



**CITY COMMISSION MEETING**  
**AGENDA FOR MAY 10, 2016**  
**5:30 P.M.**  
**CITY HALL COMMISSION CHAMBERS**  
**300 SOUTH FIFTH STREET**

**ROLL CALL**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**ADDITIONS/DELETIONS**

**PRESENTATIONS:** **Duchess of Paducah**  
**Paducah Symphony Orchestra Beer Fest Fundraiser – D. SENE**  
**Paducah Chief's Baseball – G. McKEEL**

	<b>I. <u>MINUTES</u></b>
	<b>II. <u>MOTION</u></b>
	A. R & F Documents
	<b>III. <u>MUNICIPAL ORDERS</u></b>
	A. Personnel Actions
	B. KLC Worker's Compensation Safety Grant – <b>S. DOOLITTLE</b>
	C. Approve Application for Bulletproof Vest Partnership Grant – <b>POLICE CHIEF BARNHILL</b>
	<b>IV. <u>ORDINANCES - ADOPTION</u></b>
	A. Contract with Paducah Convention & Visitors Bureau – <b>CITY MGR</b>
	<b>V. <u>ORDINANCES - INTRODUCTION</u></b>
	A. Accept 2014 Land & Water Conservation Fund Grant Award – <b>S. ERVIN</b>
	B. Authorize Execution of Hotel Modification Agreement – <b>CITY MGR PEDERSON</b>
	C. Transfer Real Property Located at 619 North 6 <sup>th</sup> Street to the Paducah-McCracken County Convention Center Corporation – <b>CITY MGR PEDERSON</b>
	<b>VI. <u>CITY MANAGER REPORT</u></b>

	<b>VII.</b>	<b><u>MAYOR &amp; COMMISSIONER COMMENTS</u></b>
	<b>VIII.</b>	<b><u>PUBLIC COMMENTS</u></b>
	<b>IX.</b>	<b><u>EXECUTIVE SESSION</u></b>

APRIL 26, 2016

At a Regular Meeting of the Board of Commissioners, held on Tuesday, April 26, 2016, at 5:30 p.m., in the Commission Chambers of City Hall located at 300 South 5th Street, Mayor Kaler presided, and upon call of the roll by the City Clerk, the following answered to their names: Commissioners Abraham, Gault, Rhodes, Wilson and Mayor Kaler (5).

### **PROCLAMATION**

#### **PUBLIC SERVICE RECOGNITION WEEK**

Mayor Kaler read a proclamation proclaiming May 1 through 7, 2016, as "Public Service Recognition Week".

#### **INTRODUCTION OF PADUCAH TILGHMAN HIGH SCHOOL'S NEW FOOTBALL COACH**

Commissioner Abraham introduced Kurt Barber, Tilghman's new head football coach. He is a former standout linebacker for the USC Trojans and in the National Football League.

#### **BRIEF OVERVIEW OF THE 2016 PARKS & CITY (SUMMER) EVENTS**

Special Events Coordinator Molly Tomasallo and Recreation Superintendent Amie Clark gave a short summary of the events the City will sponsor for the summer. Events offered are the Riverfront Concert Series (held on select Thursday evenings), Live On the River (once a month in June, July & August), Snapshot of Summer 2016 (a variety of Parks events) and the Paducah Farmers' Market (market times are Monday through Friday, 11:00 a.m. to 6:00 p.m., Saturdays, 7:30 a.m. to 2:00 p.m.). At the end of the presentation Mrs. Clark introduced Parks staff that was present at the meeting.

### **MINUTES**

Commissioner Abraham offered motion, seconded by Commissioner Gault, that the reading of the Minutes for the April 19, 2016, City Commission meeting be waived and that the Minutes of said meeting prepared by the City Clerk be approved as written.

Adopted upon call of the roll, yeas, Commissioners Abraham, Gault, Rhodes, Wilson and Mayor Kaler (5).

### **APPOINTMENT**

#### **HUMAN RIGHTS COMMISSION**

Mayor Kaler made the following appointment: WHEREAS, subject to the approval of the Board of Commissioners, I hereby appoint Phillip Johnson as a member of the Paducah Human Rights Commission. This term will expire July 24, 2019; and

WHEREAS, subject to the approval of the Board of Commissioners, I hereby appoint Brittany Beck to replace Leslie Page, who has resigned as a member of the Paducah Human Rights Commission. This term will expire July 24, 2017.

Commissioner Gault offered motion, seconded by Commissioner Abraham, that the Board of Commissioners approve the recommendation of Mayor Kaler in appointing Phillip Johnson and Brittany Beck as members of the Paducah Human Rights Commission.

APRIL 26, 2016

Adopted upon call of the roll, yeas, Commissioners Abraham, Gault, Rhodes, Wilson and Mayor Kaler (5).

**MOTION**

**R & F DOCUMENTS**

Commissioner Rhodes offered motion, seconded by Commissioner Wilson, that the following document be received and filed:

**DOCUMENTS**

1. Contracts/Agreements:
  - a. 2016 One-Year Renewal Agreement with Central Paving Company of Paducah, Inc. for Compost Grinding of tree debris and yard waste (ORD # 2014-03-8125)
  - b. Contract for Services with the Greater Paducah Economic Development Council for FY2016 (ORD # 2016-04-8359)
2. Project Completion Report for Four Rivers Behavioral Health Recovery Center (Center Point) (ORD # 2014-09-8181)
3. GPEDC, Inc. Financial Statements for the Years Ended June 30, 2015 and 2014
4. Paducah Water Works Financial Highlights for February 2016

Adopted on call of the roll, yeas, Commissioners Abraham, Gault, Rhodes, Wilson and Mayor Kaler (5).

