



CITY COMMISSION MEETING  
 AGENDA FOR SEPTEMBER 24, 2013  
**5:30 P.M.**

**ROLL CALL**

**INVOCATION – Joel Cauley – Senior Pastor – Relevant Church**

**PLEDGE OF ALLEGIANCE – Cade Perfili, PTHS Senior**

**ADDITIONS/DELETIONS**

**PROCLAMATION: Public Power Week – Paducah Power System Representative**

	I. <u>MINUTES</u>
	II. <u>APPOINTMENT</u>
	A. Commissioners of Water Works
	III. <u>MOTIONS</u>
	A. R & F Documents
	IV. <u>MUNICIPAL ORDERS</u>
	A. Personnel Changes
	V. <u>ORDINANCES – ADOPTION</u>
	A. Setting Tax Levies: Ad Valorem Properties – FY2014 – <b>J. PERKINS</b>
	B. Emergency Roof Stabilization Assistance Program – <b>S. ERVIN</b>
	C. Approval of Apartment Complex Signs – <b>S. ERVIN</b>
	D. Eickholz & Turnbo Zone Change – <b>S. ERVIN</b>
	E. Accept 2013 Port Security Award – New Boat Ramp Video Security – <b>ASST. CHIEF BARNHILL</b>
	F. Accept 2013-2014 Edward Byrne Memorial Justice Accountability Grant (JAG) Award – <b>ASST. POLICE CHIEF GRIMES</b>
	G. Approve Tower Option and Lease Amendment #2 – <b>CITY MGR PEDERSON</b>

		H. Approve MOU for Economic Incentives to Superior Care – CITY MGR PEDERSON
	VI.	<u>ORDINANCES - INTRODUCTION</u>
		A. Noble Park Pool Spraypad Change Orders 1 & 2 – M. THOMPSON
	VII.	<u>CITY MANAGER REPORT</u>
	VIII.	<u>COMMISSIONER COMMENTS</u>
	IX.	<u>PUBLIC COMMENTS</u>
	X.	<u>EXECUTIVE SESSION</u>

**BOARDS and COMMISSIONS  
APPOINTMENTS and REAPPOINTMENTS  
FOR CITY COMMISSION CONFIRMATION**

- Appointment
- Reappointment
- Joint Appointment
- Joint Reappointment

NAME: Lennis B. Thompson

NAME OF BOARD OR COMMISSION: Commissioner of  
Water Works

DATE TO BE PLACED ON AGENDA: September 24, 2013

EXPIRATION OF TERM DATE: January 6, 2016

**APPOINTEE'S HOME ADDRESS:**

Street: \_\_\_\_\_

City/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Email Address: lennisthompson55@gmail.com

Appointee's Business Name: \_\_\_\_\_

Address: 111 Market House Square

City/Zip: Paducah 42001

Phone: 270-933-8683

TO REPLACE ON BOARD: Bill Walsapple

- Thank you
- Resigned

ADDRESS: 3860 Industrial

- Term Expired
- Other (explain)

City/Zip: Paducah, Ky 42001

Appointee Confirmation: Date: \_\_\_\_\_ By: \_\_\_\_\_

Board of Commission Approval: \_\_\_\_\_

Original to: Tammara S. Sanderson, City Clerk  
Cc: file

**BOARD CHAIRMAN:**

\_\_\_\_\_

CITY OF PADUCAH  
September 24, 2013

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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.



ACM

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City Manager's Signature

9-20-2013

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Date

CITY OF PADUCAH  
PERSONNEL ACTIONS  
September 24, 2013

NEW HIRE - FULL-TIME (F/T)

	<u>POSITION</u>	<u>RATE</u>	<u>NCS/CS</u>	<u>FLSA</u>	<u>EFFECTIVE DATE</u>
<u>PLANNING</u> Chino, Sheryl	Grants Administrator	\$24.76/Hr	NCS	Ex	October 10, 2013

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>EPW - FLOODWALL</u> Lassy III, Paul G.	ROW Maintenance Person \$17.17/Hr	Floodwall Operator \$18.32/Hr	NCS	Non-Ex	September 26, 2013
<u>PARKS SERVICES</u> Gentry, Mallory	Recreation Leader \$8.00/Hr	Recreation Specialist \$13.85/Hr	NCS	Non-Ex	September 26, 2013

