



**CITY COMMISSION MEETING  
AGENDA FOR FEBRUARY 14, 2023  
5:00 PM  
CITY HALL COMMISSION CHAMBERS  
300 SOUTH FIFTH STREET**

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

**ROLL CALL**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**PROCLAMATION** Joint Proclamation for Alpha, Kappa, Alpha Sorority, Inc. Beta Omega Omega Chapter Day - Doris Sarr

**ADDITIONS/DELETIONS**

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

	<b>I.</b>	<b><u>CONSENT AGENDA</u></b>
	A.	Approve Minutes for January 17, 2023, Special Call Meeting and January 24, 2023, Board of Commissioners Meeting
	B.	Receive & File Documents
	C.	Appointment of Mary Byrne to the Paducah Area Transit System Board
	D.	Appointment of Jill Durham and Lucia Rogers Burkart to the Civic Beautification Board
	E.	Personnel Actions
	F.	Amend the FY22-23 Position and Pay Schedule - <b>S. WILCOX</b>
	G.	Amend the FY22-23 Job Grade Schedule - <b>S. WILCOX</b>
	H.	Approve a KDLA Local Records Program Grant Application in the amount of \$46,000 for the Paducah Fire Department - Prevention Division - <b>G. CHERRY</b>
	I.	Approve a Contract with Tetra Tech in the Amount of \$440,000 for the EPA Brownfields Grant - <b>N. HUTCHISON</b>

		J.	Approve a Fleet Maintenance Service Agreement between the City of Paducah Fleet Division and the Barlow Kentucky Fire Department - <b>C. YARBER</b>
	<b>II.</b>	<b><u>MUNICIPAL ORDER(S)</u></b>	
		A.	Approve a Release and Agreement for \$1,413,192.14 with Western Surety Company for the Costs Associated with the Default of Huffman Construction, LLC on the Pump Station #2 Rehabilitation Project - <b>R MURPHY</b>
	<b>III.</b>	<b><u>ORDINANCE(S) - ADOPTION</u></b>	
		A.	Amend Code of Ordinances Chapter 98 - Article VI and VII related to Parades and General Assemblies - <b>L. PARISH</b>
	<b>IV.</b>	<b><u>ORDINANCE(S) - INTRODUCTION</u></b>	
		A.	Approve an Interlocal Cooperation Agreement for the City of Paducah/McCracken County 2045 Comprehensive Plan - <b>N. HUTCHISON</b>
	<b>V.</b>	<b><u>COMMENTS</u></b>	
		A.	Comments from the City Manager
		B.	Comments from the Board of Commissioners
		C.	Comments from the Audience
	<b>VI.</b>	<b><u>EXECUTIVE SESSION</u></b>	

# Agenda Action Form Paducah City Commission

Meeting Date: February 14, 2023

Short Title: Amend the FY22-23 Position and Pay Schedule - **S. WILCOX**

Category: Municipal Order

Staff Work  
By: Stefanie  
Wilcox  
Presentation  
By: Stefanie  
Wilcox

**Background Information:** The position and pay schedule is being submitted in preparation for the fiscal year 2024 budget cycle. The Enterprise Resource Planning Manager has changed to Software Manager and the Business Analyst job title has changed to Software Specialist. Both positions have moved into the Technology Department. A Solid Waste Supervisor position will be reclassified as a Solid Waste Superintendent, and the Park Maintenance Supervisors are being moved to the same job grade as the Public Works Maintenance Supervisors. All other changes are related to new hires, employees leaving and wage rates increasing.

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

If yes, please list the Commission Priority:

Communications Plan:

Funds Available: Account Name:  
Account Number:

**Staff Recommendation:** Approved the updated position and pay schedule with recommended changes.

**Attachments:**

1. MO Position and Pay Schedule FY2022-2023 2-14-23
2. Position and Pay Schedule -Feb 14

# Agenda Action Form

## Paducah City Commission

Meeting Date: February 14, 2023

Short Title: Amend the FY22-23 Job Grade Schedule - **S. WILCOX**

Category: Municipal Order

Staff Work  
By: Stefanie  
Wilcox  
Presentation  
By: Stefanie  
Wilcox

**Background Information:** The job grade schedule is being updated to change the job titles for the Enterprise Resource Planning Manager to the Software Manager and the Business Analyst to a Software Specialist. We have added the Solid Waste Superintendent position in grade thirteen, and moved the Park Maintenance Supervisors into the same job grade as the Public Works Maintenance Supervisors.