**MUNICIPAL ORDERS**

**PERSONNEL ACTIONS**

Commissioner Wilson offered motion, seconded by Commissioner Rhodes, that upon the recommendation of the City Manager, the Board of Commissioners of the City of Paducah order that the personnel changes on the attached list be approved.

(SEE MUNICIPAL ORDER BOOK)

Adopted on call of the roll, yeas, Commissioners Abraham, Gault, Rhodes, Wilson and Mayor Kaler (5).

**ORDINANCE – ADOPTION**

**REIMBURSEMENT AGREEMENT WITH PADUCAH WATER**

Commissioner Abraham offered motion, seconded by Commissioner Gault, that the Board of Commissioners adopt an Ordinance entitled, “AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A REIMBURSEMENT AGREEMENT WITH PADUCAH WATER FOR ASPHALT AND CONCRETE REHABILITATION WORK WITHIN VARIOUS LOCATIONS OF CITY RIGHT-OF-WAY IN THE 1300 BLOCK OF KENTUCKY AVENUE ASSOCIATED WITH THE PADUCAH WATER 24” TRANSMISSION WATER MAIN CONSTRUCTION PROJECT.” This ordinance is summarized as follows: That the City of Paducah hereby authorizes the Mayor to execute a reimbursement agreement between Paducah Water and the City of Paducah, Kentucky, for reimbursement for asphalt and concrete rehabilitation work within various location of city right-of-way in the 1300 block of Kentucky Avenue associated with the Paducah Water 24” transmission water main construction project, estimated at \$220,000. In the event the total invoice amount exceeds the estimated amount

APRIL 26, 2016

required to complete said project, Paducah Water agrees to reimburse the City fully for all costs required to complete the rehabilitation work in excess of the estimated costs.

Adopted on call of the roll, yeas, Commissioners Abraham, Gault, Rhodes, Wilson and Mayor Kaler (5). ORD.#2016-4-8362; BK 34

**ORDINANCE – INTRODUCTION**

**CONTRACT WITH PADUCAH CONVENTION & VISITORS BUREAU**

Commissioner Gault offered motion, seconded by Commissioner Abraham, that the Board of Commissioners introduce an ordinance entitled, “AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH THE PADUCAH-MCCRACKEN COUNTY CONVENTION AND VISITORS BUREAU FOR SPECIFIC SERVICES.” This ordinance is summarized as follows: The Mayor is hereby authorized to execute a contract with the Paducah-McCracken County Convention and Visitors Bureau in the amount of \$25,000 to be used for marketing and promoting events and venues related to the 2016 American Quilters Society Show. This contract shall expire June 30, 2016.

**CITY MANAGER REPORT**

- FY2017 budget preparation began about a month ago. Staff is in the second round of reviews. Will be bringing the budget before the commission in the next month.
- Working on funding mechanisms for the floodwall project. Hope to have a successful CDBG grant application that will be used toward funding the project. The City has heard that Washington is looking at reauthorizing the project which means the City could get funding from the federal government to help with the project.
- This year’s American Quilter’s Society show was another successful event.
- City Engineer Rick Murphy reported construction for the Olivet Church Road Improvement Project has started again. Work is being completed on the east side of Olivet Church Road headed back toward Cairo Road. Construction to widen a section of Olivet Church Road to a three-lane beginning at U.S. 60 toward James Sanders Boulevard will begin in the next couple of weeks.

**MAYOR & COMMISSIONER COMMENTS**

None were given.

**PUBLIC COMMENTS**

None were given.

Upon motion the meeting adjourned.

**ADOPTED:** May 10, 2016

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City Clerk

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Mayor

MAY 10, 2016

I move that the following documents be received and filed:

**DOCUMENTS**

1. Notice of Cancellation for the Board of Commissioners of the City of Paducah, Kentucky for May 3, 2016
2. Certificates of Liability Insurance
  - a. Premier Fire Protection, Inc.
  - b. Vanguard Contractors, LLC
  - c. Municipal Equipment, Inc.
3. Quitclaim Deed with Christ Temple Apostolic Church for 1018 North 14<sup>th</sup> Street, Tract 1 & 2 (MO # 1888)
4. Contracts/Agreements:
  - a. Memorandum of Agreement with the Department for Local Government Office of Federal Grants for a walking trail in the Health Park (ORD # 2016-04-8356)
  - b. Contract for Services with the Greater Paducah Sustainability Project, Inc. (Executed by CM)
  - c. Contract Modification for Memorandum of Agreement with the Kentucky Department of Fish and Wildlife Resources to extend time and balance of the grant for construction of a transient boat dock (ORD # 2014-09-8186)
5. City of Paducah Department of Finance Financial Report for period ending February 29, 2016
6. Paducah Water Works Financial Highlights for March 2016
7. Paducah-McCracken County Convention & Visitors Bureau Financial Statements for period ended June 30, 2015

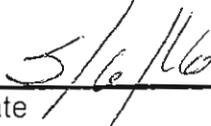
CITY OF PADUCAH  
May 10, 2016

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Upon the recommendation of the City Manager, the Board of Commissioners of the City of Paducah order that the personnel changes on the attached list be approved.