# Agenda Action Form

## Paducah City Commission

Meeting Date: September 17, 2013

Short Title: **Setting Tax Levies: Ad Valorem Properties -- FY2014**

Ordinance  Emergency  Municipal Order  Resolution  Motion

Staff Work By: Jonathan Perkins  
Presentation By: Jonathan Perkins

### Background Information:

Real estate and personal property tax levies for the City's General Fund and Paducah Junior College (PJC) as well as another (non-City) tax jurisdiction, the Paducah Independent School District, are proposed to be set as per the attached ordinance. (Please refer to the 3 attached levy summary sheets for a history of the ad valorem tax levies for real estate, personal & inventory).

Staff proposes the City's tax levy be set at 25.5 cents per \$100 assessed value (AV), higher than last year's 25 cents per \$100 AV. The FY2014 compensating rate is 24.6 cents per \$100 AV and Kentucky Revised Statutes (KRS) permits a city to adjust the compensating rate upward by not more than 4%, in this case to 25.5 cents. This will be the first year, in many, that the City is proposing to take the full 4% allowed by KRS as discussed during the City's most recent budget process.

From FY2001 to FY2014, the City of Paducah dropped its real estate tax levy by 4.5 cents, while the School District tax levy increased 17 cents (see attached chart A). While Paducah's levy has been 25 cents for the past 6 years, in a survey of 18 Kentucky cities last fall, it was determined that Paducah's rate fell in the middle of those surveyed. The historical average (FY2009-FY2013) of property tax rates for the cities surveyed continues to rise each year (see attached chart B). Last year, Paducah's rate was one full cent below the group's average of 26.1 cents.

The Paducah Independent School District real estate levy will increase by 2 cents to 76.7 cents/\$100 AV. Since FY2001, the School's levy has moved from 59.7 cents to 76.7 cents per \$100 AV.

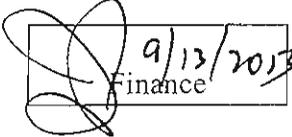
The City and PJC eliminated inventory taxes in order to encourage business growth in Paducah. As you may recall, the City's inventory rate was phased out over a four-year period, 1998 through 2002, and fully eliminated in FY2003. The inventory tax revenue would have been over \$1.0 million in FY2014, if it were still in place.

The City's General Fund real estate tax levy is proposed to be \$25.5 cents per \$100 AV. The proposed FY2014 rate is 56% of what the rate was in FY 1995, when the City made a conscious effort to lower real estate tax rates.

The property tax levy ordinance will be introduced on September 17, 2013 with the second and final reading on September 24, 2013. Since the City's proposed tax levy is greater than the 'compensating rate' of 24.6 cent per \$100 AV, a public hearing is required; a public hearing is scheduled for September 17, 2013.

Goal:  Strong Economy  Quality Services  Vital Neighborhoods  Restored Downtowns

Funds Available: Account Name: N/A  
Account Number: N/A

 9/13/2013  
Finance

**Staff Recommendation:**

Recommend that the Mayor and Commission adopt the proposed 2013-2014 real estate and personal ad valorem tax levies as proposed.

**Motion:**

I move that an ordinance setting the levies and rates of taxation on all property in the City of Paducah, Kentucky, subject to taxation for municipal purposes and for school purposes for the period from July 1, 2013, through June 30, 2014, be adopted.

**Attachments:** Tables of Historic Tax Levies (3)

Department Head	City Clerk	City Manager
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# Agenda Action Form

## Paducah City Commission

Meeting Date: September 17, 2013

Short Title: EMERGENCY ROOF STABILIZATION ASSISTANCE PROGRAM

Ordinance  Emergency  Municipal Order  Resolution

Staff Work By: Stephen Ervin

Presentation By: Stephen Ervin

### Background Information:

The intent of this agenda item is to adopt an ordinance approving a Memorandum of Understanding between the City of Paducah and Tom Dunn (Developer) for the stabilization of the roof structure @ 203 Broadway.

Ray Pelley previously owned the building. Tom Dunn purchased the structure at auction with intentions of renovating the first floor for retail and apartments on the 2<sup>nd</sup>-5<sup>th</sup> floor. After Mr. Dunn's offer to purchase, he became aware of severe structural damage including the partial collapse of the roof. Structural deficiencies and roof stabilization is estimated @ \$250,000. Upon approval of ordinance, the developer is ready to take immediate action to correct structural issues.



