing identification sign shall be permitted for places of worship or cemeteries on the intersection of two streets or has double frontage on parallel streets. Such signs may indicate the name and/or address and activities relating to the premises. Such signs may be lighted. Such signs shall not be erected closer than five feet to any property line unless attached to a building and shall not exceed ten feet in height. Places of worship may have one electronic message sign, in lieu of one identification sign, provided the following requirements are met:
 - (1) Such sign may not exceed 48 square feet in area per sign face.
 - (2) Such sign may not exceed ten feet in height.
 - (3) Such sign shall meet the requirements provided in 126-76 (k) (5).
 - (4) Such sign shall be located at least 200 feet away from any residential structure in residential (R-1, R-2, R-3 and R-4) Zones, except for pastor residences, parishes, rectories and caretaker dwellings, which are owned by the place of worship. The 200 feet measurement includes residential structures on the opposite sides of public ways. Said measurements shall be taken from the nearest outside wall of the structure. Further, such signs shall not be closer than five feet to any property line unless attached to a building.
 - (5) Such sign shall be located on the same lot as the principal building.
 - (6) Only one electronic message sign (either free-standing or attached to a building) shall be permitted per place of worship.
- (4) Signs for advertising nurseries or day cares in the R-1, R-2 and R-3 zone shall be permitted provided such signs comply with subsection (e) (6).
- (5) Free standing business signs, advertising the business uses, in the R-4 zone shall be permitted per lot provided the sign is no larger than 12 square feet in area per sign face and be no taller than ten feet. Such signs may only be illuminated indirectly.
 - a. Only one free standing business sign shall be permitted on any lot.

b. Wall signs shall be permitted for each tenant or lessee. The area of the wall signs shall not exceed 20 percent of square footage of face of building, structure or face of tenant or lessee space. Lighted signs are permitted. Wall signs shall not be located on any portion of the roof that encloses the building.

- (6) Private directional signs indicating entrance, exit or location of parking shall be permitted in the R-4 zone. Such signs shall not exceed six square feet in surface area for each sign and the height must not be more than 60 inches from the street level. These signs must be placed on private property and not on public right-of-way.
- (7) One façade sign shall be permitted on any lot in the NSZ. Such signs shall only be approved for Conditional Permitted Uses. Such sign shall be permitted provided the sign is no larger than 8 square feet in area per sign face. Such signs may only be illuminated indirectly.
- (8) Apartment complexes may have private directional signs indicating entrance, exit or location of parking provided such signs do not exceed four square feet in surface area for each sign face and the height shall not exceed 30 inches from the street level. These signs shall not be placed within the public right-of-way and shall not exceed more than two per public street frontage. Further, apartment complexes may have one free standing apartment complex identification sign on any lot provided; however one additional sign shall be permitted for each additional 300 feet of street frontage. One additional free standing apartment complex identification sign shall be permitted if the business is located at the intersection of two streets. The size of the sign shall not exceed 36 square feet in area per sign face. The outer edge of the sign shall be set back at least seven feet from the side lot line. All permitted apartment complex identification signs shall not exceed a height of 8 feet from the adjacent grade. Such signs shall be illuminated indirectly.

(h) **Signs authorized for the B-2-T zone.**

(i) **Signs authorized for H-1 zone.**

(j) **Signs authorized for H-2 zone.**

(k) **Signs authorized for B-1, B-2, B-3, M-1, M-2, M-3 and HBD zones.** No signs shall be permitted in the B-1, B-2, B-3, M-1, M-2, M-3 and HBD zones in the city except as provided in subsections (e) and (g) and as provided as follows:

- (1) Flag signs attached to a permanent pole shall be permitted. Such signs shall not exceed 12 square feet in area per sign face. One flag sign is permitted per permanent pole. The maximum height of a flag sign shall not exceed a height of 40 feet from the adjacent grade.
- (2) Private directional signs indicating entrance, exit, or location of parking shall be permitted provided such signs do not exceed six square feet in surface area for each sign face and the height shall not exceed 60 inches from the street level. These signs shall not be placed within the public right-of-way.
- (3) Only one free standing business sign shall be permitted on any lot, provided, however, one additional sign shall be permitted for each additional 300 feet of frontage. One additional free standing business sign shall be permitted if the business is located at the intersection of two streets. The size of the sign shall not exceed 1.5 square foot per lineal foot of street frontage subject to a maximum size of 200 square feet in area per sign face. The outer edge of the sign shall be set back at least seven feet from the side lot line. All permitted freestanding signs shall not exceed a height of 40 feet from adjacent grade, except as may be otherwise authorized in the following subsection. Lighted signs are permitted.
- (4) Property zoned B-1, B-3, HBD, M-1, M-2 or M-3 and within 2,000 feet of the centerline of I-24 shall have the right to construct one free standing sign permitted under subsection (4) above to a height not to exceed 100 feet in sign height and 300 square feet in area per

sign face. For the purpose of calculating the 2,000 feet from the centerline set forth above (see illustration #2). Lighted signs are permitted.

