



**CITY COMMISSION MEETING
 AGENDA FOR APRIL 23, 2024
 5:00 PM
 CITY HALL COMMISSION CHAMBERS
 300 SOUTH FIFTH STREET**

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

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

ADDITIONS/DELETIONS

PROCLAMATION Mental Health Awareness Month - Dr. Svetlana Famina, Psychiatrist with Mercy Health

PROCLAMATION Municipal Clerks' Week - Claudia Meeks, Assistant City Clerk

PRESENTATION Paxton Park Update - Danny Mullin, Golf Director & Golf Commission Members

PUBLIC COMMENTS

MAYOR'S REMARKS

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

	I.	<u>CONSENT AGENDA</u>
	A.	Approve Minutes for April 9, 2024, Board of Commissioners Meeting
	B.	Receive & File Documents
	C.	Appointment of Catherine (Kate) Senn to the Paducah Water Board
	D.	Reappointment of Paul King to the Forest Hills Village, Inc. Board
	E.	Personnel Actions
	F.	Authorize Upper Story Residential Grant Funds in the amount of \$75,000 to BHIK, LLC for apartments at 219 Broadway and authorize a transfer from Administrative Contingency - J. SOMMER
	G.	Authorize the Application and Acceptance of a Kentucky League of Cities Safety Grant in the Amount of \$3,000 - S.WILCOX

		H.	Approve an Agreement with the Purchase Area Development District for \$5,305.50 for Metropolitan Transportation Planning Matching Funds - D. JORDAN
	II.	<u>MUNICIPAL ORDER(S)</u>	
		A.	Approve the Application for a Mellon Foundation Grant on behalf of the Uppertown Heritage Foundation in the amount of \$1.34 Million Dollars - H. REASONS
		B.	Authorize a Contract with A&K Construction, Inc. in the amount of \$779,104 for the re-roof and renovation of the Technology Department - C. YARBER
	III.	<u>ORDINANCE(S) - ADOPTION</u>	
		A.	Amend the FY24 City Budget to Increase Revenues and Expenditures for the Community Development Block Grant Fund by \$200,000 - H. REASONS
		B.	Amend Code of Ordinances Chapter 14 Related to the Keeping of Fowl - C. MEEKS & G. CHERRY
	IV.	<u>ORDINANCE(S) - INTRODUCTION</u>	
		A.	Approve the closing of 24,710 Square Feet of Colonial Drive and 38,302 Square Feet of Deer Lick Place at 3750 Pecan Drive and 600, 601, and 675 Deer Lick Place - M. TOWNSEND
		B.	Approve a Budget Amendment in the Amount of \$670,365 for Radios for City of Paducah radios as part of the 911 Radio Upgrade Project - J. PERKINS & D. JORDAN
	V.	<u>COMMENTS</u>	
		A.	Comments from the City Manager
		B.	Comments from the Board of Commissioners
	VI.	<u>EXECUTIVE SESSION</u>	

Agenda Action Form

Paducah City Commission

Meeting Date: April 23, 2024

Short Title: Authorize Upper Story Residential Grant Funds in the amount of \$75,000 to BHIK, LLC for apartments at 219 Broadway and authorize a transfer from Administrative Contingency - **J. SOMMER**

Category: Municipal Order

Staff Work
By: Nicholas
Hutchison
Presentation
By: Josh
Sommer

Background Information: The applicant completed a project of 8 rental units in 2021. Based on the parameters of the ordinance, the award should have been \$120,000. Due to limited funding in 2021 the grant funds awarded was \$45,000. The applicant now wishes to request the balance of the eligible funds he could have received had funding been available upon completion of the project. The Urban Renewal and Community Development Agency reviewed and approved the initial grant of \$45,000 in 2021 and the additional grant award on April 1, 2024. Grants in excess of \$60,000 also require City Commission approval. To fund this request, we request the approval to use Administrative Contingency funds.

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

If yes, please list the Commission Priority:

Communications Plan:

Funds Available: Account Name: DT-0033 Upper Story Living Init.