Without immediate stabilization of 203 Broadway, the structure will further decline which may lead to greater expenditure's by the City of Paducah through increased stabilization or demolition of the structure.

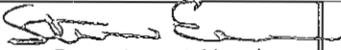
The attached memorandum of understanding will allow the utilization of up to \$100,000.00 of roof stabilization funds. The roof stabilization ordinance was adopted by Ordinance #2013-8-8056.

Funds Available: Account Name: Roof Stabilization  
Account Number: 040-4411-592.23-07  
Project # DT-0030

Finance

Motion:

Attachments:

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

Meeting Date: September 1, 2013

Short Title: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT AND EXECUTE ALL DOCUMENTS NECESSARY WITH MARCUM ENGINEERING LLC, FOR THE FINAL PHASE JULIAN CARROLL CONVENTION CENTER RENOVATION PROJECT

Ordinance  Emergency  Municipal Order  Resolution  Motion

Staff Work By: Doolittle  
Presentation By: Doolittle

### Background Information:

This is to provide scoping, engineering, design and bid documents for the final phase of the convention center and showroom project. The primary goal of this design work is to create design work for alterations to the kitchen area and the old hotel Showroom. Since this job is primarily engineering, e.g. mechanical, electrical, and plumbing, a local architecture firm will be sub-contracted by the Engineer. It will be Peck, Flannery, Gream, and Warren of Paducah. The design was **not** bid for two reasons. First, professional services are not required to be bid by city code or state procurement statute. And secondly, these are the same engineers, architects, and designers for all previous phases of this project. They have the most built up knowledge base of the building and its mechanical and electrical systems. It's critical to do this work now, since we are actively seeking to sell the air dome and the hotel is nearing its construction schedule. The contract proposes a fee schedule to be 10% of the construction.

Goal:  Strong Economy  Quality Services  Vital Neighborhoods  Restored Downtowns

Funds Available: Account Name: DT0031  
Account Number: 040 4411 592 2307

Finance
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Staff Recommendation:

The staff recommends that the Mayor and City Board of Commissioners award Marcum Engineering of Paducah with this design contract. An appropriation for this award was not included in this budget, but may be added to the eventual bond that will be used for this particular capital improvement.

<i>Steve Doolittle</i> Department Head	City Clerk	City Manager
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# Agenda Action Form

## Paducah City Commission

Meeting Date: September 17, 2013

Short Title: Approval of apartment complex signs

Ordinance  Emergency  Municipal Order  Resolution

Staff Work By: Stephen Ervin

Presentation By: Stephen Ervin

### Background Information:

Currently apartment complexes in residential zones are not allowed identification signs. Staff is proposing changes to Section 126-76 (g) Signs authorized for R-1, R-2, R-3, NSZ and R-4 Zones to allow for apartment complex signage.

- (g) **Signs authorized for R-1, R-2, R-3, NSZ and R-4 Zones.** No signs shall be permitted in the R-1, R-2, R-3, NSZ and R-4 zones in the city except as provided in subsection (e) above and as provided in subsection (e) above, (7) below and as provided as follows:
- (1) Signs with nameplates affixed to the exterior wall of a structure and not exceeding 18 inches by 24 inches in area shall be permitted for each single family dwelling unit. Such nameplates shall indicate nothing other than the name of the premises and/or the name and/or address of the occupants. Such signs may only be illuminated indirectly.
  - (2) A sign identifying the name of subdivisions and public or private schools shall be permitted provided such signs do not exceed 48 square feet in area per sign face. Such signs may include an attached or freestanding announcement sign. Subdivision signs may only be illuminated indirectly. Public or private school signs may be lighted. Non-commercial public or private schools may have an electronic message sign. Such signs shall not be erected closer than ten feet to any property line unless attached to a building and shall not exceed eight feet in height.
  - (3) Bulletin boards shall be permitted at places of worship provided such identification signs or bulletin boards do not exceed 48 square feet in area per sign face. Such signs may indicate the name and/or address and activities relating to the premises. Such signs may be lighted. Such signs shall not be erected closer than ten feet to any property line unless attached to a building and shall not exceed eight feet in height.
  - (4) Signs for advertising nurseries or day cares in the R-1, R-2 and R-3 zone shall be permitted provided such signs comply with subsection (e)(5).
  - (5) Free standing business signs, advertising the business uses, in the R-4 zone shall be permitted per lot provided the sign is no larger than 12 square feet in area per

sign face and be no taller than ten feet. Such signs may only be illuminated indirectly.