Illustration 2

- (5) Exterior electronic message signs that change messages not more than once every 8 seconds of static image, followed by 2 seconds of transition or animation shall be permitted in the B-1, B-3, HBD, M-1, M-2 and M-3 zones.
 - a. Electronic message signs must have controls in place to prevent flashing when a malfunction or power loss occurs.
 - b. Electronic message signs must contain brightness controls that adjust to the ambient light where the sign is easily readable during daytime hours, but not overbearing at night.
 - c. In addition to (a) and (b) above, electronic message signs may be allowed in the B-2 Zone with additional requirements as follows:
 - (1) Such sign shall not exceed 25 square feet in area per sign face.
 - (2) Such sign shall not exceed six feet from grade.
 - (3) Such sign shall be located at least 200 feet away from grade from any residential structure in the H-2 Zone. The 200 foot measurement includes residential structures on the opposite sides of public ways. Said measurements shall be taken from the nearest outside wall of the structure. Further, such signs shall not be closer than five feet to any property line unless attached to a building.
 - (4) Such sign shall be located on the same lot as the principal building.
 - (5) Only one electronic message sign (either free-standing or attached to a building) shall be permitted per lot
- (6) Wall signs shall be permitted for each tenant or lessee, except as provided in (k) (6) (a) below. The area of wall signs shall not exceed 20 percent of the square footage of the face of the building, structure or the face of tenant or lessee space. Lighted signs are permitted. Wall signs shall not be located on any portion of the roof that encloses any building. Awning signs shall be considered to be wall signs and shall be subject to 20 percent of the square footage of the face of the building, structure or the face of the tenant or lessee space.
 - a. Covered Mall Buildings. Wall signs shall be permitted on each facade of a covered mall building as defined as follows: A single building enclosing a number of tenants and occupants such as retail stores, drinking and dining establishments, entertainment and amusement facilities, passenger transportation terminals, offices and other similar uses wherein two or more tenants have a main entrance into one or more malls.
 - b. The area of wall signs on any façade of a covered mall building shall not exceed 20 percent of the square footage of each individual façade of the structure. Wall signs may not advertise any business that is not located within the structure the sign is affixed to. Lighted signs are permitted. Wall signs shall not be located on any portion of the roof that encloses any covered mall building.
- (7) No flat wall signs shall project above the roof or parapet line.
- (8) Gasoline canopy signs: Canopy signs shall not exceed 20% of the face of the canopy on which they are a part of, or are attached to. Island spanner signs shall not exceed 20% of the face of the canopy above. Spandrel signs shall not exceed 20% of the spandrel's structural area. Island spanner signs and spandrel signs shall not be permitted together. These types of signs shall not extend beyond the edges of the canopy.
- (9) Perforated Signs.
 - (A) Perforated signs shall either be 50/50 or 60/40 perforation.

- (B) Perforated signs may be applied to the entire window; however, a perforated sign may not exceed more than 30% of the total façade of a structure.
- (C) Perforated signs may not be applied over any ingress/egress door.
- (D) Perforated signs for a single business are intended to have a single, unifying theme. Perforated signs shall not be directly illuminated from inside the business.
- (E) The total cumulative sign square footage of both wall signage and window signage (whether it is attached, painted, perforated or otherwise recognized as a window sign) shall not exceed a total of 30% of the entire façade.

(l) **Signs authorized for POP Zone.** No signs shall be permitted in the POP Zone of the city except as provided in subsections (e) and (g) and as provided as follows:

- (1) Every lot or tract shall be restricted to one free standing business sign.
- (2) Free standing business signs shall not exceed twelve (12) feet above grade in height or more than 12 square feet in area for each foot of linear frontage of the building. However, no sign shall exceed 200 square feet in area (100 square feet per face, two-face maximum) except as otherwise provided herein.
- (3) Hotels, motels and restaurants shall be permitted to have one free standing business sign. Such signs shall not exceed the height of the roof line of the principal structure. Such sign shall not exceed 40 feet in height and shall not exceed 200 square feet in area per sign face.
- (4) All free standing business signs shall have a minimum setback of 20 feet from the street.
- (5) Lighted signs shall be permitted. However, all sign lighting shall be only of a type, intensity and direction only necessary to light the sign. Electronic message signs shall be permitted.
- (6) One sign per tenant, per each facade shall be permitted to be attached to the principal building. However, the total square footage of such signs shall not exceed five percent of the total above-grade elevation building face.
- (7) Private directional signs indicating entrance, exit, or location of parking shall be permitted in the POP zone. Such signs shall not exceed six square feet in surface area for each sign and the height must not be more than 60 inches from the street level. These signs must be placed on private property and not on public right-of-way.

(8) Perforated Signs.

- (A) Perforated signs shall either be 50/50 or 60/40 perforation.
- (B) Perforated signs may be applied to the entire window; however, a perforated sign may not exceed more than 30% of the total façade of a structure.
- (C) Perforated signs may not be applied over any ingress/egress door.
- (D) Perforated signs for a single business are intended to have a single, unifying theme. Perforated signs shall not be directly illuminated from inside the business.
- (E) The total cumulative sign square footage of both wall signage and window signage (whether it is attached, painted, perforated or otherwise recognized as a window sign) shall not exceed a total of 30% of the entire façade.

(m) **Signs authorized for MU and A-1 Zones.** No sign shall be permitted in the MU zone or A-1 zone except as provided in subsections (e) and (g) and as provided as follows:

- (1) Private directional signs indicating entrance, exit, or location of parking shall be permitted provided such signs do not exceed six square feet in surface area for each sign. The height of such signs shall not be more than 60 inches from the street level. These signs may only be placed on private property and not on public right-of-way. Such signs may only be illuminated indirectly.
- (2) All signs in the MU and A-1 districts shall receive approval by the Planning Commission in accordance with the development plan procedure set forth in section 126-176 of the Code of Ordinances.
- (3) Perforated Signs.

- (A) Perforated signs shall either be 50/50 or 60/40 perforation.
- (B) Perforated signs may be applied to the entire window; however, a perforated sign may not exceed more than 30% of the total façade of a structure.
- (C) Perforated signs may not be applied over any ingress/egress door.
- (D) Perforated signs for a single business are intended to have a single, unifying theme. Perforated signs shall not be directly illuminated from inside the business.
- (E) The total cumulative sign square footage of both wall signage and window signage (whether it is attached, painted, perforated or otherwise recognized as a window sign) shall not exceed a total of 30% of the entire façade.

