



City Commission Meeting Highlights

Tuesday, April 24, 2012

Mandate Alcoholic Beverage Server Training

The Mayor and Commissioners approved an ordinance amending Chapter 6 of the Paducah Code of Ordinances to require alcoholic beverage training for persons licensed for or employed in the sale of alcoholic beverages by the drink. Mayor Bill Paxton says, "I think we're a better city for doing this." At the March 6 and 13 Commission meetings, the Mayor, Commission, and City Manager discussed requiring alcoholic beverage server training for those who sell and serve alcohol in Paducah. Kentucky offers Server Training in Alcohol Regulations (S.T.A.R.) training. There are other similar training courses available that could be used. This ordinance requires the training to include the identification of false documents, recognition of intoxication, and liability issues. The goals of the training are to prevent youth access to alcohol and prevent over-service. The training also explains retailer liability and how to handle different scenarios such as spotting a fake ID or confronting a patron who needs to be cut off. Current employees will be required to receive training within 90 days of the adoption of this ordinance. All employees hired after the adoption of the ordinance shall complete server training within 60 days of being hired. Re-certification shall be required every three years after the initial training with records maintained on-site verifying employment history and training.

Contract Between the City and the AFSCME

The Mayor and Commission approved an ordinance to approve a three year contract between the City and the American Federation of State, County, and Municipal Employees (AFSCME) Local 1586. The three year contract will be in effect starting July 1. City employees who are members of the AFSCME union work in the city's Engineering-Public Works and Parks Services departments. Negotiations were completed in four sessions over an eight-week period. Mayor Bill Paxton says, "We had a good negotiating team from the city and a good team from the union. Good things happen when things come together like that." Mayor Paxton and AFSCME President Murray Looper signed the contract during the meeting.

Approve Payment for Plaintiff's Legal Fees for Paducah Firefighters' Lawsuit

The Mayor and Commission approved an ordinance for the City to pay the plaintiffs' attorneys' fees and out-of-pocket expenses regarding the lawsuit filed in 2006 by current and former firefighters against the City of Paducah concerning overtime calculations. The legal liability of \$121,854 was established by the McCracken County Circuit Court's rulings in 2011. A separate ordinance was approved amending the current fiscal year budget to reflect the payments and to transfer funds from the Commission Contingency account to cover the expense. The amendment to the General Fund budget will reflect the total damages of \$1,582,680 as a result of this lawsuit. The amount of \$1,460,825 was paid in December 2011 which included the back wages, interest, pension contribution, Medicare contribution, and unemployment & workers' compensation for the 71 former and current firefighters listed in the lawsuit.

Background: The lawsuit filed in 2006 pertains to the interpretation of how overtime is calculated for the firefighters' annual \$3100 incentive pay provided by the state. The City has the responsibility to administer the funds using the directives issued by the state; however, firefighters in Paducah and other Kentucky cities disagreed with the way their overtime wage rates were being calculated. Even



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though Paducah was using Kentucky Labor Cabinet guidance, the McCracken Circuit Court determined that the City was liable under the Kentucky Wage and Hour laws for failing to correctly pay overtime on the state incentive funds. Paducah is not unique with this overtime lawsuit. Many other Kentucky cities computed and paid wages to their firefighters by following a methodology acknowledged by the Kentucky Labor Cabinet. Senate Bill 46 was signed into law in March 2009 which clarified how to calculate the \$3100 state incentive supplement.

Award Winning Paducah Marketing Campaign

Public Information Officer Pam Spencer unveiled to the Mayor and Commission the Award Winning Paducah marketing campaign. With Paducah receiving the 2011 Chamber of the Year Award, Dozen Distinctive Destinations and Fan Favorite, 100 Best Communities for Young People, and the Top 5 Community College Award to WKCTC from the Aspen Institute, the goal is to create a marketing campaign to promote the various awards. A logo and website are being developed that would promote all the awards and allow other businesses and organizations that receive awards the opportunity to use the logo and website for their promotions and to have their information posted.