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

If yes, please list the Commission Priority:

Communications Plan:

Funds Available: Account Name:  
Account Number:

Staff Recommendation: Approved the job grade schedule with the recommended changes.

Attachments:

1. MO job grade schedule FY2022-2023 2-14-22
2. Pay Grade Schedule 2 14 2023

# **Agenda Action Form Paducah City Commission**

Meeting Date: February 14, 2023

**Short Title:** Approve a KDLA Local Records Program Grant Application in the amount of \$46,000 for the Paducah Fire Department - Prevention Division - **G. CHERRY**

**Category:** Municipal Order

**Staff Work By:** Janet  
Dicke, Hope Reasons  
**Presentation By:** Greg  
Cherry

**Background Information:** The Paducah Fire Department - Prevention Division is requesting to apply for a Kentucky Department of Libraries and Archives (KDLA) - Local Records Program Grant to create a comprehensive records management system. The funding will be used to contract with an archivist for a specific, time-limited project period to identify, sort, and organize department documents that are on paper prior to 2012. The archivist will also work with the department to establish a records management system to identify and conserve historically significant and culturally relevant documents the department maintains for the City of Paducah. The requested amount is \$46,000 and there is no matching requirement.

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

If yes, please list the Commission Priority:

**Communications Plan:**

**Funds Available:** Account Name:  
Account Number:

**Staff Recommendation:** Approve the application for the KDLA grant and authorize the Mayor to sign all associated documents for the application.

**Attachments:**

1. MO - application- Ky Dept Libraries & Archives KDLA – Fire Prevention 2023

# **Agenda Action Form**

## **Paducah City Commission**

Meeting Date: February 14, 2023

**Short Title:** Approve a Contract with Tetra Tech in the Amount of \$440,000 for the EPA Brownfields Grant - **N. HUTCHISON**

**Category:** Municipal Order

**Staff Work By:** Hope Reasons,  
Nicholas Hutchison  
**Presentation By:** Nicholas  
Hutchison

**Background Information:** Since its inception in 1995, EPA's Brownfields Program has worked to help states and communities around the country clean up and revitalize brownfield sites. Brownfields Grants not only support economic growth and job creation, but they also empower communities to address the environmental, public health, and social issues associated with contaminated land.

On May 24, 2022, the Board of Commissioners approved the acceptance of a \$500,000 Brownfields Assessment Grant. The Cooperative Agreement with the EPA was signed in August 2022. A Request for Qualifications for an environmental consultant firm was released in October 2022. Three proposals were submitted. All three proposals were scored and all three vendors were interviewed. Tetra Tech was the firm chosen for this grant project.

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

**If yes, please list the Commission Priority:** Downtown, Southside Enhancements

**Communications Plan:**

**Funds Available:** Account Name: 2022 Brownfields Assess Grant 6.344

Account Number: MR0091-000-20000-20018

**Staff Recommendation:** Approve the contract with Tetra Tech and authorize the Mayor to sign all documents associated with the contract.

**Attachments:**

1. MO contract - Tetra Tech - EPA Brownfields Grant 2023
2. TETRA TECH CONTRACT 2.2.23
3. ADDENDUM TO PROFESSIONAL SERVICES CONTRACT 2.2.23

# Agenda Action Form Paducah City Commission

Meeting Date: February 14, 2023

**Short Title:** Approve a Fleet Maintenance Service Agreement between the City of Paducah Fleet Division and the Barlow Kentucky Fire Department - **C. YARBER**

**Category:** Municipal Order

**Staff Work By:** Jim  
Scutt, Debbie Collins  
**Presentation By:** Chris  
Yarber

**Background Information:** On January 11, 2023, a Fleet Maintenance Service Agreement was entered into for the City of Paducah Fleet Division to provide all professional labor, materials, equipment, and operations necessary for scheduled maintenance, upkeep, repair and preventative maintenance, pursuant to the fee schedule for the Barlow Kentucky Fire Department.