- a. Only one free standing business sign shall be permitted on any lot.
  - b. Wall signs shall be permitted for each tenant or lessee. The area of the wall signs shall not exceed 20 percent of square footage of face of building, structure or face of tenant or lessee space. Lighted signs are permitted. Wall signs shall not be located on any portion of the roof that encloses the building.
- (6) Private directional signs indicating entrance, exit or location of parking shall be permitted in the R-4 zone. Such signs shall not exceed four square feet in surface area for each sign and the height must not be more than 30 inches from the street level. These signs must be placed on private property and not on public right-of-way.
  - (7) One façade sign shall be permitted on any lot in the NSZ. Such signs shall only be approved for Conditional Permitted Uses. Such sign shall be permitted provided the sign is no larger than 8 square feet in area per sign face. Such signs may only be illuminated indirectly.
  - (8) Apartment complexes may have private directional signs indicating entrance, exit or location of parking provided such signs do not exceed four square feet in surface area for each sign face and the height shall not exceed 30 inches from the street level. These signs shall not be placed within the public right-of-way and shall not exceed more than two per public street frontage. Further, apartment complexes may have one free standing apartment complex identification sign on any lot, provided, however, one additional sign shall be permitted for each additional 300 feet of street frontage. One additional free standing apartment complex identification sign shall be permitted if the apartment complex is located at the intersection of two streets. The size of the sign shall not exceed 36 square feet in area per sign face. The outer edge of the sign shall be set back at least seven feet from the side lot line. All permitted apartment complex identification signs shall not exceed a height of 8 feet from adjacent grade. Such signs shall be illuminated indirectly.

Under the new proposed text amendment, the following apartment complexes could have the following signage:

1. Black Oaks – Two apartment complex identification signs, plus one directional sign off North 29<sup>th</sup> Street
2. Minnich Avenue apartments – 2 apartment complex identification signs
3. Cardinal Point – Two apartment complex identification signs and two directional signs off Trimble Street
4. Hillcrest Apartments – One apartment complex identification sign and one directional sign off Buckner Lane.

The Planning Commission held a Public Hearing on September 4<sup>th</sup>, 2013 and made a positive recommendation to the City Commission.

Funds Available: Account Name: N/A  
Account Number: N/A  
Project Number: N/A

Finance

Motion:

Attachments: Planning Commission Resolution

 Department Head	City Clerk	City Manager
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# Agenda Action Form

## Paducah City Commission

Meeting Date: September 17, 2013

Short Title: Eickholz & Turnbo Zone Change

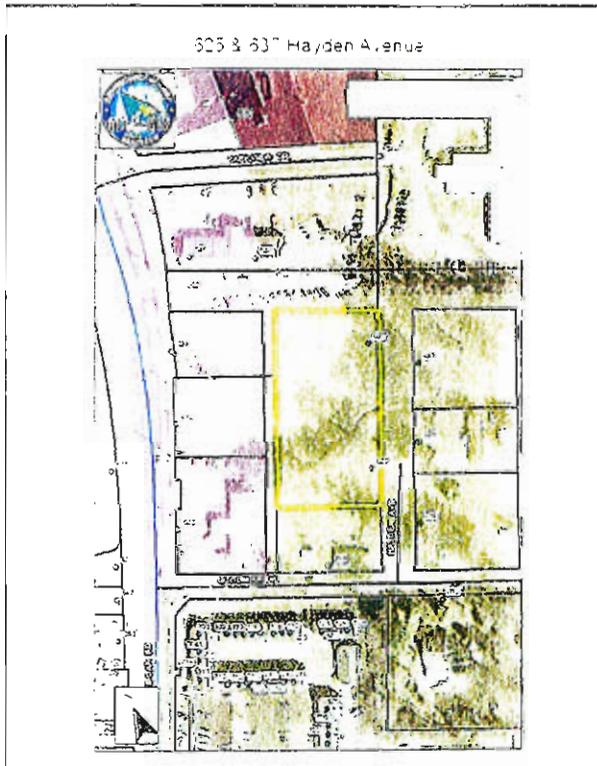
Ordinance  Emergency  Municipal Order  Resolution