City Manager's Signature



Date

CITY OF PADUCAH  
PERSONNEL ACTIONS  
May 10, 2016

NEW HIRES - PART-TIME (P/T)/TEMPORARY/SEASONAL

<u>PARKS SERVICES</u>	<u>POSITION</u>	<u>RATE</u>	<u>NCS/CS</u>	<u>FLSA</u>	<u>EFFECTIVE DATE</u>
Aspery, Whitney M	Recreation Leader	\$11.00/Hr	NCS	Non-Ex	May 11, 2016
Cissell, Bailey F	Lifeguard	\$8.12/Hr	NCS	Non-Ex	May 19, 2016
Curry, Michael	Lifeguard	\$8.12/Hr	NCS	Non-Ex	May 12, 2016
Draffen, Mya S	Lifeguard	\$8.12/Hr	NCS	Non-Ex	May 19, 2016
Fitzpatrick, Jaden L	Recreation Leader	\$8.12/Hr	NCS	Non-Ex	May 19, 2016
Fletcher, Jack G	Lifeguard	\$8.12/Hr	NCS	Non-Ex	May 19, 2016
Griffith, Emily M	Lifeguard	\$8.12/Hr	NCS	Non-Ex	May 19, 2016
Heal, Kylee	Lifeguard	\$8.12/Hr	NCS	Non-Ex	May 19, 2016
Hill, Courtney C	Lifeguard	\$8.12/Hr	NCS	Non-Ex	May 19, 2016
Johnson, Malley C	Recreation Leader	\$8.12/Hr	NCS	Non-Ex	May 19, 2016
Keeter, Sean S	Recreation Leader	\$8.12/Hr	NCS	Non-Ex	May 19, 2016
Kinne, Kaitlyn E	Recreation Leader	\$11.00/Hr	NCS	Non-Ex	May 11, 2016
Lambert, Rianna F	Recreation Leader	\$8.12/Hr	NCS	Non-Ex	May 19, 2016
Martin, John W	Lifeguard	\$8.12/Hr	NCS	Non-Ex	May 19, 2016
Murt, Ryan T	Lifeguard	\$8.12/Hr	NCS	Non-Ex	May 19, 2016
Neely, Campbell C	Lifeguard	\$8.12/Hr	NCS	Non-Ex	May 19, 2016
Shell, Kaitlyn N	Recreation Leader	\$8.12/Hr	NCS	Non-Ex	May 19, 2016
Stewart, Kelly A	Recreation Leader	\$8.12/Hr	NCS	Non-Ex	May 5, 2016
Thompson, Molly C	Recreation Leader	\$11.00/Hr	NCS	Non-Ex	May 11, 2016
Tokarz, Sandra M	Pool Attendant	\$7.62/Hr	NCS	Non-Ex	May 19, 2016
Turner, Jesse M	Recreation Leader	\$8.12/Hr	NCS	Non-Ex	May 12, 2016
Vasseur, Nate R	Lifeguard	\$8.12/Hr	NCS	Non-Ex	May 19, 2016
Wolfe, John R	Lifeguard	\$8.12/Hr	NCS	Non-Ex	May 19, 2016

PAYROLL ADJUSTMENTS/TRANSFERS/PROMOTIONS/TEMPORARY ASSIGNMENTS

	<u>PREVIOUS POSITION AND BASE RATE OF PAY</u>	<u>CURRENT POSITION AND BASE RATE OF PAY</u>	<u>NCS/CS</u>	<u>FLSA</u>	<u>EFFECTIVE DATE</u>
<u>FIRE - SUPPRESSION</u>					
Harris, Daniel	FF / Relief Driver \$14.97/Hr	Acting Fire Lieutenant \$16.23/Hr	NCS	Non-Ex	April 1, 2016
Jackson, Gary R	Fire Lieutenant \$16.39/Hr	Acting Fire Captain \$17.47/Hr	NCS	Non-Ex	April 1, 2016
<u>PARKS SERVICES</u>					
Clark, Morgan	Recreation Leader \$8.12/Hr	Summer Camp Coordinator \$9.14/Hr	NCS	Non-Ex	May 11, 2016
Darnell, Teresa	Tot School Assistant \$8.00/Hr	Tot School Assistant \$11.00/Hr	NCS	Non-Ex	May 11, 2016
Reese, Katherine	Athletic Instructor \$10.00/Hr	Tot School Instructor \$11.00/Hr	NCS	Non-Ex	May 11, 2016
<u>HUMAN RESOURCES</u>					
Russell, Martin	HR Generalist \$17.77/Hr	HR Generalist \$18.57/Hr	NCS	Non-Ex	May 12, 2016
<u>PLANNING</u>					
Chino, Sheryl	Grants Administrator \$25.57/Hr	Grants Administrator \$26.47/Hr	NCS	Non-Ex	May 12, 2016
<u>EPW - FLOODWALL</u>					
Kulik, Ryan J	Maintenance Technician \$17.96/Hr	Floodwall Operator \$17.96/Hr	NCS	Non-Ex	May 12, 2016

**Agenda Action Form  
Paducah City Commission**

**Meeting Date:** 10 May 2016

**Short Title:** 2016 Kentucky League of Cities (KLC) Insurance Services Safety Grant Application

Ordinance  Emergency  Municipal Order  Resolution  Motion

**Staff Work By:** Steve Doolittle; Sheryl Chino

**Presentation By:** Steve Doolittle

**Background Information:** KLCIS Safety Grant Program was developed in 1999 as a way for members to stretch our safety budget. This grant has a 50/50 matching funds safety grant program that will reimburse a city up to \$3,000 for prior-approved items/equipment that will reduce Workers' Compensation exposures.

For this funding cycle, the Human Resources Department is applying for the isometric testing and reimbursement for three individuals to attend the KLC Safety Conference. The total cost is \$3,900. The city will apply for \$1,950 from grant program and the Human Resources Department will provide \$1,950 in matching funds.

**Goal:**  Strong Economy  Quality Services  Vital Neighborhoods  Restored Downtowns

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

Finance
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**Staff Recommendation:** Authorize and direct the Mayor to sign all required grant application documents.

