



**CITY COMMISSION MEETING
AGENDA FOR MARCH 8, 2022
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

NEW EMPLOYEE INTRODUCTIONS Parks Department: Emelyn Herndon, Nathan Hardie, Khalil White and Phillip Pruitt

MAYOR PRO TEM 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.

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| | I. | <u>CONSENT AGENDA</u> | |
| | A. | Approve Minutes for February 4th, 5th and 22nd, 2022 | |
| | B. | Receive & File Documents | |
| | C. | Appointment of Kerry Fulcher to the Building, Electrical Fire Codes Appeals Board | |
| | D. | Personnel Actions | |
| | E. | Approve Lease Amendment with AT&T - B LAIRD | |
| | F. | KDLA Local Records Program Grant Application in an amount of \$46,000 for the Paducah Fire Department - Prevention Division - G CHERRY | |
| | G. | Acceptance of a Community Development Block Grant in the amount of \$200,000 on behalf of Four Rivers Behavioral Health's CenterPoint Recovery Center - H REASONS | |

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| | | H. | Application and Acceptance of the 2022-23 Kentucky Household Hazardous Waste Grant in an amount of \$37,120 - C YARBER |
| | | I. | Fleet Maintenance Service Agreement between the City of Paducah Fleet Division and the City of Mayfield, Kentucky - C YARBER |
| | II. | <u>MUNICIPAL ORDER(S)</u> | |
| | | A. | Acquisition of Right of Way and Permanent Public Utility and Drainage Easement for Property located at 5403 Buckner Lane for the Buckner Lane Bridge Replacement Project - R MURPHY |
| | | B. | Acquisition of Permanent Right of Way for property located at 5256 Buckner Lake Circle for the Buckner Lane Bridge Replacement Project - R MURPHY |
| | III. | <u>ORDINANCE(S) - INTRODUCTION</u> | |
| | | A. | BUILD Grant Contract for Professional Services with HDR, Inc. for \$2,039,500 - R MURPHY |
| | | B. | Consensual annexation of 185 Lion's Den Lane - J SOMMER |
| | IV. | <u>COMMENTS</u> | |
| | | A. | Comments from the City Manager |
| | | B. | Comments from the Board of Commissioners |
| | | C. | Comments from the Audience |
| | V. | <u>EXECUTIVE SESSION</u> | |

Agenda Action Form Paducah City Commission

Meeting Date: March 8, 2022

Short Title: Approve Lease Amendment with AT&T - **B LAIRD**

Category: Municipal Order

Staff Work By: Brian Laird, Justin Crowell

Presentation By: Brian Laird

Background Information: The City and AT&T have an existing lease agreement, established in 2001, permitting AT&T to place cellular equipment on the City-owned tower at 510 Clark Street for a monthly fee. Additionally, the lease allows for an equipment shelter in the City-owned gravel lot next to the 911 Center. There have been four (4) amendments to the lease since 2001 and AT&T has requested a fifth (5th) amendment to add a generator next to their existing equipment shelter. This amendment allows for the placement of the generator and increases the amount of leased space by 80 square feet. In consideration of the additional square footage, AT&T has agreed to a monthly rent increase of ten percent (10%), which equals \$229.19 per month. This increase will bring the monthly lease payment received by the City to \$2,521.04.

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 amendment and authorize the Mayor to execute associated documents.

Attachments:

1. Lease 5th AMD Generator March 2022
2. MO - Lease Amendment - ATT 2022

Agenda Action Form

Paducah City Commission

Meeting Date: March 8, 2022

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

Category: Municipal Order

Staff Work By: Janet Dicke

Presentation By: Hope Reasons

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: Authorize and direct the Mayor to execute grant application documents.

Attachments:

1. MO - application- Ky Dept Libraries & Archives KDLA – Fire Prevention 2022

Agenda Action Form

Paducah City Commission

Meeting Date: March 8, 2022

Short Title: Acceptance of a Community Development Block Grant in the amount of \$200,000 on behalf of Four Rivers Behavioral Health's CenterPoint Recovery Center - **H REASONS**

Category: Municipal Order

Staff Work By: Hope Reasons

Presentation By: Hope Reasons

Background Information: The Department for Local Government (DLG) has approved a grant of \$200,000 to the Four Rivers Behavioral Health Recovery Center (CenterPoint Recovery Center). The funding comes through the 2021 funding cycle from the U.S. Housing and Urban Development's (HUD) Community Development Block (CDBG) Program. Funds are designated for various program areas, including Community Projects, Community Emergency Relief Fund, Economic Development, Housing, and Public Services.

The City of Paducah adopted Municipal Order 2468 on June 22, 2021, approving the City to apply for the CDBG Grant on behalf of Four Rivers Behavioral Health. Four Rivers will provide matching funds from various sources. An administration fee of \$2,500 will be paid to the City for maintaining and providing administration of the funding.

There are no City funds required.