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

If yes, please list the Commission Priority:

**Communications Plan:**

**Funds Available:** Account Name:  
Account Number:

**Staff Recommendation:** Approve a Municipal Order for the Fleet Maintenance Service agreement for the City of Paducah Fleet Division to provide all professional labor, materials, equipment, and operations necessary for scheduled maintenance, upkeep, repairs and preventive maintenance, pursuant to the fee schedule for the Barlow Kentucky Fire Department.

**Attachments:**

1. MO agree-fleet maintenance services – Barlow, Kentucky Fire Department
2. SERVICE AGREEMENT - BARLOW KY FIRE DEPT

# Agenda Action Form Paducah City Commission

Meeting Date: February 14, 2023

**Short Title:** Approve a Release and Agreement for \$1,413,192.14 with Western Surety Company for the Costs Associated with the Default of Huffman Construction, LLC on the Pump Station #2 Rehabilitation Project - **R MURPHY**

**Category:** Municipal Order

**Staff Work By:** Melanie Townsend  
**Presentation By:** Rick Murphy

**Background Information:** The City of Paducah entered into a Contract with Huffman Construction, LLC, dated May 3, 2018, for the Flood Pump Station # 2 Rehabilitation Project as approved by Ordinance 2018-04-8623.

Western Surety Company issued a payment and performance bond on behalf of Huffman Construction, LLC in the amount of \$4,947,000.00 plus Change Orders insuring the completion of the Pump Station #2 Rehabilitation Project.

The City terminated the Contract with Huffman Construction, LLC on May 26, 2020, as approved by Ordinance 2020-05-8636 due to Huffman Construction, LLC's failure to pay vendors and make progress on the project.

The City of Paducah was notified by Western Surety of its approval for the City to acquire another contractor and the City and its Engineering contractor to complete the project in an effective and efficient manner.

On August 25, 2020, the Board of Commissioners approved Ordinance 2020-08-8652 authorizing a contract with Pace Contracting, LLC, for \$4,500,000.00. Subsequently, a Change Order for \$121,733.29 was required due to missing components, damaged materials, fabrication of a missing adjustment nut, and emergency repairs caused by failures on the part of Huffman Construction, LLC, for a total contract of \$4,621,733.29. Therefore, the Huffman Construction, LLC default resulted in a contract increase of \$1,268,248.59.

While changing contractors, the City incurred additional engineering costs of \$138,442.82 from HDR Engineering and legal fees of \$6500.71 with KKHB.

The Pump Station #2 Rehabilitation Project is 99% complete as of December 31, 2022. Therefore, the City has requested payment of \$1,413,192.14 from Western Surety for additional cost incurred by the city due to Huffman Construction, LLC's default.

Western Surety has agreed to the City's request for reimbursement of its additional costs of \$1,413,192.14 to the Pump Station #2 Rehabilitation Project and wishes to enter into a Release and Agreement with the City of Paducah.

Contract coverage	\$ 1,268,248.59
HDR additional costs	\$ 138,442.84
KKHB costs	\$ 6,500.71
Claim from Western Surety	\$ 1,413,192.14

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



If yes, please list the Commission Priority:

Communications Plan:

Funds Available: Account Name: Pump Station 2 Rehab

Account Number: FW0014

**Staff Recommendation:** Authorize the Mayor to sign a Release and Agreement with Western Surety Company regarding the Pump Station #2 Rehabilitation Project. Also, authorize the Finance Director to accept payment of \$1,413,192.14 from Western Surety into the FW0014 Pump Station #2 Rehab project account.

