



**CITY COMMISSION MEETING
AGENDA FOR MARCH 22, 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 911 Telecommunicators Mackenzie Dennis & Coby Fauver

PROCLAMATION Mary Yeiser Day – 65th Anniversary of Yeiser Art Center - Lexie Millikan, YAC Executive Director

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 March 8, 2022	
	B.	Receive & File Documents	
	C.	Reappointment of Mark Knecht and Mark Kettler to the Paducah Golf Commission.	
	D.	Reappointment of Steven Page and Cindy Ragland to the Creative and Cultural Council	
	E.	Personnel Actions	
	F.	Firehouse Subs Public Safety Foundation Grant Application and Acceptance in the amount of \$25,000 - G CHERRY	
	G.	AARP Community Challenge Grant Application and Acceptance for Parks and Recreation Department in the amount of \$50,000 - A CLARK	

		H.	Kentucky Department of Environmental Protection Crumb Rubber Grant Application for the Parks and Recreation Department in the amount of \$29,000- A CLARK
		I.	T Mobile Hometown Grant Program Application and Acceptance for the Parks and Recreation Department in an amount of \$50,000 - A CLARK
		J.	Authorize the Standard Allowance for the Local Fiscal Recovery Fund as authorized by the American Rescue Plan Act (ARPA) - D JORDAN
	II.	<u>RESOLUTION(S)</u>	
		A.	Approve Resolution Pledging Support for the RAISE grant application for Friendship Road/ KY 1286 - Kyle Poat, KYTC - Office of Highway District One
	III.	<u>MUNICIPAL ORDER(S)</u>	
		A.	2022 City Commission Priorities Adoption - M SMOLEN
		B.	Acquisition of Permanent Right of Way and Permanent Public Utility and Drainage Easement for property located at 5420 Buckner Lane for the Buckner Lane Bridge Replacement Project - R MURPHY
	IV.	<u>ORDINANCE(S) - ADOPTION</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
	V.	<u>ORDINANCE(S) - INTRODUCTION</u>	
		A.	Zoning Text Amendments - J SOMMER
		B.	Zoning Text Amendment for Signage - J SOMMER
	VI.	<u>DISCUSSION</u>	
		A.	Robert Cherry Civic Center Discussion
		B.	ARPA Funding Discussion

	VII.	<u>COMMENTS</u>
		A. Comments from the City Manager
		B. Comments from the Board of Commissioners
		C. Comments from the Audience
	VIII.	<u>EXECUTIVE SESSION</u>

Agenda Action Form Paducah City Commission

Meeting Date: March 22, 2022

Short Title: Firehouse Subs Public Safety Foundation Grant Application and Acceptance in the amount of \$25,000 - **G CHERRY**

Category: Municipal Order

Staff Work By: Hope Reasons

Presentation By: Greg Cherry

Background Information: Firehouse Subs Public Safety Foundation is dedicated to improving the lifesaving capabilities and the lives of local heroes and their community by funding: life saving equipment, prevention education, scholarships and continued education, support for members of the military, and disaster preparedness and disaster relief.

The Paducah Fire Department is requesting to submit a grant application for \$25,000 to the foundation for the purpose of purchasing a 2022 Polaris All Terrain Vehicle. The ATV will be used in emergency situations where regular vehicles have limited to no access - festivals, trails, etc. There is no match requirement for this grant. The Fire Department is also requesting that this grant be accepted if awarded.

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 documentation related to the application and acceptance of this grant.

Attachments:

1. MO - app and accept -2022 Firehouse Subs Grant ATV

Agenda Action Form Paducah City Commission

Meeting Date: March 22, 2022

Short Title: AARP Community Challenge Grant Application and Acceptance for Parks and Recreation Department in the amount of \$50,000 - **A CLARK**

Category: Municipal Order

Staff Work By: Hope Reasons

Presentation By: Amie Clark

Background Information: The AARP Community Challenge provides small grants to fund quick-action projects that can help communities become more livable for people of all ages. This year, applications will be accepted for projects to improve public spaces, housing, transportation and civic engagement; support diversity, equity and inclusion; build engagement for programs under new federal laws; and pursue innovative ideas that support people age 50 or older.

The Parks and Recreation Department is requesting to submit a grant application in the amount of \$50,000 to construct pickleball courts at Noble Park. This is in response to multiple requests from the community for the addition of public pickleball courts. There is no match required for this grant. The Department is also requesting acceptance of the grant if awarded.

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 documentation related to the application and acceptance of this grant.