As conditions of accepting CDBG funding, the City must approve the following items:

- Grant Agreement with DLG
- Residential Anti-Displacement and Relocation Assistance Plan
- KCDBG Procurement Code
- Legally Binding Agreement with Four Rivers Behavioral Health Recovery Center

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 and direct the Mayor to sign all required grant award documents.

Attachments:

1. Preliminary Approval 21-005
2. MO 2468_signed
3. MO - acceptance cdbg-four rivers Behavioral Health CenterPoint Recovery Center

Agenda Action Form

Paducah City Commission

Meeting Date: March 8, 2022

Short Title: Application and Acceptance of the 2022-23 Kentucky Household Hazardous Waste Grant in an amount of \$37,120 - **C YARBER**

Category: Municipal Order

Staff Work By: Hope Reasons

Presentation By: Chris Yarber

Background Information: The Kentucky Division of Waste Management, through the Household Hazardous Waste Award Program, funds cities across the commonwealth for annual clean-up days. This grant award program provides a partial reimbursement for the expenses incurred by the city for the disposal of hazardous waste and advertising/education of Spring Clean-up Day. For nearly 30 years, this project has been a collaborative effort between the McCracken County Fiscal Court and the City of Paducah. The Engineering/Public Works and Planning Departments desire to submit an application for the 2022-2023 Kentucky Division of Waste Management Household Hazardous Waste Award Program. This grant requires a 25% cash or in-kind match.

The City will act as the Lead Agency/Fiscal Agent and seeks an award of \$37,120, which will be combined with the required local cash match of \$12,374 for a project totaling \$49,494. Local cash match will be divided equally between the city and the county. This Municipal Order will also approve the required Interlocal Agreement with McCracken County Fiscal Court for this grant. As in previous years, the City's share of the local cash match will be paid through the Engineer/Public Works account number 50002209-520040.

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 and direct the Mayor to execute all required application and acceptance documents.

Attachments:

1. MO - App & accept Household Hazardous Waste 2022-2023

Agenda Action Form Paducah City Commission

Meeting Date: March 8, 2022

Short Title: Fleet Maintenance Service Agreement between the City of Paducah Fleet Division and the City of Mayfield, Kentucky - **C YARBER**

Category: Municipal Order

Staff Work By: Jim Scutt, Debbie Collins

Presentation By: Chris Yarber

Background Information: On February 16, 2022, 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 preventive maintenance, pursuant to the fee schedule for the City of Mayfield, Kentucky.

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, repair and preventive maintenance, pursuant to the fee schedule for the City of Mayfield, Kentucky.

Attachments:

1. Fleet Maintenance Agreement - City of Mayfield
2. Service Agreement Labor Rates
3. MO - agree-fleet maintenance services –City of Mayfield, Kentucky

Agenda Action Form

Paducah City Commission

Meeting Date: March 8, 2022

Short Title: Acquisition of Right of Way and Permanent Public Utility and Drainage Easement for Property located at 5403 Buckner Lane for the Buckner Lane Bridge Replacement Project - **R MURPHY**

Category: Municipal Order

Staff Work By: Melanie Townsend

Presentation By: Rick Murphy

Background Information: During the past several months, negotiations have been conducted in good faith with the property owners located at 5403 Buckner Lane regarding the acquisition of a portion of right-of-way and permanent public utility and drainage easements (Parcel #3) as required for the Buckner Lane Bridge Replacement Project. Subsequently, Jerry Allen and Mary Judith Wilkey have agreed to convey a portion of their property for right of way consisting of 0.134 acres (5823.677 sq. ft.) and also to grant permanent public utility and drainage easements totaling 0.09 acres (3911.976 sq. ft.) to the City of Paducah for the purchase price of \$8,034.92

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

If yes, please list the Commission Priority: Stormwater mitigation

Communications Plan: Direct contact with Property Owners

Working with Communications Manager on Public Announcements before and during construction

Funds Available: Account Name: Buckner Lane Bridge Project

Account Number: PF0078

Staff Recommendation: To adopt a Municipal Order authorizing the Mayor to execute a Deed of Conveyance and all related documents on behalf of the City of Paducah with Jerry Allen and Mary Judith Wilkey to acquire a portion of real property located at 5403 Buckner Lane as right of way and a permanent public utility and drainage easement in consideration of \$8,034.92 for the Buckner Lane Bridge Replacement Project.

Attachments:

1. MO - prop pur – 5403 Buckner Lane (Buckner Lane Bridge Project)

Agenda Action Form

Paducah City Commission

Meeting Date: March 8, 2022

Short Title: Acquisition of Permanent Right of Way for property located at 5256 Buckner Lake Circle for the Buckner Lane Bridge Replacement Project - **R MURPHY**

Category: Municipal Order

Staff Work By: Melanie Townsend

Presentation By: Rick Murphy

Background Information: During the past several months, negotiations have been conducted in good faith with the property owners of the property located at 5256 Buckner Lake Circle regarding the acquisition of a portion of right-of-way (Parcel #5) as required for the Buckner Lane Bridge Replacement Project. Subsequently, Ben H. Green III and Tammy Faye Green have agreed to convey a portion of their property for right of way consisting of 0.177 acres (7707.448 sq. ft.) to the City of Paducah for the purchase price of \$5,395.21.