**Attachments:** None

 Department Head	City Clerk	City Manger
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MUNICIPAL ORDER NO. \_\_\_\_\_

A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO OBTAIN A 2016 MATCHING INSURANCE SERVICES SAFETY GRANT AWARD IN THE AMOUNT OF \$1,950 FROM THE KENTUCKY LEAGUE OF CITIES FOR ISOMETRIC TESTING FEES AND REIMBURSEMENT FOR INDIVIDUALS TO ATTEND THE KENTUCKY LEAGUE OF CITIES SAFETY CONFERENCE

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. The Mayor is hereby authorized to execute all documents necessary to obtain a 2016 matching Insurance Services Safety Grant in the amount of \$1,950 from the Kentucky League of Cities for reimbursement for three individuals to attend the Kentucky League of Cities Safety Conference and for Isometric Testing fees for the Human Resources Department. Matching funds in the amount of \$1,950 will be provided through the City's Human Resources Department's budget.

SECTION 2. This order will be in full force and effect from and after the date of its adoption.

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Mayor

ATTEST:

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Tammara S. Sanderson, City Clerk

Adopted by the Board of Commissioners, May 10, 2016  
Recorded by Tammara S. Sanderson, City Clerk, May 10, 2016  
\\mo\grants\klc safety grant 2016

**Agenda Action Form  
Paducah City Commission**

Meeting Date: 10 May 2016

**Short Title:** 2016 US Bulletproof Vest Partnership Grant Application

Ordinance     Emergency     Municipal Order     Resolution     Motion

Staff Work By: Robin Newberry, Sheryl Chino  
Presentation By: Chief Brandon Barnhill

**Background Information:** The U.S. Department of Justice (DOJ) Bulletproof Vest Partnership (BVP) Grant Program, an online application, provides a maximum 50-percent reimbursement for the purchase of body armor for police. The City received \$12,644.54 from this grant program in 2015.

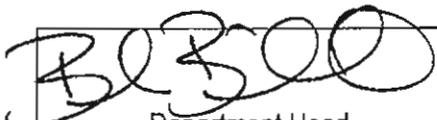
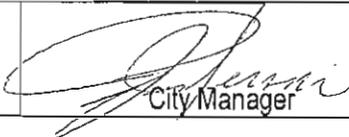
The Police Department is requesting 19 Summit Series Level II body armor vests from the BVP program for a total estimated cost of \$14,060. The Police Department is basing the cost of each vest on an estimate of \$740 each. This grant requires a 50-percent match; therefore, the Police Department will request \$7,030 from the BVP program and provide \$7,030 from the department's FY2017 Court Awards.

**Goal:**  Strong Economy     Quality Services     Vital Neighborhoods     Restored Downtowns

**Funds Available:**    Account Name:  
Project Number:  
File #:  
Account Number: 001-1602-521-4212  
CFDA Number:

Finance
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**Staff Recommendation:** Authorize the mayor to execute all grant application documents and authorize the planning department to submit the grant application via the BVP grant portal.

 Department Head	City Clerk	 City Manager
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MUNICIPAL ORDER NO. \_\_\_\_\_

A MUNICIPAL ORDER AUTHORIZING THE CITY OF PADUCAH  
PLANNING DEPARTMENT TO APPLY FOR A 2016 U.S. BULLETPROOF VEST  
PARTNERSHIP GRANT IN AN AMOUNT NOT TO EXCEED \$7,030 THROUGH THE U.S.  
DEPARTMENT OF JUSTICE FOR USE BY THE POLICE DEPARTMENT

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. That the Paducah Planning Department is hereby authorized to  
apply for a 2016 U.S. Bulletproof Vest Partnership Grant through the U.S. Department of Justice  
in the amount of \$7,030 to be used to purchase Safariland Summit SMO2-II body armor vests for  
the Police Department. The City will provide a cash match of \$7,030 from the Police  
Department's FY2017 budget.

SECTION 2. This order shall be in full force and effect from and after the date of  
its adoption.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Tammara S. Sanderson, City Clerk

Adopted by the Board of Commissioners, May 10, 2016  
Recorded by Tammara S. Sanderson, City Clerk, May 10, 2016  
'mo\grants\police-bulletproof vest 2016

# Agenda Action Form

## Paducah City Commission

Meeting Date: April 26, 2016

**Short Title:** Contract with Paducah Convention & Visitors Bureau - \$25,000 (conduit for AQS)

Ordinance  Emergency  Municipal Order  Resolution  Motion

Staff Work By: Claudia Meeks, Jonathan Perkins

Presentation By: Jeff Pederson, City Manager

### Background Information:

As part of the Investment Fund Decision Items for FY2016 (current year), the Commission approved appropriation to fund the American Quilters Society for the 2016 Quilt Show in the amount of \$25,000.

When the City provides funds to any organization, we prepare a simple Contract for Services agreement that describes the public services the organization will provide as a result of receiving the City funds.

In order to expedite and simplify the process, the Paducah-McCracken County Convention Visitor Bureau (CVB) has agreed to act as a conduit through which local agency funds may flow. Therefore, the City will need to execute a contract with the CVB to handle the \$25,000 payment.

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*History - In July 2007, the City verbally committed to a cash incentive of \$25,000 for the spring 2008 American Quilter Society (AQS) Show. Other local agencies also committed funds to the AQS show. The funds were to be used to market and promote events and venues related to the 2008 show.*

*On March 18, 2008 the City Commission authorized a municipal order committing \$25,000 in Commission contingency funds to the 2008 AQS show.*

*This process was repeated in 2009, 2010 2011, 2012, 2013, 2014 and again in 2015. This payment request/contract is for Quilt Show 2016.*

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**Goal:**  Strong Economy  Quality Services  Vital Neighborhoods  Restored Downtowns

**Funds Available:** This expenditure was appropriated in the FY2016 Budget.

Account Name: Services-Other

Account Number: 004-0401-536-8072

 4/21/2016  
Finance

### Staff Recommendation:

Authorize the Mayor to execute all necessary documents to execute an agreement (and a one-time written Contract for Services) with the Paducah Convention & Visitors Bureau in the amount of \$25,000 on behalf of the AQS to be used for marketing and promoting events and venues related to the 2016 AQS Show.