Attachments:

1. AARP Community Challenge 2022 - pickleball

Agenda Action Form

Paducah City Commission

Meeting Date: March 22, 2022

Short Title: Kentucky Department of Environmental Protection Crumb Rubber Grant Application for the Parks and Recreation Department in the amount of \$29,000- **A CLARK**

Category: Municipal Order

Staff Work By: Hope Reasons

Presentation By: Amie Clark

Background Information: The Kentucky Energy and Environment Cabinet is accepting grant proposals for projects that promote the use of recycled Kentucky waste tires. In the 2011 regular session, the legislature passed House Bill 433, which established the Waste Tire Working Group (WTWG) in KRS 224.50-855, consisting of the director of the Division of Waste Management, the manager of the Recycling and Local Assistance Branch, one representative of the Kentucky Department of Agriculture, and two representatives of the Solid Waste Coordinators of Kentucky. The group provides advice and input to the cabinet regarding waste tire issues. Grant funding comes from the Waste Tire Trust Fund, established in 1998 by the Kentucky General Assembly to receive fees collected from new tire sales.

The Parks and Recreation Department is requesting to submit a grant application in the amount of \$29,000 for a poured-in-place playground surfacing. The total project cost is \$36,250. There is a 25% match requirement of \$7,250 for this grant. The Parks and Recreation Department will be working with contractors to do site work and pour concrete in preparation for the surfacing which will satisfy the grant match 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 sign all documentation related to the application of this grant.

Attachments:

1. MO app - parks-Kentucky Environmental Projection – Crumb Rubber Grant 2022

Agenda Action Form Paducah City Commission

Meeting Date: March 22, 2022

Short Title: T Mobile Hometown Grant Program Application and Acceptance for the Parks and Recreation Department in an amount of \$50,000 - **A CLARK**

Category: Municipal Order

Staff Work By: Hope Reasons

Presentation By: Amie Clark

Background Information: The T Mobile Hometown Grant Program is focused on revitalizing community spaces in towns with 50,000 people or less. T Mobile is investing in small towns by awarding up to 100 towns a year with project funding of up to \$50,000 for each award.

The Parks and Recreation Department is requesting to submit a grant application for \$50,000 to revitalize Langstaff Park. The Parks and Recreation Dept will be adding accessible swings, inclusive play, in addition to improving accessible walkways. There is no match required for this grant. The Department is also requesting the acceptance of this grant if the project is selected for an award.

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 documentation related to the application and acceptance of this grant.

Attachments:

1. MO - app & award - T-Mobile Hometown Grant - pickleball 2022

Agenda Action Form

Paducah City Commission

Meeting Date: March 22, 2022

Short Title: Authorize the Standard Allowance for the Local Fiscal Recovery Fund as authorized by the American Rescue Plan Act (ARPA) - **D JORDAN**

Category: Municipal Order

Staff Work By: Daron Jordan, Jonathan Perkins, Lindsay Parish

Presentation By: Daron Jordan

Background Information: The United States Congress passed the American Rescue Plan Act (ARPA) on March 10, 2021, and President Joe Biden signed into law on March 11, 2021. The American Rescue Plan Act created the Local Fiscal Recovery Fund to provide funding to all cities and counties throughout the nation. The City of Paducah received a total allocation of \$6.4 million through the Local Fiscal Recovery Fund, with the first half coming in 2021 and the second half coming in 2022.

The United States Department of the Treasury published in the Federal Register the Final Rule governing the Coronavirus State and Local Fiscal Recovery Funds on January 27, 2022. The Final Rule allows local governments to elect a standard allowance of up to \$10 million, not to exceed the total award allocation, in lieu of calculating revenue loss as prescribed by Treasury. The Final Rule allows local governments to use their portion identified as revenue loss to provide any government services.

The City Commission must pass a Municipal Order to elect the standard allowance in lieu of calculating revenue loss.

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

If yes, please list the Commission Priority:

Communications Plan: N/A

Funds Available: Account Name:
Account Number:

Staff Recommendation: Approve a Municipal Order to elect the standard allowance in lieu of calculating revenue loss and authorize the Mayor to execute all documents related to same.

Attachments:

1. ARPA Standard Allowance Revenue Loss 1

Agenda Action Form

Paducah City Commission

Meeting Date: March 22, 2022

Short Title: Approve Resolution Pledging Support for the RAISE grant application for Friendship Road/ KY 1286 - **Kyle Poat, KYTC - Office of Highway District One**

Category: Resolution

Staff Work By: Daron Jordan

Presentation By: Daron Jordan

Background Information: The Kentucky Transportation Cabinet intends to apply for a US Department of Transportation Rebuilding American Infrastructure with Sustainability and Equity (RAISE) discretionary grant to be used for the widening, lengthening and realignment of Friendship Road/KY1286. Friendship Road is a critical corridor and connects the residents of Paducah, Lone Oak and Hendron with regional trade center between US 45 and KY 998. A lengthened, widened, and realigned Friendship Road promotes safety for the traveling public by reducing congestion along US 45, US 60, and I-24.

The Kentucky Transportation Cabinet has requested Paducah support in the amount of \$50,000 which will be a portion of the local match for the grant. This Resolution commits the City to work with the Kentucky Transportation Cabinet and the McCracken County Fiscal Court to apply to the US Department of Transportation for funding under the RAISE discretionary grant program and commits to City of Paducah support in the amount of \$50,000 if the RAISE grant is awarded for the project as submitted.