Staff Work By: Stephen Ervin

Presentation By: Stephen Ervin

### Background Information:

#### Key Components:



The applicant, E & T Enterprises, is requesting a zone change for 625 and 637 Hayden Avenue from R-2 (Low and Medium Density Residential Zone) to R-4 (High Density Residential Zone). This property is vacant at this time.

The Planning Commission held a public hearing on September 4<sup>th</sup>, 2013 and made a positive recommendation to the City Commission.

This zone change request was initiated because E & T Enterprises, LLC, located at 546 Lone Oak Road, would like to construct a new parking area for the doctor's office on the north portion of this site.

Professional offices are principally permitted in the R-4 Zone, pursuant to Section 126-105 (1) (d) of the Paducah Zoning Ordinance. The property to the north of this property is zoned R-4. Therefore, this would be a continuation of

the R-4 High Density Residential zone.

#### Site Data:

Area: approximately 1.424 acres

Public Utilities: Adequate water and sewer service available.

Public Services: Sanitation, Police and fire service available.

Physical Characteristics: Vacant lot.

#### Development Plan:

E & T Enterprises is proposing to construct a parking lot on the north 150' of the site (approximately north half). This is to facilitate employee and visitor parking for the doctor's office at 546 Lone Oak Road

#### Land Use Patterns:

Doctors Turnbo and Eickholz have their medical office north of this site. Dr. Bowers with Innovative Ophthalmology has her office to the southwest of this site. Parkview Nursing Home is located northeast of the site. Three single-family homes are located east and south of the site.

#### Adjacent Properties:

- o North: Parking lot for doctor's office.
- o East: A vacant lot and two single family homes.
- o South: A single family home.
- o West: Vacant lots and Innovative Ophthalmology doctor office.

#### Zoning:

R-4 High Density Residential on the North. R-2 Low and Medium Density Residential on the East and South. B-1 Convenience and Service Zone on the West. The parcel is proposed to be changed to R-4 as follows:

#### Sec. 126-105. High Density Residential Zone, R-4.

The purpose of this zone is to provide an area that will combine compatible residential and business uses in such a manner that it will buffer low-density residential property from high density and commercial uses.

- (1) Principal permitted uses.
  - a. Any use permitted in the R-3 zone
  - b. Multi-family dwellings
  - c. Nursing homes and tourist homes
  - d. Professional office buildings (yard requirements for office buildings shall be the same as the B-1 zone requirements)
  - e. Day-care nurseries
  - f. Cemeteries
  - g. Bed and breakfast
  - h. Places of worship
  - i. Any other use not listed which, in the Commission's opinion, would be compatible with the above uses in the R-4 zone.

Findings required for map amendment:

KRS – 100.213 Before any map amendment is granted, the Planning Commission must find that the map amendment is in agreement with the comprehensive plan, or in the absence of such a finding, that one or more of the following apply and such findings shall be recorded in the minutes and records of the Planning Commission and City Commission:

That the existing zoning classification given to the property is inappropriate and the proposed zoning classification is appropriate; or

That there have been major changes of an economic, physical or social nature within the area involved which were not anticipated in the comprehensive plan and which have substantially altered the basic character of the area.

Staff Analysis – The area proposed to be re-zoned is in compliance with the Future Land Use Map. The Future Land Use Map shows the area to be zoned "Commercial". A professional office is a principally permitted use in the R-4 Zone. The Planning Commission found that the map amendment is in agreement with the comprehensive plan and that the existing zoning is inappropriate.

Planning Commission Recommendation:

The Planning Commission held a public hearing on September 4, 2013 and made a positive recommendation to the City Commission.