Noble Park Pool Renovation Engineering Contract Addendum (vote May 8)

The City of Paducah has embarked on the Noble Park Pool Renovation Project. The Noble Park Pool has not received a significant renovation since 1992. Renovations are needed to enhance the concession and wading pool areas and extend the life of the pool including new lighting, slide and diving boards, a new liner system, gutter and piping systems, circulation, filtration, and disinfection systems, and new treatment buildings. The City contracted with Florence & Hutchison, Inc. (F&H) in November 2011 in the amount of \$98,700 for professional engineering services. The engineering services include a code review, an existing conditions assessment, a preliminary engineering report, design and permitting, bidding and procurement, and construction administration services. The initial review by F&H shows the pool to be in worse shape than expected and the initial estimate of \$770,000 only would cover the mechanical needs of the swimming area. At this meeting, the Mayor and Commission introduced an ordinance to provide an addendum to F&H's contract to provide engineering services for the concessions area and upgrading the wading pool to a sprayground. The additional engineering services would cost \$44,500 and the additional upgrades to the pool would make the pool project cost an estimated \$1,055,000. The pool rehabilitation would start in August after the pool closes for the summer season. An average of 300-400 people per day visits the Noble Park pool each year. The Mayor and Commission also approved a municipal order to transfer \$44,500 from the Commission Contingency fund for the additional engineering services.

Amend Memorandum of Understanding with Higdon Development (vote May 8)

The Mayor and Commission introduced an ordinance to amend the memorandum of understanding (MOU) approved in February 2011 between the city of Paducah and Higdon Development, Inc. and its development company Greenway Village, LLC to extend the allowed time to execute the infill agreement by one year. The proposed development by Higdon includes the construction of apartments and condominiums on vacant land owned by Higdon adjacent to Stuart Nelson Park and the Greenway Trail. The construction is underway. The complex will have a pool, clubhouse, workout facility, and sidewalks. Since this infill development helps maintain growth within the city limits, the city of Paducah agrees to reimburse Higdon Development for the costs to construct and install the public improvements including streets, sidewalks, curbs, gutters, storm sewers etc. up to an amount not to exceed the total amount of ad valorem real property taxes assessed over a ten year period. The development may be completed in two phases, and the City agrees to enter into an agreement for each of the phases. The MOU also outlines the City's commitment in improving two intersections where Greenway Drive, within the apartment complex, intersects two City streets, County Park Road and Stuart Nelson Park Road.

Quick Highlights:

- Mayor Bill Paxton presented a proclamation for Thank a Veteran Month for May 2012 to Sandy Hart and the veterans in attendance.



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- Municipal order approved to apply for the 2012 100 Best Communities for Young People award through America's Promise Alliance.
- Municipal order approved to transfer \$10,500 from the Commission Contingency fund to support the LowerTown Arts and Music Festival. An additional \$5000 is in the Main Street Department budget to sponsor the event which will be May 18-20.
- Municipal order approved to apply for the Department of Homeland Security Fire Prevention and Safety Grant in the amount of \$80,000. The grant requires a match of \$8000. If awarded the funds would be used in the Fire Marshal's office for salary, education, and training.
- Municipal order approved to apply for the Kentucky Governor's Highway Safety Program grant in the amount of \$54,203 for overtime hours for traffic enforcement, two digital cameras, and two handheld radar units. No local match is required.
- Municipal order approved to apply for a grant in the amount of \$5200 from the Purchase Area Development District to be used for the construction of a dog park in Stuart Nelson Park. No local match is required.
- Municipal orders approved for the sale of surplus city of Paducah property located at 705 South 11th Street, 1110 Bell Avenue, and 233 Hayes Avenue. Each parcel is being bought by an adjacent property owner to enlarge their current lot. The remaining parcels owned by the City will be advertised in the May 6 edition of the newspaper with instructions on how to submit a bid.
- Ordinance introduced (vote May 8) for a contract with the Paducah Convention & Visitors Bureau in the amount of \$25,000 on behalf of the American Quilter's Society to be used for marketing and promoting of events related to the 2012 AQS Quilt Show. The funds provide a local match for a State Tourism grant.
- Ordinance introduced (vote May 8) to amend Section 126-76 (g) of the code of ordinances to allow for electronic message signs in the Planned Office Park Zone (Information Age Park).
- Ordinance introduced (vote May 8) to accept the bid from Bluegrass Fire Equipment in the amount of \$1,088 per set for turnout gear for the Paducah Fire Department.
- Ordinance introduced (vote May 8) to accept the bid from Bluegrass Uniforms for a two year contract for service to provide uniforms for the Paducah Fire Department.
- Ordinance introduce (vote May 8) to extend the deadline for the COPS grant award to December 31, 2013 so that the full amount awarded could be expended.
- Commissioner Gayle Kaler says the Korean War Memorial will be dedicated Memorial Day weekend.

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