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. RAISE Grant Support – Friendship Road KY 1286

Agenda Action Form

Paducah City Commission

Meeting Date: March 22, 2022

Short Title: 2022 City Commission Priorities Adoption - **M SMOLEN**

Category: Municipal Order

Staff Work By: Michelle Smolen, Daron Jordan

Presentation By: Michelle Smolen

Background Information: **City Commission Priorities**

The City Commission Priorities reflects the 10 highest priorities of the Board of Commissioners for calendar year 2022. The 10 priority items are listed below in no particular order:

1. 911 Radio/Tower Upgrades and Operational Funding
2. Minority Inclusion
3. Downtown
4. Southside Enhancements
5. Housing
6. Beautification
7. Community Growth
8. Trails and Biek Paths Enhancements
9. Continue Efforts to Improve Operational Efficiencies
10. Protecting Key Historical and Cultural Resources

The City Commission Priorities being considered for adoption also includes two continuous improvements action items:

- Stormwater
- City Facilities
- Joint City/County Sports Complex

Background

The Board developed the City Commission Priorities during their annual retreat on February 4th and 5th.

Reporting & Communications

A quarterly update on the 10 priority action items will be provided to the Board of Commissioners on April 15, July 15, October 15. An annual report for the 10 priority action items will be provided to the Board by January 15, 2023. A communications plan will be implemented for each priority action item. Staff will work with the City Manager's Office on the Continuous Improvement goals but will not provide a report on each goal.

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

If yes, please list the Commission Priority: Commission Priorities

Communications Plan: A communications plan will be implemented for each priority action item.

Funds Available: Account Name:
Account Number:

Staff Recommendation: Adopt the 2022 Commission Priorities

Attachments:

1. MO - Commission Priorities 2022
2. 2022 Commission Priorities Final Attachment

Agenda Action Form Paducah City Commission

Meeting Date: March 22, 2022

Short Title: Acquisition of Permanent Right of Way and Permanent Public Utility and Drainage Easement for property located at 5420 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 owner located at 5420 Buckner Lane regarding the acquisition of a portion of right-of-way and public utility and drainage easement (Parcel #4) as required for the Buckner Lane Bridge Replacement Project. Subsequently, Ms. Hettler has agreed to convey a portion of her property for right of way consisting of 0.252 acres (10,958.072 sq. ft.) and also to grant permanent public utility and drainage easement totaling 0.022 acres (951.317 sq. ft.) to the City of Paducah for the purchase price of \$6000.00.

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 Thelma Hettler to acquire a portion of real property located at 5420 Buckner Lane as right of way and a permanent public utility and drainage easement in consideration of \$6,000.00 for the Buckner Lane Bridge Replacement Project.

Attachments:

1. MO - prop pur -5420 Buckner Lane (Buckner Lane Bridge Project)

Agenda Action Form

Paducah City Commission

Meeting Date: March 22, 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. HDR_Short Form_Paducah-Riverfront Infrastructure Imps-Agrmt_DesEngConst
2. Paducah Riverfront 2-22-2022_BUILD_EngDesign_CostProposal
3. ORD - short form agree- HDR – FY2019 BUILD Grant 2022

Agenda Action Form

Paducah City Commission

Meeting Date: March 22, 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

Agenda Action Form

Paducah City Commission

Meeting Date: March 22, 2022

Short Title: Zoning Text Amendments - **J SOMMER**

Category: Ordinance

Staff Work By: Josh Sommer, Nicholas Hutchison

Presentation By: Josh Sommer

Background Information: Zoning Text Amendments for Definitions, Planned unit development, Qualified manufactured homes, Awnings & canopies, Cryptocurrency mining, accessory dwelling unit (ADU), Medium Density Residential Zone, R-3 and Light Industrial Zone, M-1

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

If yes, please list the Commission Priority: These text amendments align with the Southside enhancements, Housing and Annexation/ Planned Growth.

Communications Plan:

Funds Available: Account Name:
Account Number:

Staff Recommendation: Staff recommends approval

Attachments:

1. ORD Zoning Code Update 2022
2. Signed Resolution Zoning Text Amendments

Agenda Action Form

Paducah City Commission

Meeting Date: March 22, 2022

Short Title: Zoning Text Amendment for Signage - **J SOMMER**

Category: Ordinance

Staff Work By: Josh Sommer, Nicholas Hutchison

Presentation By: Josh Sommer

Background Information: Zoning Text Amendment to bring the sign code into compliance with Federal Law and simplifying signage requirements

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

If yes, please list the Commission Priority: This aligns with the Downtown Priority and the Annexation/Planned Growth priority.

Communications Plan:

Funds Available: Account Name:
Account Number:

Staff Recommendation: Staff recommends approval

Attachments:

1. 126-76 Sign Regulations Repeal & Replace 2022
2. Signed Resolution Zoning Text Amendments