Account Number: 40001201 523070

Staff Recommendation: Staff recommends that the Commission approve the transfer of \$75,000 from Administrative Contingency funds and award of an additional \$75,000 for the project completed in 2021 based on the following facts:

- URCDCA reviewed and approved the awarding of the additional funds on April 1, 2024.
- The completed project consists of 8 units, three 2-bedroom apartments, and five 1-bedroom apartments.
- The documented investment in the downtown program area was more than 2.3 million dollars.
- The applicant would have been eligible for the full award of \$120,000 if funding had been available upon completion of the project.

Attachments:

1. MO Upper Story Residential Grant Funds – BHIK, LLC
2. URCDCA Staff Report 219 Broadway Additional Funds

Agenda Action Form Paducah City Commission

Meeting Date: April 23, 2024

Short Title: Authorize the Application and Acceptance of a Kentucky League of Cities Safety Grant in the Amount of \$3,000 - **S.WILCOX**

Category: Municipal Order

Staff Work By: Braden Throgmorton,
Hope Reasons
Presentation By: Stefanie Wilcox

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

The Human Resources Department is requesting \$3,000 for partial reimbursement of the purchase of a 66" mower that can be used on steep slopes and difficult terrain. The 50/50 matching requirement was fulfilled by the purchase price of the mower, which was \$22,389. The mower was purchased on July 17, 2023 and is therefore an eligible expense for reimbursement.

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

If yes, please list the Commission Priority:

Communications Plan:

Funds Available: Account Name:
Account Number:

Staff Recommendation: Authorize the application and acceptance of a KLC Safety Grant in the amount of \$3,000 and for the Mayor to sign all documentation related to same.

Attachments:

1. MO - app & award - klc safety grant 2024

Agenda Action Form

Paducah City Commission

Meeting Date: April 23, 2024

Short Title: Approve an Agreement with the Purchase Area Development District for \$5,305.50 for Metropolitan Transportation Planning Matching Funds - **D. JORDAN**

Category: Municipal Order

Staff Work By: Daron
Jordan, Lindsay Parish
Presentation By: Daron
Jordan

Background Information: The Purchase Area Development District (PADD) performs transportation planning activities for and is designated by the Paducah-McCracken Metropolitan Planning Organization (PMcMPO) as the staff agency responsible for metropolitan transportation planning. The PADD has entered into an agreement with the Kentucky Transportation Cabinet for a total contract amount of \$65,500 in FY2024 to perform transportation planning for PMcMPO. The contract amount of \$65,500 consists of \$52,400 in Federal highway funds (80% Federal share), \$9,825 in local funds (15% Local share), and \$3,275 (5% State share). The \$9,825 (15% Local share) is further divided into three amounts proportionate to the total population of the three local governments that make up the Kentucky portion of the PMcMPO as follows: \$393 for Livingston County (4%), \$5,305.50 for City of Paducah (54%), and \$4,126.50 for McCracken County (42%).

This Municipal Order authorizes the Mayor to execute an Agreement with the Purchase Area Development District to provide said local match in the amount of \$5,305.50 for Metropolitan Transportation Planning.

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. MO local match - PADD Metropolitan Transportation Planning
2. Local Match Agreement

Agenda Action Form

Paducah City Commission

Meeting Date: April 23, 2024

Short Title: Approve the Application for a Mellon Foundation Grant on behalf of the Uppertown Heritage Foundation in the amount of \$1.34 Million Dollars - **H. REASONS**

Category: Municipal Order

Staff Work
By: Hope
Reasons
Presentation
By: Hope
Reasons

Background Information: In February of this year, the Uppertown Heritage Foundation was invited to submit a proposal to the Mellon Foundation for a grant in the amount of \$1.34 million. The Mellon Foundation Humanities in Place Grant Program "supports a fuller, more complex telling of American histories and lived experiences by deepening the range of how and where our stories are told and by bringing a wider variety of voices into the public dialogue. Working with media, heritage and public spaces, history museums and other institutions, and conveners of shared experiences—including the digital or ephemeral—we strive to expand the public expression of the histories that have made us and the values we hold. Our program works across and within diverse communities, encouraging bold, innovative rethinking of past practice, as well as visionary new approaches for how to collectively understand, uplift, and celebrate more complete stories about who we are."