**Attachments:**

1. MO Agree Western Surety Company – pump station #2 Rehab Project
2. RELEASE AND ASSIGNMENT AGREEMENT TO WESTERN SURETY 12.8.22

# Agenda Action Form

## Paducah City Commission

Meeting Date: February 14, 2023

Short Title: Amend Code of Ordinances Chapter 98 - Article VI and VII related to Parades and General Assemblies - **L. PARISH**

Category: Ordinance

Staff Work By: Lindsay Parish, Amie Clark, Daron Jordan,  
Michelle Smolen, Alex Sherwood  
Presentation By: Lindsay Parish

**Background Information:** Chapter 98 of the Paducah Code of Ordinances governs permitting for parades and general assemblies (special events). Several updates need to be made to the ordinance to bring it up to date with current practices. This ordinance repeals the prior ordinance and replaces it with new language. New language includes:

- **Updated Special Event Definition:** The ordinance updates and expands the definition of special events. It allows for the City to require a permit for large events which occur on private or county property when said events require a city road closure, or have a direct impact on traffic or which would appreciably impact the need for Police, Fire, or other public safety and emergency services.
- **Administrative Policy and Fees:** This ordinance charges the City Manager with creating and maintaining an Administrative Policy which controls the specifics related to Special Events. The City policy on Special Events is being updated simultaneously with this ordinance update to ensure that both are current and accurate. Additionally, the ordinance authorizes the City Manager to set policy related to fees for special event services and applications.
- **Liability Insurance:** The current policy has a tiered system for liability insurance requirements which requires events to provide a minimum of \$1,000,000 general liability coverage, with the exemption of events categorized as "Hazard Level A". However, no events that require a Special Event Permit fall under Hazard Level A. This means that effectively all permitted events must provide a minimum of \$1,000,000 general liability coverage. This ordinance updates wording to simply clarify that all permitted events must provide a minimum of \$1,000,000 general liability coverage with the City named as additional insured.

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

If yes, please list the Commission Priority:

Communications Plan:

Funds Available: Account Name:  
Account Number:

Staff Recommendation: Approval.

Attachments:

1. ORD 98 - Special Events Ordinance Update 2023
2. Draft

# Agenda Action Form

## Paducah City Commission

Meeting Date: February 14, 2023

Short Title: Approve an Interlocal Cooperation Agreement for the City of Paducah/McCracken County 2045 Comprehensive Plan - **N. HUTCHISON**

Category: Ordinance

Staff Work  
By: Nicholas  
Hutchison  
Presentation  
By: Nicholas  
Hutchison

**Background Information:** The City and the County currently operate separate Planning Commissions and have adopted separate Comprehensive Plans. The City and County have requested proposals for a Joint Agency Comprehensive Plan that will be implemented through each governing body. The Joint Comprehensive Plan would allow the City and County to provide an innovative and implementable Comprehensive Plan to the citizens of Paducah and McCracken County in a more efficient, economical and beneficial manner. The Interlocal Cooperative Agreement establishes the parameters of the joint agreement moving forward.

Both parties have selected Kendig Keast Collaborative for the preparation of the document pursuant to Kentucky Interlocal Cooperation Act KRS65.210. The project cost for the planning document is \$150,000 as outlined in Section D, Page 22, Cost Estimate of the Proposal for RFP 2022-001 McCracken County and City of Paducah, Kentucky Comprehensive Plan, attached hereto as Exhibit "A". The funding formula shall be as follows: Upon receipt of an invoice from Kendig Keast Collaborative, the City shall invoice the County 50% of invoice amount. Total payments from the City or County shall not exceed \$75,000 each, with equals 50% of the \$150,000 contract amount outlined in Section D, Page 22. Additional expenses not outlined in Section D, Cost Estimates of the Proposal for RFP 2022-001 McCracken County and City of Paducah, Kentucky Comprehensive Plan, will be paid equally by the City and County as long as those expenses do not exceed 5% of the contract amount of \$150,000.

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

If yes, please list the Commission Priority: Community Growth

Communications Plan:

Funds Available: Account Name: Comprehensive Plan Professional Service Consulting

Account Number: MR0087 000 20000 20005

Staff Recommendation:

Attachments:

1. ORD interlocal cooperation agreement - 2045 Comprehensive Plan
2. ILA Comp Plan