**Attachments:**

Ordinance  
Contract

Department Head	City Clerk	 City Manager
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**Agenda Action Form  
Paducah City Commission**

Meeting Date: 10 May 2016

Short Title: 2014 Land and Water Conservation Fund (LWCF)

Ordinance    Emergency    Municipal Order    Resolution    Motion

Staff Work By:     Mark Thompson, Rick Murphy, Steve Ervin, Sheryl Chino

Presentation By:     Steve Ervin

Background Information: The LWCF provides federal grant funds to protect important natural areas, acquire land for outdoor recreation and to develop or renovate public outdoor recreation facilities such as campgrounds, picnic areas, sports & playfields, swimming facilities, boating facilities, fishing facilities, trails, natural areas and passive parks.

The Paducah Department of Planning and Parks Services Department received funding in amount of \$75,000 for construction of the outdoor health located at 421 North 13<sup>th</sup> Street in Fountain Ave. The grant application was approved under municipal order 1768 on April 22, 2014. LWCF funding will be used for excavation/grading of the property and the creation of a multi-use open area for field sports and free play. The LWCF program requires a 50 percent in-kind/cash match. Matching funds in the amount of \$75,000 have been set aside in the FY2014 budget.

Additional funding awarded to this project includes \$400,000 from the Foundation for a Health Kentucky and \$68,095 from the Recreational Trails Program. Baptist Hospital and Lourdes Hospital donated \$25,000 each to the project and the Rotary Club of Paducah is constructing the playground in June 2016.

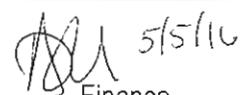
Goal:    Strong Economy    Quality Services    Vital Neighborhoods    Restored Downtowns

Funds Available:

Account Name:

Account Number: ~~CD-083~~ *CD-11083*

Project Number:

  
Finance

Staff Recommendation: Authorize and direct the Mayor to sign all required grant related documents including the Memorandum of Agreement.

Attachments: N/A

 Department Head	City Clerk	 City Manager
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ORDINANCE NO. 2016-5-\_\_\_\_\_

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A GRANT AGREEMENT AND ALL DOCUMENTS RELATING THERETO WITH THE KENTUCKY GOVERNOR'S OFFICE FOR LOCAL DEVELOPMENT FOR A 2014 LAND AND WATER CONSERVATION FUND GRANT

WHEREAS, the City of Paducah applied for a Land and Water Conservation Fund Grant adopted by Municipal Order No. 1768 on April 22, 2014, for the development of the 14<sup>th</sup> Street Park Project Phase I located at 421 North 13<sup>th</sup> Street; and

WHEREAS, the Kentucky Governor's Office for Local Development has approved the application and is now ready to award this grant.

BE IT ORDAINED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. The Mayor is hereby authorized to execute a Grant Agreement and all documents relating thereto with the Kentucky Governor's Office for Local Development to obtain a matching grant in the amount of \$75,000.00 for a National Park Service Land and Water Conservation Fund Grant for the construction of Phase I of the health park located at 421 North 13<sup>th</sup> Street. Phase I consists of the excavation/grading of the property and the creation of a multi-use open area for field sports and free play. The City will provide the 50% in-kind/cash match for this project.

SECTION 2. Funds shall be deposited into project account CD0083.

SECTION 3. This ordinance shall be read on two separate days and will become effective upon summary publication pursuant to KRS Chapter 424.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Tammara S. Sanderson, City Clerk

Introduced by the Board of Commissioners, May 10, 2016  
Adopted by the Board of Commissioners, May 24, 2016  
Recorded by Tammara S. Sanderson, City Clerk, May 24, 2016  
Published by The Paducah Sun, \_\_\_\_\_  
\\ord\planning\grants\2016 Land & Water Conservation Fund Grant

# Agenda Action Form Paducah City Commission

Meeting Date: May 10, 2016

**Short Title: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH PADUCAH RIVERFRONT HOTEL LP TO AMEND THE DEVELOPMENT AGREEMENT AND EXECUTE ALL DOCUMENTS NECESSARY RELATED TO THE DEVELOPMENT OF THE HOLIDAY INN HOTEL PROJECT LOCATED AT 600 NORTH 4<sup>TH</sup> STREET**

Ordinance    Emergency    Municipal Order    Resolution    Motion

Staff Work By: Pederson  
Presentation By: Pederson

### Background Information:

When the city previously adopted a development agreement with Lingate Hospitality (Paducah Riverfront Hotel LP) to construct the Holiday Inn in downtown Paducah, it carried with it a number of conditions that had to be met before the city put in its commitments. One of those requirements was that Lingate was to negotiate and execute definitive management and/or operational agreements with PMCCC to operate the Convention Center. That has not happened and it appears as though it will not happen anytime soon. Lingate and the PMCCC both negotiated in good faith for a significant period of time. They came to an impasse. City and County officials were invited in to help resolve the differences. But ultimately Lingate demanded a staffing and fee model that could not be paid by the PMCCC without a subsidy or financial help from other sources.