On April 9, 2024, the Paducah Board of Commissioners approved a Municipal Order supporting the Uppertown Heritage Foundation as the lead applicant for the Mellon Foundation grant with the City of Paducah serving as the fiscal agent for the grant. However, upon further review by the Mellon Foundation legal department, the Mellon Foundation has asked that the City of Paducah serve as the applicant for the grant. This would allow the City to still serve as the fiscal agent and be a "pass through" for the Uppertown Heritage Foundation. The details of this partnership will be further defined by the completion of a co-stewardship agreement if the grant is awarded. The City of Paducah is also pledging a \$250,000 match for the grant for FY25 contingent upon the award of the grant and completion of the co-stewardship agreement. Further, the City pledges additional funding in an amount of \$250,000 in FY26 and FY27 contingent upon approval through the annual budgeting process and approval and successful implementation of a co-stewardship agreement.

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

If yes, please list the Commission Priority: Protecting Key Historical and Cultural Resources

Communications Plan:

Funds Available: Account Name:
Account Number:

Staff Recommendation:

Attachments:

1. MO app- Mellon Foundation 2024

Agenda Action Form

Paducah City Commission

Meeting Date: April 23, 2024

Short Title: Authorize a Contract with A&K Construction, Inc. in the amount of \$779,104 for the re-roof and renovation of the Technology Department - **C. YARBER**

Category: Municipal Order

Staff Work By: Chris Ferrell,
Marcey Simmons
Presentation By: Chris Yarber

Background Information: On Tuesday, February, 27, 2024, sealed bids were opened for the IT department re-roof and renovation project. Four bids were received, with A&K construction, Inc. submitting the lowest responsive evaluated bid in accordance with the specifications, at a price of \$779,104.00.

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

If yes, please list the Commission Priority:

Communications Plan:

Funds Available: Account Name: Allie Morgan Rehab - Tech

Account Number: PF0084

Staff Recommendation: For a Municipal Order allowing the Mayor to authorize a Contract with A&K Construction, Inc for the IT department re-roof and renovation project in accordance with the specifications, at the price of \$779,104.00.

Attachments:

1. MO - contract – A&K Construction – Technology Department
2. Bid Recommendation Letter _ Bid Tab
3. A&K Construction Inc
4. Valley Contracting Services LLC
5. Evrard-Kentucky Div, Inc
6. Midstates Construction Co., Inc

Agenda Action Form

Paducah City Commission

Meeting Date: April 23, 2024

Short Title: Amend the FY24 City Budget to Increase Revenues and Expenditures for the Community Development Block Grant Fund by \$200,000 - **H. REASONS**

Category: Ordinance

Staff Work By: Hope
Reasons
Presentation
By: Hope Reasons

Background Information: The City of Paducah applied for and received a Community Development Block Grant in the amount of \$200,000 on behalf of Four Rivers Centerpoint Recovery Center to assist with inpatient substance abuse treatment. The Commission authorized Municipal Order 2852 on February 13, 2024 to accept the grant award.

The Grant Agreement between the Commonwealth of Kentucky and City of Paducah requires:

- Evidence of a budget ordinance/amendment indicating inclusion of CDBG-CV funds into the City's budget

This ordinance will satisfy the Grant Agreement requirement for the budget amendment.

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 an ordinance to amend the FY24 City of Paducah budget to increase revenue and expenses for the CDBG fund by \$200,000.

Attachments:

1. ORD - budget amend FY2024 – CDBG Four Rivers Centerpoint Recovery

Agenda Action Form

Paducah City Commission

Meeting Date: April 23, 2024

Short Title: Amend Code of Ordinances Chapter 14 Related to the Keeping of Fowl - **C. MEEKS & G. CHERRY**

Category: Ordinance

Staff Work By: Lindsay
Parish, Greg Cherry
Presentation By: Lindsay
Parish, Steve Kyle

Background Information: On February 27, 2024, the City Commission was asked to review the City's ordinance regarding the keeping of fowl in the City of Paducah. Staff compared the Paducah Ordinance with the ordinances of 6 other Kentucky cities and also researched best practices related to keeping fowl inside city limits. Based on this research, staff has made certain recommendations for changes if the City Commission wishes to amend the ordinance. The goal of the recommended changes is to allow people to keep fowl on smaller lots by reducing the distance requirement but strengthening wording around noise, maximum fowl numbers, and cleanliness, to make sure that the keeping of fowl does not become a nuisance to neighbors.