Funds Available:      Account Name: N A  
                                 Account Number: N A

Finance
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Attachments:

Planning Commission Resolution  
Zone Change Map

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

Meeting Date: Sept. 10, 2013

## Short Title: 2013 Port Security Award – New Boat Ramp Video Security Phase 2

Ordinance     Emergency     Municipal Order     Resolution     Motion

Staff Work By: Nancy Upchurch/Mark Roberts/Greg Mueller  
Presentation By: Brandon Barnhill

Background Information: In 2009, the City of Paducah was awarded a grant from the Federal Department of Homeland Security-FEMA Port Security Grant Program for the purchase and installation of 5 video cameras. The cameras are capable of variable degrees of panning, tilting and zooming with views available to law enforcement personnel on the mobile data computers in their vehicles.

On June 11, 2013, through the approval of Municipal Order #1725, an application was submitted to the Federal Department of Homeland Security-FEMA Port Security Grant Program in the amount of \$24,270.00 to expand the project.

On August 26<sup>th</sup> we received a Notice of Approval in the amount of \$24,270.00 for the purchase and installation of equipment to extend video surveillance coverage for the new boat ramp area located off North 6<sup>th</sup> Street. This award will reimburse the city 100 % of the purchase and installation of the video surveillance equipment expenses.

If the Commission desires the Police Department accept the award it must authorize and direct the Mayor to sign all documents. If an award is offered it will be brought before the Commission for consideration.

Goal:  Strong Economy     Quality Services     Vital Neighborhoods     Restored Downtowns

Funds Available: Project Title: Port Security Camera II  
Project Number: EQ0023  
File Number: 6.50  
Account Number: 040-0102-511.23.07  
CFDA Number: 97.056

 9/13/2013  
Finance

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

Meeting Date: Sept. 17, 2013

**Short Title: 2013/14 Edward Byrne Memorial Justice Accountability Grant (JAG) Award**

Ordinance     Emergency     Municipal Order     Resolution     Motion

Staff Work By: Asst. Chief Stacey Grimes, Cheryl Meadows

Presentation By: Asst. Stacey Grimes

**Background Information:** The Edward Byrne Memorial Justice Accountability Grant (JAG) is a federal formula grant funded through the U.S. Department of Justice. On June 11, 2013 the Commission approved Municipal Order 1726 to submit an application to the Department of Justice in the amount of \$13,382 to be used by the Paducah Police Department.

On September 4<sup>th</sup> Notice of Award was received. It is the desire of the police department to accept the 2013/2014 Edward Byrne Memorial Justice Accountability Grant (JAG) Award in the amount of \$13,382 for the purchase of seventy-eight (78) trauma kits; six (6) simunition conversion kits for patrol rifles and simunition ammunition; and three (3) patrol rifles; two (2) day boxes for explosives and one (1) digital recorder. This award has no local cash match required.

Although the City of Paducah has a sole and authorized individual allocation, it must remain in partnership with our local disparate jurisdiction which is McCracken County. It is for this reason, the City of Paducah and McCracken County have enter into an Interlocal Agreement on July 7, 2013 supporting the 2013/2014 JAG application, submission, and the acceptance by the City of Paducah in the amount of \$13,382.

If the Commission desires the Police Department to accept this award funding and it must authorize and direct the Mayor to sign all contract documents.

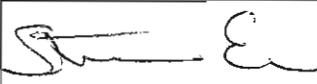
Goal:  Strong Economy  Quality Services  Vital Neighborhoods  Restored Downtowns

Funds Available: Account Name: JAG-2013  
Account Number: 040-1616-521.23-07  
Project Number: PO0074  
File Number: 6.251  
CFDA: 16.738

 9/13/2013  
Finance

Staff Recommendation: Approval

Attachments:

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

Meeting Date: 9-17-13

Short Title: Tower Option and Lease Amendment #2

Ordinance    Emergency    Municipal Order    Resolution    Motion

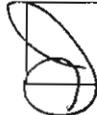
Staff Work By: Steve Kyle, Jamey Spears  
Presentation By: Jeff Pederson, City Manager

**Background Information:**

The City owns and operates a radio tower beside Paducah-McCracken Co E-911 that serves as the antenna for the City radio system. As a part of owning that tower, we lease space on it to private contractors for the operation of their equipment providing that it does not interfere with the operation of the City's radio system. The amendment before you is for New Cingular to install new equipment onto the tower and increase our subsequent monthly lease payments by \$450.00. The private contractor has conducted a third party assessment of the tower to ensure that their equipment will not endanger the structural stability of it and has confirmed that it will not. Paducah-McCracken E-911 also has no problem with the installation of the equipment since it will not interfere with the radio system. It is recommended to proceed with the amendment.