Goal:    Strong Economy    Quality Services    Vital Neighborhoods    Restored Downtowns

Funds Available:   Account Name:  
Account Number:   NA

Finance
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### Staff Recommendation:

The staff recommends approval

<i>Steve Dordick</i> Department Head	City Clerk	City Manager
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## ORDINANCE NO. 2016 – 5 - \_\_\_\_\_

AN ORDINANCE OF THE CITY OF PADUCAH, KENTUCKY, APPROVING A FIRST AMENDMENT TO HOTEL DEVELOPMENT AGREEMENT BETWEEN THE CITY OF PADUCAH, KENTUCKY, AND PADUCAH RIVERFRONT HOTEL LP, WITH RESPECT TO A PUBLIC PROJECT; AUTHORIZING THE EXECUTION OF THE AMENDMENT

WHEREAS, on June 29, 2015, the City and the Developer, entered into a Hotel Development Agreement, which may have been extended and amended from time to time, (the “Development Agreement”) regarding the Developer’s development and construction of an upscale brand hotel franchised by a major hotel chain and the further use, occupancy, operation, management by the Developer of the hotel and the publically owned convention center, generally known as the Julian Carroll Convention, William and Meredith Schroeder Expo Center (the “Convention Center”) (the “Project”); and

WHEREAS, under the Development Agreement, Developer had committed to the negotiation and execution of a definitive management and/or operation agreements with the Paducah-McCracken County Convention Center (the “PMCCC”) for the use, occupancy, operation, management of the Convention Center; and

WHEREAS, by unanimous vote of the board of directors of PMCCC, PMCCC will be hiring an in-house manager for the use, occupancy, operation, management of the Convention Center; and

WHEREAS, the Developer and the City now desire to amend Section 4. h. and Section 6. c. of the Development Agreement in order to revoke and eliminate this commitment of Developer as a Condition Subsequent to the City’s commitment to lease the Property to the Developer for the Project.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF PADUCAH, KENTUCKY, AS FOLLOWS:

SECTION 1. Recitals and Authorization. The City hereby approves the First Amendment to Hotel Development Agreement (this “Agreement”) among the City and the Developer in substantially the form attached hereto as Exhibit A and made part hereof. It is further determined that it is necessary and desirable and in the best interest of the City to enter

into the Agreement for the purposes therein specified, and the execution and delivery of the Agreement is hereby authorized and approved. The City Manager is hereby authorized to execute the Agreement with such changes not inconsistent with this Order and not substantially adverse to the City as may be approved by the official executing the same on behalf of the City. The approval of such changes by said official, and that such are not substantially adverse to the City, shall be conclusively evidenced by the execution of the Agreement.

SECTION 2. Severability. If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 3. Compliance With Open Meetings Laws. The City Commission hereby finds and determines that all formal actions relative to the adoption of this Order were taken in an open meeting of this City Commission, and that all deliberations of this City Commission and of its committees, if any, which resulted in formal action, were in meetings open to the public, in full compliance with applicable legal requirements.

SECTION 4. Conflicts. All ordinances, resolutions, orders or parts thereof in conflict with the provisions of this Order are, to the extent of such conflict, hereby repealed and the provisions of this Order shall prevail and be given effect.

SECTION 5. Effective Date. This ordinance shall be read on two separate days and will become effective upon summary publication pursuant to KRS Chapter 424.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Introduced by the Board of Commissioners May 10, 2016  
Adopted by the Board of Commissioners May \_\_\_\_\_, 2016  
Recorded by Tammara S. Sanderson, City Clerk, May \_\_\_\_\_, 2016  
Published by *The Paducah Sun*, \_\_\_\_\_  
\ord\agree-hotel development-first amendment 5-2016

## FIRST AMENDMENT TO HOTEL DEVELOPMENT AGREEMENT

THIS FIRST AMENDMENT HOTEL DEVELOPMENT AGREEMENT made and entered into on this \_\_\_\_ day of May, 2016 (the "Effective Date") by and **between PADUCAH RIVERFRONT HOTEL LP**, a Kentucky ULPA Limited Partnership, by and through its General Partner, Paducah Hotel Inc., a Kentucky corporation, having an address of 1401 Spring Bank Drive, Building A, Suite 8, Owensboro, KY 42303, (hereinafter referred to as the "Developer"); **CITY OF PADUCAH**, a Kentucky home class city having an address of 300 South 5<sup>th</sup> Street, PO Box 2267, Paducah, KY 42002-2267 (hereinafter referred to as the "City").

## WITNESSETH:

WHEREAS, on June 29, 2015, the City and the Developer, entered into a Hotel Development Agreement, which may have been extended and amended from time to time, (the "Development Agreement") regarding the Developer's development and construction of an upscale brand hotel franchised by a major hotel chain and the further use, occupancy, operation, management by the Developer of the hotel and the publically owned convention center, generally known as the Julian Carroll Convention, William and Meredith Schroeder Expo Center (the "Convention Center") (the "Project"); and

WHEREAS, under the Development Agreement, Developer had committed to the negotiation and execution of a definitive management and/or operation agreements with the Paducah-McCracken County Convention Center (the "PMCCC") for the use, occupancy, operation, management of the Convention Center; and

WHEREAS, by unanimous vote of the board of directors of PMCCC, PMCCC will be hiring an in-house manager for the use, occupancy, operation, management of the Convention Center: and

WHEREAS, the Developer and the City now desire to amend Section 4. h. and Section 6. c. of the Development Agreement in order to revoke and eliminate this commitment of Developer as a Condition Subsequent to the City's commitment to lease the Property to the Developer for the Project.

NOW THEREFORE, for and in consideration of \$1.00 cash in hand paid, the receipt and sufficiency is hereby acknowledged by all parties, and the mutual covenants and conditions contained herein the parties agree as follows:

1. Amendments to the Development Agreement.

a. Section 4. Subparagraph h., of the Development agreement is hereby revoked and stricken in its entirety.

b. Section 6. Subparagraph c., "Conditions Subsequent," is hereby revoked

and stricken in its entirety.