(n) **Signs authorized for HM Zone.** No sign shall be permitted in the HM Zone except as provided in subsections (e) and (g) and as provided as follows:

- (1) Business signs shall be permitted provided that such signs do not exceed 25 feet in height.
- (2) Noncommercial signs utilizing directional and informational wording and graphics relating to the location of a principal permitted use shall be permitted. Lighted signs are permitted.
- (3) Perforated Signs.

- (A) Perforated signs shall either be 50/50 or 60/40 perforation.
- (B) Perforated signs may be applied to the entire window; however, a perforated sign may not exceed more than 30% of the total façade of a structure.
- (C) Perforated signs may not be applied over any ingress/egress door.
- (D) Perforated signs for a single business are intended to have a single, unifying theme. Perforated signs shall not be directly illuminated from inside the business.
- (E) The total cumulative sign square footage of both wall signage and window signage (whether it is attached, painted, perforated or otherwise recognized as a window sign) shall not exceed a total of 30% of the entire façade.

- (o) **Signs authorized for NCCZ.**
- (p) **Application Fees and Penalties**
- (q) **Permitted nonconforming signs.**
- (r) **Replacement advertising signs.**
- (s) **Signs constituting a nuisance--Abatement.**

Staff Recommendation:

Approval of text changes.

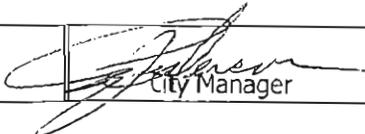
Funds Available: Account Name: N/A
 Account Number: N/A

Finance

Motion:

Attachments:

Planning Commission Resolutions

 Department Head	City Clerk	 City Manager
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Agenda Action Form

Paducah City Commission

Meeting Date: September 1, 2015

Short Title: Zoning Text Amendment

Ordinance Emergency Municipal Order Resolution

Staff Work By: Stephen Ervin, Joshua P. Sommer

Presentation By: Stephen Ervin

Background Information:

On August 3, 2015; the Paducah Planning Commission held a public hearing and made a positive recommendation to the Paducah City Commission on landscaping changes. Currently, the zoning ordinance allows fences on corner lots to have fences 4' in the front, 6' on the sides and 8' in the back. Staff wishes for view-sheds to be protected throughout the City by decreasing fence height on corner lots to 4' on both street sides. This text amendment was then produced. Existing fences would be grandfathered in and be considered a legal non-conformity. Following are the substantial text changes:

Section 126-83 Landscape Regulations

- (A) Purpose.
- (B) Landscape Review Procedure.
- (C) General Requirements:
- (D) Landscaping
- (E) Screening requirements. The necessity of screening and the type of screening required varies greatly with each particular situation. Therefore, it is the intent of this section to provide a discretionary measure in deciding the appropriate height, width and type of screening necessary, with the following provisions:
 1. Required screening; height limits. Screening shall be required and adequately maintained in the following situations:
 - a. Where a business zone abuts a residential zone, a screen will be required along the boundary of the business property adjacent to the residential property.
 - b. Where an industrial zone abuts a residential zone, a screen will be required along the boundary of the industrial property adjacent to the residential property.

- c. Where a business or industrial zone abuts a county residential zone, a screen will be required along the boundary of the adjacent residential zone.
 1. Where on any lot, or portion thereof, automobiles, appliances and their component parts are under repair or reduction, a screen shall be required.
 2. Off-street parking lots shall be screened when located adjacent to or in a residential zone.
 3. Mobile home parks shall provide a screen along their property lines as required by section 126-69(5).
 4. Fences in any residential zone or on a lot containing a residential structure in any other zone, which may be placed along a boundary for the purpose of providing privacy or security to the resident, shall follow the following height limitations: (Illustration #2)

Illustration #2

- i. Front yard: Four feet.
 - a. Fences shall be of a decorative design, (chain link, barbed wire, stock wire, chicken wire and similar type fences are not permitted in the front yard).
 - b. For the purposes of fence height, a structure on a corner lot shall be considered to have two front yards on both sides of the lot that faces the streets.
 - ii. Side yard: Six feet.
 - iii. Rear yard: Eight feet.
2. For the purpose of this section, "fence" shall be interpreted to include any type of fence, wall, trellis or structure placed for the purpose of this section.
 3. All fences shall be constructed of durable materials and shall be installed to withstand the elements. Fences shall be maintained in good repair at all times.
 4. Uses specified above as requiring screening shall provide a visual obstruction from adjacent properties in conformance with the following standards: The screen may be composed of view-obscuring vegetation, wall, fence, or berm. The items may be used individually or in combination. Fences constructed of chain link, barbed wire, stock wire, chicken wire or other similar type fences are not permitted when used for screening. The result shall be semi-opaque (80%) screen, which obscures views from the ground to a height of the object being screened; however, the screen is not required to exceed eight (8) feet. Plant materials shall be at least two (2) feet tall at the time of installation and reach the desired height within three (3) to five (5) years. When a combination of features is proposed, one fourth of the surface area of walls, fences or berms that face off-site must be covered with plant material within three (3) to five (5) years. Additionally, screen areas shall be sufficient to allow for the mature growth of plant materials when used.

5. Plan approval. The procedure to determine screening height, type and width is as follows: The developer shall submit his plat to the Planning and Zoning Administrator and City Engineer and shall show the type of screening to be located along the boundary of his property.

(F) Enforcement

(G) Waiver of Requirements.

Staff Recommendation:

Approval of text changes.