Goal:    Strong Economy    Quality Services    Vital Neighborhoods    Restored Downtowns

Funds Available:   Account Name:  
Account Number:

 9/13/2013  
Finance

Staff Recommendation: Proceed with approval of amendment #2 to existing Tower Option and Lease Agreement.

Attachments: Amendment #2

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

Meeting Date: September 17, 2013

**Short Title: MOU FOR ECONOMIC INCENTIVES TO SUPERIOR CARE**

Ordinance    Emergency    Municipal Order    Resolution    Motion

Staff Work By: Jeff Pederson, City Manager  
Presentation By: Jeff Pederson, City Manager

**Background Information:**

- Superior Care proposes to develop and relocate their corporate offices and senior long-term care and short-term rehabilitation facilities to a tract of property located in the Paducah Commerce Park (f/k/a Information Age Park)
- This project will expand the tax base, reduce unemployment by retaining 115 jobs and creating 25 new jobs and investing \$10 million
- In order to induce this project, the City has agreed to enter into an MOU setting forth the fact that the City will give Superior Care a cash grant in the amount of \$20,000 as an economic incentive for sewer tap-on fee.

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

**Funds Available:** Account Name: Investment Fund – Reserve For  
Economic Development Incentives  
Account Number: 004-0401-536-2307

Finance
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**Staff Recommendation:** Approve an MOU and Ordinance granting Superior Care the sum of \$25,000 for sewer tap-on fee.

**Attachments:** Memorandum of Understanding  
Ordinance

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

Meeting Date: September 24, 2013

Short Title: Noble Park Pool Spraypad Change Orders # 1 & 2

Ordinance  Emergency  Municipal Order  Resolution  Motion

Staff Work By: Mark Thompson, Amie Clark  
Presentation By: Mark Thompson, Amie Clark

### Background Information:

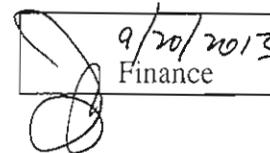
Change Order #1 allows the City to directly purchase mechanical equipment and spraypad features directly from the suppliers for the contractor. This reduces mark up and applied taxes to the purchases thus reducing project costs. The contractor's direct payment will be reduced by \$70,680.72. A payment not to exceed this amount will be paid directly by the City to the supplier, David Williams and Associates.

Change Order #2 is an increase in the contract to Murtco, INC on the spraypad project of \$5080.01. A portion of these additions were based on requirement by the state inspector for additional valves, piping, concrete and manifold. The remainder was necessitated by changes made by the manufacturer. Those changes will be deducted from the manufacturer's payment.

The total contract with Murtco with the inclusion of Change Orders # 1 & #2 is \$122,865.29

Goal:  Strong Economy  Quality Services  Vital Neighborhoods  Restored Downtowns

Funds Available: Account Name: Noble Park Pool Project  
Account Number: 040-8821-536-2307  
PA0095

  
9/20/2013  
Finance

Staff Recommendation: Approval

Attachments: Change Orders #1 & 2

<i>MHT</i> Department Head	City Clerk	City Manager
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AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE CHANGE ORDERS 1 & 2 WITH MURTCO INC FOR CONSTRUCTION OF THE NOBLE PARK POOL SPRAYPAD

WHEREAS, the City approved Ordinance No. 2013-3-8020 to enter into a contract with Murtco, Inc., in the amount of \$188,466.00 for the Noble Park Pool Renovations Phase III Project which includes the Spraypad at Noble Park; and

WHEREAS, Change Order No. 1 is required for a decrease in the amount of \$70,680.72 for the City to directly purchase mechanical equipment and spraypad features from the supplier, David Williams and Associates to reduce markup costs and applied taxes; and

WHEREAS Change Order No. 2 is required for an increase in the contract to Murtco in the amount of \$5,080.01 for additions based on requirements by the state inspector for additional valves, piping, concrete and manifold with the remainder of changes being necessitated by the manufacturer, therefore after the two changes orders the total contract price will be \$122,865.29.