2. Reaffirmation of the Development Agreement. Except for the modifications set forth herein, all other terms and provisions of the Development Agreement entered into between the parties are expressly acknowledged, reaffirmed, and ratified by all parties hereto. All parties hereby agree to perform in strict accordance with the terms and provisions as set forth under the Development Agreement.

4. Miscellaneous Provisions. This Agreement shall be fully binding upon the parties hereto and their successors, and assigns as of the Effective Date.

IN WITNESS WHEREOF, the parties have respectively caused this Agreement to be executed on the day and year first above written.

DEVELOPER:

PADUCAH RIVERFRONT HOTEL LP,

By: Paducah Hotel Inc., a Kentucky corporation,  
Its General Partner

By: \_\_\_\_\_  
GLENN D. HIGDON

Title: \_\_\_\_\_

GUARANTOR:

\_\_\_\_\_  
GLENN D. HIGDON

CITY:

CITY OF PADUCAH, KENTUCKY

By: \_\_\_\_\_

Title: \_\_\_\_\_

# Agenda Action Form Paducah City Commission

Meeting Date: May 10, 2016

**Short Title: AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A SPECIAL WARRANTY DEED AND BILL OF SALE AND ALL DOCUMENTS NECESSARY WITH THE PADUCAH MCCRACKEN COUNTY CONVENTION CENTER CORPORATION FOR THE TRANSFER OF LAND LOCATED AT 619 NORTH 6<sup>TH</sup> STREET**

Ordinance  Emergency  Municipal Order  Resolution  Motion

Staff Work By: Pederson  
Presentation By: Pederson

### Background Information:

In October of 2015 the city acquired 4.831 acres of real estate at 619 N. 6<sup>th</sup> Street (N. 6<sup>th</sup> and Campbell Street) from the P&L Railroad to relocate the Pavilion Dome. The City is transferring the real estate and improvements to the Corporation for \$1 to be used for convention center activities. The transfer is part of the overall plan to use transient room tax proceeds to finance the debt associated with the acquisition, subsequent improvements to the land and the dome itself.

Goal:  Strong Economy  Quality Services  Vital Neighborhoods  Restored Downtowns

Funds Available: Account Name:  
Account Number:

Finance
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**Staff Recommendation:**  
The staff recommends approval

<i>Steve Decker</i> Department Head	City Clerk	City Manager
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## ORDINANCE NO. 2016-5-\_\_\_\_\_

AN ORDINANCE AUTHORIZING AND APPROVING THE SALE OF SURPLUS MUNICIPALLY OWNED REAL PROPERTY AND IMPROVEMENTS LOCATED AT 619 6<sup>TH</sup> STREET, PADUCAH, MCCRACKEN COUNTY, KENTUCKY, FOR PURPOSES OF PROMOTING TOURISM AND ECONOMIC DEVELOPMENT

**WHEREAS**, the City of Paducah (“City”) is the present owner of certain surplus real property located at 619 6th Street, Paducah, McCracken County, Kentucky, more particularly described on the attached **Exhibit A**, upon which property there is situated a 37,800 square foot dome pavilion with appurtenant fixtures and equipment (collectively, the “Property”); and

**WHEREAS**, City has determined that the Property is no longer necessary, appropriate, or in the best interest of the operations of the City and that the Property should be declared surplus; and

**WHEREAS**, City has determined that it is in the best interest of the City and its citizens to transfer the Property to the Paducah McCracken County Convention Center Corporation (the “CCC”), a non-profit Kentucky corporation and a quasi-governmental entity or agency of the City and McCracken County, whose purpose is the planning, promotion, development, financing and acquisition of convention and trade show facilities, and related hotel facilities, facilities for exhibitions and trade shows, and related parking facilities for the public purpose of promoting tourism and economic development on behalf of the City and McCracken County.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PADUCAH, KENTUCKY:

**SECTION 1. Recitals and Authorizations.** The Board of Commissioners hereby declares the Property to be *surplus property* as it relates to the operations of the City. Further, the Board of Commissioners hereby approves the sale and transfer of the Property to the Paducah McCracken County Convention Center Corporation, for a purchase price in the amount of \$1.00 and its commitment to further the public purpose of promoting tourism and economic development on behalf of the City and McCracken County. That the Mayor of the City of

Paducah, Kentucky, be and is hereby authorized to execute and deliver a Special Warranty Deed and Bill of Sale for the Property thereon, together with all other documentation necessary to effectuate the sale and transfer of the Property.

SECTION 2. Severability. If any section, paragraph or provision of this Municipal Order shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 3. Compliance With Open Meetings Laws. The City Commission hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of this City Commission, and that all deliberations of this City Commission and of its committees, if any, which resulted in formal action, were in meetings open to the public, in full compliance with applicable legal requirements.

SECTION 4. Conflicts. All ordinances, resolutions, orders or parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed and the provisions of this Ordinance shall prevail and be given effect.

SECTION 5. Effective Date. This ordinance shall be read on two separate days and will become effective upon summary publication pursuant to KRS Chapter 424.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Tammara S. Sanderson, City Clerk

Introduced by the Board of Commissioners May 10, 2016  
Adopted by the Board of Commissioners May \_\_\_\_\_, 2016  
Recorded by Tammara S. Sanderson, City Clerk, May \_\_\_\_\_, 2016  
Published by *The Paducah Sun*, \_\_\_\_\_  
\ord\deed-prop transfer of dome to Convention Center Corp

## EXHIBIT A TO ORDINANCE

### THE PROPERTY

BEING TRACT A, CONTAINING OF 4.831 ACRES, AS SET FORTH ON THE WAIVER OF SUBDIVISION PLAT FOR P & L RAILWAY 619 6<sup>TH</sup> STREET PROPERTY, OF RECORD IN PLAT SECTION "M", PAGE 318, MCCRACKEN COUNTY COURT CLERK'S OFFICE, AS SURVEYED BY CIVIL DESIGN GROUP, INC., A. CLAY ROBINSON, PLS 3219 ON NOVEMBER 8, 2009.