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

Finance

Motion:

Attachments:

Planning Commission Resolution

 Department Head	City Clerk	 City Manager
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Agenda Action Form

Paducah City Commission

Meeting Date: September 1, 2015

Short Title: Zoning Text Amendment

Ordinance Emergency Municipal Order Resolution

Staff Work By: Stephen Ervin, Joshua P. Sommer

Presentation By: Stephen Ervin

Background Information:

On August 17, 2015; the Paducah Planning Commission held a public hearing and made a positive recommendation to the Paducah City Commission on text changes to the Downtown Business Townlift Zone. Several uses (residential, retail and restaurant) have always been permitted in downtown Paducah and this text amendment reflects that. Further, as downtown has redeveloped and revitalized, staff has become concerned that individuals may pursue purchasing a building along Broadway specifically for a residence. By doing so, the commercial character along Broadway is diminished. Therefore, to maintain a viable, walkable and thriving Downtown, staff developed this text amendment. Following are the substantial text changes:

Sec. 126-108. Downtown Business Townlift Zone, B-2-T.

The purpose of the B-2-T zone is to encourage the development, redevelopment and the preservation of the city's townlift area.

- (1) Principal permitted uses.
 - a. Trade, business and vocational schools
 - b. Places of amusement, assembly and recreation
 - c. Assembly buildings of fraternal, professional and labor organizations
 - d. Commercial parking lots and garages
 - e. Newspapers and printing establishments
 - f. Radio and TV stations
 - g. Residential dwelling units
 - h. Restaurant/bakery/pub (no drive through permitted)
 - i. Retail
 - ~~g-j.~~ Any other similar use which, in the Commission's opinion, would not impair the business character of the downtown area.
- (2) Lot area and yard requirements. None.
- (3) Building height. None.
- (4) Parking regulations. Parking requirements are waived for all uses in the B-2-T zone except for the following:
 - a. Bus terminals

- b. Hotels and motels
 - c. Residential dwelling units.
- (5) Minimum sight distance. The visibility requirements of section 126-65 shall not apply to the B-2-T zone.
- (6) Ground floor use. The ground floor of all structures in the B-2-T Zone shall be a permitted use as defined in Subsection (1) except that residential uses may be permitted on any floor above the ground floor or below the ground floor. Residential uses may also be located in the rear 1/3 of the ground floor.

Staff Recommendation:

Approval of text changes.

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

Finance

Motion:

Attachments:

Planning Commission Resolution

 Department Head	 City Clerk	 City Manager
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Agenda Action Form Paducah City Commission

Meeting Date: Sept. 1, 2015

Short Title: Approve Sole Source Purchase of Body Cameras

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Assistant Chief David White, Chief Brandon Barnhill
Presentation By: Chief Brandon Barnhill

Background Information: Over the last several months, the police department has been testing and reviewing body cameras for its officers. Our research shows the product from Taser International, which also makes our Taser electronic weapons, is the best fit for our department at the best price. Attached is a sole source justification letter and price quotation for commissioners' review. Start-up cost will be \$105,540 in FY 2016; on-going annual costs will be borne by the department's regular budget.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: Account Name: _____ services other
Account Number: 040-1616-521-2307, PO0090

<i>BW 8/28/15</i> Finance

Staff Recommendation: Approved Sole Source Purchase of Body Cameras

Attachments: Sole Source Justification Letter; Price Quotation

<i>s/Brandon Barnhill</i>		
Department Head	City Clerk	City Manager

Agenda Action Form

Paducah City Commission

Meeting Date: September 15, 2015

Short Title: Sale of 421 N. 5th Street

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Melinda Winchester, Steve Ervin

Presentation By: Steve Ervin

Key Components:

To transfer the last structure in the city-owned Lower Town inventory and promote development within the Lower Town neighborhood, staff recently solicited bids for the sale of 421 N. 5th Street for complete rehabilitation.

Bids:

In full compliance with the City's procurement policies, staff solicited sealed bids through an advertisement in the Paducah Sun on August 16, 2015. Bids were opened at 3:00 PM on Tuesday, September 1, 2015 with the following results:

421 N. 5th Street Bids:

1. Adam Moyers and Brandi Harless: \$1.00

Adam Moyers and Brandi Harless has submitted a bid that includes the complete rehabilitation of 421 N. 5th Street into single family residence. (Please find the proposal attached). The proposed rehabilitation cost is \$175,984.00..

2. Frank and Joanne White: \$1.00

Frank and Joanne White has submitted a bid that proposes to rehabilitate into single family with a fine art photographer studio. (Please find the proposal attached). However, the submitted proposal is non-responsive and could not be fully evaluated due to third party estimate or detail of associated costs for the rehabilitation of the structure not being included.

Staff Recommendations:

Staff recommendation is that the property be transferred to the highest responsible bidder, Adam Moyers and Brandi Harless for the offer of \$1.00. Upon approval by the City Commission, staff will proceed with the design approvals through the Historical and Architectural Review Commission

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available:

Account Name:
Account Number:

Finance

Attachments: Elevations

Steve Ewin
Department Head

City Clerk

City Manager

ORDINANCE NO. 2015-9-_____

AN ORDINANCE AUTHORIZING AND APPROVING THE SALE OF SURPLUS MUNICIPALLY OWNED REAL PROPERTY LOCATED AT 421 NORTH 5TH STREET, PADUCAH, MCCRACKEN COUNTY, KENTUCKY, FOR PURPOSES OF REDEVELOPMENT AND REVITALIZATION IN THE LOWERTOWN NEIGHBORHOOD

WHEREAS, the City of Paducah (“City”) is the present owner of certain surplus real property with improvements located at 421 North 5th Street, Paducah, McCracken County, Kentucky, and is more particularly described in the attached **Exhibit “A,”** (the “Property”); and

WHEREAS, City has determined that the Property is no longer necessary, appropriate, or in the best interests of the operations of the City and its citizens and that the Property should be sold as surplus real estate; and

WHEREAS, the City offered the Property for sale as surplus property in accordance with KRS 82.083 and the sealed bidding procedure set forth in the City of Paducah Codes of Ordinance Section 2-668; and