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

If yes, please list the Commission Priority: Stormwater mitigation

Communications Plan: Direct communication with property owners

Coordination with Communications Manager before and during construction

Funds Available: Account Name: Buckner Lane Bridge Project

Account Number: PF0078

Staff Recommendation: To adopt a Municipal Order authorizing the Mayor to execute a Deed of Conveyance and all related documents on behalf of the City of Paducah with Ben H. Green III and Terry Faye Green to acquire a portion of real property located at 5256 Buckner Lake Circle as right of way in consideration of \$5,395.21 for the Buckner Lane Bridge Replacement Project.

Attachments:

1. MO - prop pur – 5256 Buckner Lake Circle (Buckner Lane Bridge Project)

Agenda Action Form

Paducah City Commission

Meeting Date: March 8, 2022

Short Title: BUILD Grant Contract for Professional Services with HDR, Inc. for \$2,039,500 - **R MURPHY**

Category: Ordinance

Staff Work By: Melanie Townsend

Presentation By: Rick Murphy

Background Information: Summary: Award professional services contract to HDR, Inc. (HDR) for design, engineering, grant compliance, regulatory compliance, bidding, and construction administration & observation services for the FY19 BUILD grant.

Background: In November 2019, the City of Paducah was notified of the award of \$10.4M from the Better Utilizing Investments to Leverage Development (BUILD) grant program to be administered through the Maritime Administration (MARAD). As part of the grant obligation process, the City is required to complete all regulatory requirements of the National Environmental Protection Act (NEPA). In April 2020, the City entered into a professional services contract with BFW to provide Environmental Assessment services per Ordinance 2020-04-8632 to fulfill the NEPA requirements to obligate the grant money for the City. The grant obligation deadline is September 30, 2022.

In September 2021, the City received MARAD approval to begin expending Pre-Incurred grant match funds on design and engineering. Therefore, the Engineering Department received Requests for Qualifications for professional services for engineering design and construction administration on October 26, 2021. HDR and subcontractor BFW submitted the only Statement of Qualifications. The submission was reviewed and found to be responsive to the Request for Qualifications.

A selection letter was provided to HDR and BFW on October 28, 2021 and an initial scoping meeting was held on November 9, 2021. On January 12, 2022, a follow-up scoping meeting was held with the full review team, including City Manager Daron Jordan, City Engineer Rick Murphy, Planning Director Nic Hutchinson, Parks & Recreation Director Amie Clark, and Engineering Project Manager Melanie Townsend, to further refine the scope of the project. A final proposal negotiation meeting was held on February 25, 2022 with HDR and BFW providing the final cost proposal to the City.

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

If yes, please list the Commission Priority: Downtown

Communications Plan: Work with Communications Manager to provide public information and updates as the project progresses.

Funds Available: Account Name: BUILD grant

Account Number: DT0050

Staff Recommendation: Authorize the Mayor to sign the Short Form Agreement with HDR, Inc. for the Engineering Design and Construction Administration services for the BUILD FY2019 grant in the amount of \$2,039,500.

Attachments:

1. Paducah Riverfront 2-22-2022_BUILD_EngDesign_CostProposal
2. ORD - short form agree- HDR – FY2019 BUILD Grant 2022

Agenda Action Form Paducah City Commission

Meeting Date: March 8, 2022

Short Title: Consensual annexation of 185 Lion's Den Lane - **J SOMMER**

Category: Ordinance

Staff Work By: Josh Sommer, Nicholas Hutchison

Presentation By: Josh Sommer

Background Information: The property owners of 185 Lion's Den Lane, Ms. Nicole Martinez-Griffin and Mr. Chris Griffin, have requested annexation into the City limits of Paducah. Currently there is a metal building on the property that is non-conforming in McCracken County. The Petitioners' wish to utilize the building to move Tenacity Training, which is a gym, into the building. Upon annexation, the Planning staff would propose a B-1, Convenience & Service Zone, designation for the property. The rezoning request would be heard before the Paducah Planning Commission and would become effective 21 days after their recommendation unless a petitioner requests the rezoning case be heard before the City Commission. The Petitioners would like to expand the building upon annexation and rezoning.

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

If yes, please list the Commission Priority: Annexation Priority.

Communications Plan:

Funds Available: Account Name:
Account Number:

Staff Recommendation: Staff recommends approval

Attachments:

1. ANNEXATION PLAT LIONS DEN LANE
2. LEGAL DESCRIPTION- LIONS DEN ANNEXATION
3. Signed annexation letter
4. ORD - Annex - Consensual 185 Lion's Den Lane