BEING THE SAME PROPERTY CONVEYED TO CITY OF PADUCAH, KENTUCKY, A MUNICIPAL CORPORATION OF THE HOME RULE CLASS EXISTING UNDER THE LAWS OF THE COMMONWEALTH OF KENTUCKY, AND A BODY POLITIC AND CORPORATE, BY SPECIAL WARRANTY DEED DATED DECEMBER 18, 2015, OF RECORD IN DEED BOOK 1313, PAGE 634, MCCRACKEN COUNTY COURT CLERK'S OFFICE.

## SPECIAL WARRANTY DEED AND BILL OF SALE

THIS SPECIAL WARRANTY DEED AND BILL OF SALE made and entered into this the \_\_\_\_\_ day of \_\_\_\_\_, 2016, by and between CITY OF PADUCAH, KENTUCKY, a municipal corporation of the Home Rule Class existing under the laws of the Commonwealth of Kentucky, and a body politic and corporate, whose address is Post Office Box 2267, Paducah, Kentucky 42002-2267, hereinafter called Grantor, and the PADUCAH MCCRACKEN COUNTY CONVENTION CENTER CORPORATION, a non-profit Kentucky Corporation with its principal place of business located at 605 Broadway, Paducah, Kentucky 42001, hereinafter called Grantee;

### WITNESSETH:

THAT FOR AND IN CONSIDERATION of the sum of \$1.00, cash in hand paid by Grantee to Grantor, the receipt of which is hereby acknowledged, and Grantee's commitment to further the public purpose of promoting tourism and economic development on behalf of the City of Paducah, Kentucky and McCracken County, Kentucky, Grantor sold and does by these presents grant, bargain, sell, alien and convey unto Grantee, its successors and assigns forever, together with all the improvements, appurtenances and rights thereunto belonging, the following described property (the "Property"), lying and being in McCracken County, Kentucky, and more particularly described as follows:

BEING TRACT A, CONTAINING OF 4.831 ACRES, AS SET FORTH ON THE WAIVER OF SUBDIVISION PLAT FOR P & L RAILWAY 619 6<sup>TH</sup> STREET PROPERTY, OF RECORD IN PLAT SECTION "M", PAGE 318, MCCRACKEN COUNTY COURT CLERK'S OFFICE, AS SURVEYED BY CIVIL DESIGN GROUP, INC., A. CLAY ROBINSON, PLS 3219 ON NOVEMBER 8, 2009.

BEING THE SAME PROPERTY CONVEYED TO CITY OF PADUCAH, KENTUCKY, A MUNICIPAL CORPORATION OF THE HOME RULE CLASS EXISTING UNDER THE LAWS OF THE COMMONWEALTH OF KENTUCKY, AND A BODY POLITIC AND CORPORATE, BY SPECIAL WARRANTY DEED DATED DECEMBER 18, 2015, OF RECORD IN DEED BOOK 1313, PAGE 634, MCCRACKEN COUNTY COURT CLERK'S OFFICE.

For the consideration described above, Grantor also grant, bargain, sell, alien and convey unto Grantee, its successors and assigns forever, the entire right, title, and interest of Grantor in and to the 37,800 square foot dome pavilion with appurtenant fixtures and equipment situated on the above described real property.

TO HAVE AND TO HOLD the same, together with all improvements thereon and all rights and appurtenances thereunto pertaining unto Grantee, its successors and assigns forever, with Covenant of **SPECIAL WARRANTY**, except easements, covenants and restrictions of record.

Grantor and Grantees hereby swear and affirm, under penalty of perjury, that the foregoing transfer of real property is made by gift, nominal consideration, or no consideration and, further, that the estimated fair cash value for the property hereby transferred is:

\$1,998,084.00.

The recording of this deed is exempt from the real estate transfer tax pursuant to KRS 142.050 (7)(b).

IN WITNESS WHEREOF, the Grantor and Grantee have hereunto set their hands.

CITY OF PADUCAH, KENTUCKY

PADUCAH MCCRACKEN  
COUNTY CONVENTION CENTER  
CORPORATION

By \_\_\_\_\_  
GAYLE KALER, MAYOR

By \_\_\_\_\_  
Title \_\_\_\_\_

STATE OF KENTUCKY )

COUNTY OF MCCRACKEN )

The foregoing instrument was sworn and acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by Gayle Kaler, Mayor, of the City of Paducah, Kentucky, on behalf of said governmental entity, Grantor.

My commission expires \_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC, STATE AT LARGE  
NOTARY ID# \_\_\_\_\_

STATE OF KENTUCKY )

COUNTY OF MCCRACKEN )

The foregoing instrument was sworn and acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by \_\_\_\_\_ (title) of the Paducah McCracken County Convention Center Corporation, a non-profit Kentucky corporation, on behalf of said corporation, Grantee.

My commission expires \_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC, STATE AT LARGE  
NOTARY ID# \_\_\_\_\_

THIS INSTRUMENT WAS PREPARED BY THE UNDERSIGNED WITHOUT THE BENEFIT OF A TITLE EXAMINATION AND BASED UPON INFORMATION SUPPLIED BY THE GRANTOR. THE UNDERSIGNED ASSUMES NO RESPONSIBILITY FOR ITS ACCURACY.

This instrument prepared by:

\_\_\_\_\_  
DENTON LAW FIRM, PLLC  
P. O. Box 969  
PADUCAH, KY 42002-0969  
195859

Send current year tax bill to:  
The Paducah McCracken County  
Convention Center Corporation  
605 Broadway  
Paducah, KY 42001