WHEREAS, Adam Moyers and Brandi Harless, were the successful bidders offering to purchase the property for a purchase price in the amount of \$1.00 and its commitment to invest up to \$175,984.00 in the complete rehabilitation of the improvements located on the Property in accordance with designs and plans to be approved by the Historical and Architectural Review Commission of the City; and

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

Section 1. Recitals and Authorizations. The Board of Commissioners hereby declares the Property to be *surplus property* as it relates to the operations of the City. Further, the Board of Commissioners hereby approves the sale of the Property to Adam Moyers and Brandi Harless, for a purchase price in the amount of \$1.00 and their commitment to invest up to \$175,984.00 in the complete rehabilitation of the improvements located on the Property in accordance with designs and plans to be approved by the Historical and Architectural Review Commission of the City. That the Mayor of the City of Paducah, Kentucky, be and is hereby authorized to execute and deliver a special warranty deed of conveyance of the Property with a reverter provision, together with all other documentation necessary to effectuate the sale and transfer of the Property.

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

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

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

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

Mayor

ATTEST:

Tammara S. Sanderson, City Clerk

Introduced by the Board of Commissioners, September 15, 2015
Adopted by the Board of Commissioners, September 22, 2015
Recorded by Tammara S. Sanderson, City Clerk, September 22, 2015
Published by *The Paducah Sun*, _____
\\ord\plan\prop sale-421 N 5th

EXHIBIT A TO ORDINANCE
THE PROPERTY

**Agenda Action Form
Paducah City Commission**

Meeting Date: 15 September 2015

Short Title: 2015-2016 Edward Byrne Memorial Justice Accountability Grant (JAG)

Ordinance Emergency Municipal Order Resolution Motion

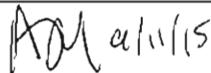
Staff Work By: Former A/C Stacey Grimes; Sheryl Chino
Presentation By: Chief Brandon Barnhill

Background Information: The Edward Byrne Memorial Justice Accountability Grant (JAG) is a federal formula grant funded through the U.S. Department of Justice.

Through Municipal Order #1843 the Paducah Police Department submitted an application for the 2015-2016 Edward Byrne Memorial JAG grant and has received an award of \$10,912 to purchase 19 body worn cameras. This grant does not require a local cash match.

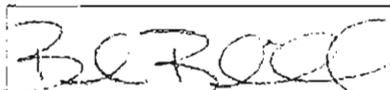
Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: Project Name: 2015/2016 JAG
 Project #: PO0092
 File #: 6.275
 Acct. #: 040-1616-521.23-07
 Budget: \$10,912
 Source of Funds: Federal grant. no local match required


Finance

Staff Recommendation: Authorize the Mayor to execute a grant agreement and all related documents.

Attachments: None


Department Head

City Clerk


City Manager

ORDINANCE NO. 2015-9-_____

AN ORDINANCE APPROVING THE EXECUTION OF AN AGREEMENT,
AND ALL DOCUMENTS RELATING THERETO, WITH THE U.S. DEPARTMENT OF
JUSTICE FOR A 2015-2016 EDWARD BYRNE MEMORIAL JUSTICE ACCOUNTABILITY
GRANT THROUGH THE U.S. DEPARTMENT OF JUSTICE TO BE USED BY THE
PADUCAH POLICE

WHEREAS, the City of Paducah applied for the 2015-2016 Edward Byrne
Memorial Grant Award through the U.S. Department of Justice by Municipal Order No. 1843
adopted on June 16, 2015, for the purchase of body cameras; and

WHEREAS, the U. S. Department of Justice has approved the application and is
now ready to award this grant.

BE IT ORDAINED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. The City of Paducah hereby approves the execution of a grant
agreement, and all documents relating thereto, with the U. S. Department of Justice for a 2015-
2016 Edward Byrne Memorial Justice Accountability Grant, in the amount of \$10,912.00, to be
used by the Paducah Police Department to purchase body worn cameras. No local match is
required.

SECTION 2. These funds will be expended through project account PO0092.

SECTION 3. This ordinance shall be read on two separate days and will become
effective upon summary publication pursuant to KRS Chapter 424.

Mayor

ATTEST:

Tammara S. Sanderson, City Clerk

Introduced by the Board of Commissioners, September 15, 2015
Adopted by the Board of Commissioners, September 22, 2015
Recorded by Tammara S. Sanderson, City Clerk, September 22, 2015
Published by the Paducah Sun, _____
\\ord-plan\grant\police-2015-2016 Justice Assistance Edward Byrne 9-2015

**Agenda Action Form
Paducah City Commission**

Meeting Date: 15 September 2015

Short Title: 2015 U.S. Bulletproof Vest Partnership Grant

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Robin Newberry, Sheryl Chino

Presentation By: Chief Brandon Barnhill

Background Information: The U.S. Department of Justice (DOJ) Bulletproof Vest Partnership (BVP) Grant Program provides a maximum 50-percent reimbursement for the purchase of body armor for police. The City received \$7,435.61 from this grant program in 2013.

Through Municipal Order #1836, the City Commission approved the submittal of the BVP grant application. The Police Department was awarded \$12,644.54 in BVP funds on August 11, 2015 and 2015 LEPP grant funds will be used as matching funds.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available:

Project Name: 2015 DOJ BPV

Project #: PO0091

File #: 6.274

Acct. #: 040-1616-521.23-07

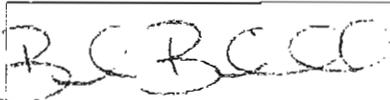
Budget: \$25,289.08

Source of Funds: \$12,644.54 federal grant. \$12,644.54 match - LEPP grant funds

AM 9/11/15
Finance

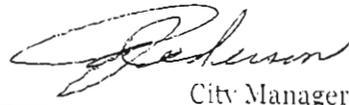
Staff Recommendation: Authorize the mayor to execute a grant agreement and related documents.