Recommended changes include:

- **Proximity** - Reduce the distance requirement from another residence from 300 feet to 100 feet.
- **Maximum Number of Fowl** - Most cities set a maximum number of fowl that can be kept on a property (typically between 5 and 8). Paducah currently does not have any limit on this number. Since we are reducing proximity requirements, staff recommends limiting the number of fowl to eight (8).
- **Noise** - Noise is already addressed in the current Code section 14-1. Animals that emit excessive noise are considered a nuisance.
- **Cleanliness** - Strengthen language around cleanliness and maintenance of coops to address any neighbor concerns about odor and pests. Language has been added that only allows coops in the rear yard of a property.
- **Penalty & Abatement** - The recommended ordinance updates the penalty section to include a notice of violation, followed by 30 days to remedy, a fine of not more than \$500, and another 30 days to remedy the issue. If the violation still exists after 60 days from the initial notification, there is an additional fine of not more than \$500 and abatement procedures. A new section has been added for the abatement of pens and coops. Abatement of fowl-related issues will be in accordance with the McCracken County Animal Control Ordinance. The City will conduct follow-up inspections every thirty days until the violation is remedied, with each subsequent inspection incurring an additional \$500 fine, not to exceed \$2,500 in total fines. Appeals to violations would be routed to the Code Enforcement Board.

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. 14-3 Fowl Ordinance

Agenda Action Form

Paducah City Commission

Meeting Date: April 23, 2024

Short Title: Approve the closing of 24,710 Square Feet of Colonial Drive and 38,302 Square Feet of Deer Lick Place at 3750 Pecan Drive and 600, 601, and 675 Deer Lick Place - **M. TOWNSEND**

Category: Ordinance

Staff Work By: Melanie Townsend, Josh Sommer

Presentation By: Melanie Townsend

Background Information: The adjacent property owners have submitted an executed application requesting the closure of 24,710 Square Feet of Colonial Drive and 38,302 Square Feet of Deer Lick Place at 3750 Pecan Drive and 600, 601, and 675 Deer Lick Place.

Jean Darnell Ross
Alberta Davis, Woodlands Reserve, LLC

On April 1, 2024, the Paducah Planning Commission held a public hearing and positively recommended the City Commission for the closure. All the utility companies have agreed to this closure.

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: To adopt an ordinance authorizing the closure of 24,710 Square Feet of Colonial Drive and 38,302 Square Feet of Deer Lick Place at 3750 Pecan Drive and 600, 601, and 675 Deer Lick Place and authorizing the Mayor to execute the closure plat and all necessary documents to complete the transfer of property to the adjacent property owner.

Attachments:

1. ORD - Closure Colonial Drive, Pecan Drive and Deer Lick Place
2. Woodland Reserve_application
3. Woodland Reserve_PC Resolution
4. Woodland Reserve_ROW Closure Plat

Agenda Action Form

Paducah City Commission

Meeting Date: April 23, 2024

Short Title: Approve a Budget Amendment in the Amount of \$670,365 for Radios for City of Paducah radios as part of the 911 Radio Upgrade Project - **J. PERKINS & D. JORDAN**

Category: Ordinance

Staff Work By: Michelle Smolen, Jonathan Perkins, Audra Kyle, Lindsay Parish

Presentation By: Daron Jordan, Jonathan Perkins

Background Information: By Ordinance No. 2019-06-8578, the City of Paducah authorized the City of Paducah's annual budget for FY20. As part of this budget, \$250,000 was transferred to the General Fund and designated as a Committed Pension Reserve in the Fund Balance. Further, the City designated a "Committed Pension Reserve" in the Fund Balances of the General fund and Investment fund in the amounts of \$243,165 and \$177,200, respectively. These commitments totaled \$670,365. Since the time of commitment in 2019, these funds have remained untouched.

At this time, City staff recommends withdrawing this commitment as outlined in Ordinance 2019-06-8578 and transferring \$670,365 from General Fund Fund Balance to Project Account EQ0036. This transfer will allow the funds to be used for radios for City Departments as part of the 911 Radio Upgrade Project.

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

If yes, please list the Commission Priority: Continuous Improvement - 911 Radio/Tower Upgrades and Operational Funding

Communications Plan:

Funds Available: Account Name:

Account Number: EQ0036

Staff Recommendation: Approval.

Attachments:

1. ORD budget amend FY2020 – 911 Radios