Attachments: None



Department Head

City Clerk



City Manager

ORDINANCE NO. 2015-9-_____

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A REIMBURSABLE GRANT AGREEMENT AND ALL DOCUMENTS RELATING THERETO WITH THE U. S. DEPARTMENT OF JUSTICE FOR A BULLETPROOF VEST PARTNERSHIP GRANT PROGRAM AWARD

WHEREAS, the City of Paducah applied for a U. S. Department of Justice Bulletproof Vest partnership Grant Program Award adopted by Municipal Order No. 1836 on April 28, 2015, for assistance with purchasing bulletproof vests to be used by the Paducah Police Department; and

WHEREAS, the U. S. Department of Justice has approved the application and is now ready to award this grant.

BE IT ORDAINED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. The Mayor is hereby authorized to execute a Reimbursable Grant Agreement and all documents relating thereto with the U. S. Department of Justice for a Bulletproof Vest Partnership Grant Program Award in the amount of \$12,644.54 for assistance with purchasing bulletproof vests to be used by the Paducah Police Department.

SECTION 2. This expenditure shall be charged to Project Account No. PO0091.

SECTION 3. This ordinance shall be read on two separate days and will become effective upon summary publication pursuant to KRS Chapter 424.

Mayor

ATTEST:

Tammara S. Sanderson, City Clerk

Introduced by the Board of Commissioners, September 15, 2015
Adopted by the Board of Commissioners, September 22, 2015
Recorded by Tammara S. Sanderson, City Clerk, September 22, 2015
Published by The Paducah Sun, _____
\\ord\plan\grants\police-bulletproof vest partnership 2015 9-2015

**Agenda Action Form
Paducah City Commission**

Meeting Date: 15 September 2015

Short Title: 2015-2016 Kentucky Highway Safety Program

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Brian Krueger; Jason Merrick; Sheryl Chino

Presentation By: Chief Brandon Barnhill

Background Information: The Kentucky Office of Highway Safety, a division of the Kentucky Transportation Cabinet, has a competitive, discretionary grant program that offers reimbursements to police agencies for the salaries and benefits of peace officers working overtime hours and engaged in specific traffic enforcement activities. The program also offers reimbursements for specific traffic enforcement related supplies and equipment.

The Paducah Police Department has been awarded a Highway Safety Application for the 2015-2016 year. This grant will reimburse overtime hours associated with saturation patrols, including fuel costs, in the amount of \$22,500. There is not a match requirement for this grant application. This grant program does not require matching funds.

The grant application was originally approved by municipal order 1819.

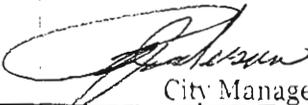
Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: Project Name: 2016 Hwy Safety
Project #: PO0093
File #: 6.276
Acct. #: 001-1602-521.12-01
Budget: \$22,500.00
Source of Funds: Federal grant, no local match required.

ADD 9/11/15
Finance

Staff Recommendation: Authorize the Mayor to execute all grant related documents.

Attachments: None

 Department Head	 City Manager
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City Clerk

AN ORDINANCE AUTHORIZING THE MAYOR'S EXECUTION OF A 2015-2016 KENTUCKY HIGHWAY SAFETY PROGRAM REIMBURSEMENT GRANT AWARD WITH THE KENTUCKY OFFICE OF HIGHWAY SAFETY, A DIVISION OF THE KENTUCKY TRANSPORTATION CABINET

WHEREAS, the City of Paducah applied for a 2015/2016 Kentucky Highway Safety Program Reimbursement Grant, in the amount of \$56,564.80, by Municipal Order No. 1819 adopted on February 24, 2015, for the funding of overtime hours for traffic enforcement aimed at reducing DUI and distracted driving incidents and seat belt usage for the Paducah Police Department; and

WHEREAS, the Kentucky Office of Highway Safety has approved the application and is now ready to award this grant.

BE IT ORDAINED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. That the City of Paducah hereby authorizes the Mayor to execute the 2015-2016 Kentucky Highway Safety Program Reimbursement Grant Award with the Kentucky Office of Highway Safety, a division of the Kentucky Transportation Cabinet, in the amount of \$22,500, for overtime hours associated with saturation patrols, including fuel costs. This program does not require any local cash or in-kind match.

SECTION 2. The funds shall be credited to project account PO0093.

SECTION 3. This ordinance shall be read on two separate days and will become effective upon summary publication pursuant to KRS Chapter 424.

Mayor

ATTEST:

Tammara S. Sanderson, City Clerk

Introduced by the Board of Commissioners, September 15, 2015
Adopted by the Board of Commissioners, September 22, 2015
Recorded by Tammara S. Sanderson, City Clerk, September 22, 2015
Published by *The Paducah Sun*, _____
ord\plan\grants\police-governors 2015-2016 highway safety 9-2015

Agenda Action Form

Paducah City Commission

Meeting Date: September 22, 2015

Short Title: Payment to Paducah Convention & Visitors Bureau Sponsorship for 2015 Rayovac FLW Series Championship

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Jeff Pederson
Presentation By: Jeff Pederson

Background Information:

On November 26, 2014, the Paducah Convention and Visitors Bureau entered into a Site Agreement with FLW, LLC, to host a FLW Rayovac Championship on the Ohio River in Paducah, Kentucky October 29-31, 2015. Pursuant to this agreement, the CVB agreed to pay \$35,000 cash to FLW and to provide certain in-kind services, said hosting costs total \$45,000.

The Convention & Visitors Bureau has requested that the City split the costs of hosting the tournament, and agrees that the total contribution from the City of Paducah shall not exceed \$22,500.

Payment #1 to the Paducah Convention & Visitors Bureau in the amount of \$11,250 was paid in June 2015. An invoice in the amount of \$11,250 for Payment 2 in the amount of \$11,250 has now been received. Since total payment exceeds \$20,000, Commission action is required to approve Payment 2.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

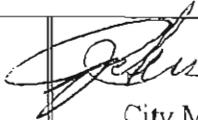
Funds Available: Account Name: Investment Fund
Account Number: 004-0401-536-2307

ADH 9/11/15
Finance

Staff Recommendation: Approve payment of Invoice #2 in the amount of \$11,250

Attachments:

- Copy of Site Agreement between FLW and the Paducah CVB
- e-mail from Fowler Black setting forth financial arrangements & Inv. #1
- Ordinance

Department Head	City Clerk	 City Manager
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Invoice

Bill To:
CITY OF PADUCAH
300 SOUTH 5TH STREET
P.O. BOX 2267
PADUCAH, KY 42002

Invoice No.: 02 of 02

Item	Description	Total
2015 Rayovac FLW Series Championship	Installment #2 of 1/2 Hosting Fee / Meal / Meeting Space *	\$11,250
* Total cost of Hosting Fee / Meal / Meeting Space split with Paducah CVB		
Subtotal:		\$11,250
Balance Due:		\$11,250

Req 92120
 PO 189474
 Rec'd 6-12-15
 OSM

Invoice

Bill To:
 CITY OF PADUCAH
 300 SOUTH 5TH STREET
 P.O. BOX 2267
 PADUCAH, KY 42002

Invoice No.: 01 of 02

Item	Description	Total
2015 Rayovac FLW Series Championship	Installment #1 of 1/2 Hosting Fee / Meal / Meeting Space *	\$11,250
	* Total cost of Hosting Fee / Meal / Meeting Space split with Paducah CVB	

Subtotal:	\$11,250
Balance Due:	\$11,250

004-0401-536-2307

Claudia Meeks

From: Fowler Black <fowler@paducah.travel>
Sent: Thursday, June 11, 2015 8:54 AM
To: Claudia Meeks
Subject: Funding FLW Guarantee
Attachments: PastedGraphic-3.tiff; Contract - FLW Championship.pdf

Claudia,

Feel free to forward this to the City's finance department.

The hosting costs of the Rayovac FLW Series Championship total \$45,000. \$37,500 of that \$45,000 is a fixed cost (FLW Host Fee & meeting space rental) while the remaining \$7,500 (meal & shuttles) is a budgeted cost. The City and the CVB have agreed to pay \$22,500 respectively. The CVB will incur all costs. The City Manager asked that the CVB invoice the City in two halves, an initial \$11,250 invoice in June 2015 and a second \$11,250 invoice in July 2015.

The City's half of the in-kind portion of the contract (meal, meeting space, and shuttles) shall not exceed \$5,000.

In the attached FLW contract, the host responsibilities are given in Part 2. The following highlights speak to the costs the host will incur per the contract:

Hosting Fee - Part 2a of the contract states PCVB will pay cash consideration to FLW in the amount of \$35,000.

Meeting Space & Meal - Part 2b of the contract states PCVB will provide the in-kind services of providing meeting space and meal for 450 people at the Julian Carroll Convention & Expo Center. Jeff Foreman, on behalf of the Convention Center, has quoted the rental space (8am-8pm) at \$2,500. PCVB is budgeting \$5,500 for the meal (450 people eating dinner at \$12.22 per head).

Transportation - Part 2b2 of the contract states PCVB will provide shuttles to and from boat trailer parking from October 28-31, 2015. PCVB is budgeting \$2,000 to pay for three to four days of shuttles.

Please let me know if you have any questions. Thanks.

Fowler Black, Sales Director
Paducah Convention & Visitors Bureau
128 Broadway • Paducah, KY 42001
(270) 443-8783 • (800) PADUCAH
[Quilt Man](#) | [Facebook](#) | [Twitter](#)

Begin forwarded message:

RECEIVED
12.2.14



2015 FLW Rayovac Championship
October 29-31, 2015
Ohio River – Paducah, KY

SITE AGREEMENT

This Agreement made and entered into FLW, LLC with offices at 30 Gamble Lane, Benton, KY 42025 (“FLW”) and Paducah Convention & Visitors Bureau 128 Broadway, Paducah, KY 42001 hereinafter referred to as “PCVB”.

WHEREAS, FLW promotes and markets regional and national fishing tournaments;

WHEREAS, PCVB desires to host a FLW Rayovac Championship (“Event”) taking place October 29-31, 2015, on the Ohio River in Paducah, KY.

WHEREAS, FLW and PCVB agree that all prior agreements and understanding with respect to the subject matter of this Agreement are hereby canceled;

NOW, THEREFORE, in consideration of the mutual promises contained in this Agreement, and other good and valuable consideration, the parties agree as follows:

For the Event, the weigh-in activities for the first two days, October 29-30, 2015, will be conducted at the Ohio River Boat Launch, 275 Burnett Street, Paducah, KY 42001. The final day weigh-in activities, October 31, 2015, will be conducted at Walmart #491, 5130 Hinkleville Road, Paducah, KY 42001

TERM. This Agreement shall be effective from the date of signature through November 1, 2015. (“Term”).

1. FLW RESPONSIBILITIES.

- a. **FLW Magazine:** FLW will provide PCVB with the following:
 - i. One (1) full-page, four color ad in *FLW Bass Magazine*; ad is to run during CY 2015. Ad and artwork to be provided by PCVB, deadline dates and mechanical requirements apply;
 - ii. Editorial coverage of Event.
- b. **Internet:** FLWOutdoors.com will provide the following:
 - i. Editorial coverage of Event;
 - ii. Continual mention and exposure for Ohio River and Paducah, KY.
- c. **Public Relations:** FLW will provide the following ~~via~~ public relations:
 - i. Event location mention in the pre-season press kits distributed to daily and targeted weekly newspapers as well as to national radio and television stations;
 - ii. Event location mention in pre-and post-Event coverage including, but not limited to press releases sent to national daily and weekly newspapers, press release sent to national broadcast media via PR Newswire (or comparable wire service) and other national newswires including the Associated Press and Reuters;
 - iii. Inclusion in local advertising and promotion surrounding Event when applicable;
 - iv. When possible, site mention during television and radio interviews arranged by FLW;
 - v. Paducah, KY will be recognized as the official site of Event;
 - vi. Ohio River will be recognized as the official host fishery of Event;
- d. **Insurance:** FLW, at its sole expense, will provide the following insurance:
 - i. FLW will provide PCVB with evidence that it has caused to be written with an insurance company a Comprehensive public liability and property damage insurance policy for bodily and personal injury, death or property damage occurring during Event in an amount with limits for each occurrence that is not less than \$1,000,000.00 combined single limit, covering the period of Events specified above.

2. PCVB RESPONSIBILITIES.

- a. **Consideration:** PCVB agrees to pay cash consideration to FLW in the amount of Thirty-Five Thousand Dollars (\$35,000) for Event on October 1, 2015.
- b. **In-Kind Services:** PCVB agrees to provide the following in-kind services at no charge to FLW. The in-kind services will include, but not limited to the following:
 1. **Registration:** PCVB will provide FLW a meeting room at Julian M. Carroll Convention & Expo Center, 414 Park Street, Paducah, KY 42001 for the registration and pretournament meeting for four hundred fifty (450) people, available from 8am-8pm on Wednesday, October 28, 2015. PCVB will also provide FLW with a meal on Wednesday, October 28, 2015. Menu to be approved by FLW.
 2. **Shuttle:** PCVB will provide FLW with a shuttle to and from the boat trailer parking on October 28-31, 2015
 3. **Permits:** PCVB will assist FLW with acquiring any permits necessary for holding Event.
 4. **Media Liaison:** PCVB will serve as FLW's local liaison during the planning stages and event dates. PCVB will also assist in the coordination of launch sites, convention center, media, volunteers, and other vital services on behalf of FLW.

3. CONFIDENTIALITY. It is anticipated that both parties **will** want to publicize the fact that FLW will host an Event in Paducah, KY on the Ohio River, **however**, FLW and PCVB agree to hold in strict confidence all information relating to this Agreement and/or PCVB or FLW's business supplied in connection herewith which is received by either PCVB or FLW from the other. PCVB will not publically announce FLW tournament location prior to FLW announcing its entire 2015 FLW schedule. A violation of this section will constitute a breach of this Agreement.

4. SEVERABILITY. In case any provision in or obligation under this Agreement shall be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions or obligations, or of such provision or obligation shall not in any way be affected or impaired thereby.

5. NEGOTIATED TERMS. This Agreement has been the result of negotiations between the parties, and therefore the parties agree neither the Agreement nor portions of the Agreement's language are to be construed against any party as a drafter of the Agreement or any portions thereof.

6. ENTIRE AGREEMENT. This instrument constitutes the entire Agreement between the parties concerning the subject matter herein. No other agreements, representations or promises or amendments shall apply unless made in writing and expressly made a part of this Agreement.

7. FORCE MAJEURE. If for any reason due through no fault or negligence of either part hereto so that either party is prevented (a "force majeure") to fill its obligations due to either an Act of God, including low, high or unsafe water conditions to host a fishing tournament, national emergency, governmental directive then either party may cancel this Agreement upon prompt written notice to the other party. In the case of a force majeure both parties are relieved of any obligations set forth hereunder and all payments made to FLW will be refunded to PCVB.

AGREED

Kathy Fennel
FLW, LLC
30 Gamble Lane
Benton, KY 42025

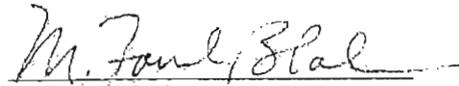
By: 
Kathy Fennel

Title: President of Operations

Date: 12-2-2014

AGREED

Fowler Black
Paducah Convention and Visitors Bureau
128 Broadway
Paducah, KY 42001

By: 
Fowler Black

Title: Sales Director

Date: NOVEMBER 26TH, 2014

ORDINANCE NO. 2015-9-_____

AN ORDINANCE AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO MAKE PAYMENT TO THE PADUCAH-McCRACKEN COUNTY CONVENTION AND VISITORS BUREAU FOR COSTS OF HOSTING THE 2015 RAYOVAC FLW SERIES CHAMPIONSHIP ON THE OHIO RIVER IN PADUCAH

BE IT ORDAINED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. That the City of Paducah hereby authorizes and directs the Finance Director to make payment in the amount of \$22,500 to the Paducah-McCracken County Convention & Visitors Bureau for costs of hosting the 2015 Rayovac FLW Series Championship which will be held on the Ohio River in Paducah.

SECTION 2. This expenditure authorized in Section 1 above shall be charged to the Investment Fund, account no. 004—401-536-2307.

SECTION 3. This ordinance shall be read on two separate days and will become effective upon summary publication pursuant to KRS Chapter 424.

SECTION 4. This ordinance shall become effective upon the first reading of this Ordinance.

Mayor

ATTEST:

Tammara S. Sanderson, City Clerk

Introduced by the Board of Commissioners, September 15, 2015

Adopted by the Board of Commissioners, September 22, 2015

Recorded by Tammara S. Sanderson, City Clerk, September 22, 2015

Published by the Paducah Sun, _____

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