BE IT ORDAINED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. The Mayor is hereby authorized and directed to execute Change Orders 1 & 2 in the combined amount of \$65,600.71 for the City of Paducah's Noble Park Pool Renovations Phase III Project which includes the Noble Park Pool Spraypad Project, decreasing the total contract price to \$122,865.29.

SECTION 2. 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 September 24, 2013  
Adopted by the Board of Commissioners, October \_\_\_\_\_, 2013  
Recorded by Tammara S. Sanderson, City Clerk, October \_\_\_\_\_, 2013  
Published by The Paducah Sun, \_\_\_\_\_  
\\ord\chord 1 & 2-noble park spraypad-phase iii

CITY OF PADUCAH  
DEPARTMENT OF PARKS SERVICES  
CHANGE ORDER

CHANGE ORDER NO: 1  
DATE: June 12, 2013  
NAME OF PROJECT: NOBLE PARK POOL SPRAYPAD  
OWNER: City of Paducah, Kentucky  
CONTRACTOR: MURTCO, INC.

THE FOLLOWING CHANGES ARE HEREBY MADE TO THE CONTRACT DOCUMENTS

ADDITIONS	\$ 11,066.92
DEDUCTIONS	\$ 81,747.64

CONTRACT PRICE DUE TO THIS CHANGE ORDER WILL BE DECREASED BY:	\$ 70,680.72
ORIGINAL CONTRACT PRICE:	\$ 188,466.00
CURRENT CONTRACT PRICE ADJUSTED BY PREVIOUS CHANGE ORDERS:	\$ 188,466.00
NEW CONTRACT PRICE INCLUDING THIS CHANGE ORDER WILL BE:	\$ 117,785.28
THE CONTRACT TIME WILL BE INCREASED BY:	52 Days

\*THE MODIFIED CONTRACT END DATE BASED ON THIS C.O. SHALL BE JULY 1, 2013.

APPROVALS REQUIRED:

  
\_\_\_\_\_  
FLORENCE & HUTCHESON, INC.

6.25  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
CONTRACTOR, MURTCO, INC.

8-6-13  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
DEPT. OF PARKS SERVICES DIRECTOR

8-12-2013  
\_\_\_\_\_  
DATE

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DATE



Florence & Hutcheson

An ICA Company

June 12, 2013

Mr. Mark Thompson  
Director  
Paducah Parks Services  
1400 H. C. Methis Drive  
Paducah, KY 42001

RE: Noble Park Pool Sprypad  
Recommendation for Payment No. 1 &  
Change Order No. 1

Dear Mr.

We have received and reviewed Application for Payment No. 1 from Murtoo, Inc. on the referenced project. Based on our field inspections, we concur with the quantities and totals presented. Furthermore, we concur with the amounts shown, and recommend that payment be rendered to Murtoo in the requested amount equal to \$82,508.80.

At this time, Murtoo has completed the concrete and fencing work, and has completed the majority of the site piping and site electrical work. Site piping and electrical will be completed following the delivery of the reservoir and skid units. Based on email correspondence received last week from David Williams & Associates, we anticipate delivery of the reservoir this week and delivery of the skid unit and features the following week.

In addition to the Application for Payment, we have prepared a contract Change Order No. 1 for the additional services provided by Murtoo, Inc. beginning May 1, 2013. The costs provided on the attached Change Order No. 1 are broken down as follows:

a) Installation of 2" PVC line for redundant slide supply	\$1,438.00
b) Replacement of yard hydrants w/ underground hose bibs	\$1,222.05
c) Installation of new cleanout at concession	\$214.77
d) Installation of concrete sidewalks and ramp at concession	\$8,192.10
e) Deduct for City purchased sprypad equipment	(\$81,747.84)

Please find attached to this letter, three (3) copies of Murtoo's application for payment, and three (3) copies of Change Order No. 1 and supporting documentation for your review and records. If you should have any questions or request additional information, please feel free to contact me.

Sincerely,

FLORENCE & HUTCHESON

Charles D. McCann II, P.E.  
Project Engineer

Attachments

E-11284

**CITY OF PADUCAH  
DEPARTMENT OF PARKS SERVICES  
CHANGE ORDER**

CHANGE ORDER NO: 2  
DATE: August 5, 2013  
NAME OF PROJECT: NOBLE PARK POOL SPRAYPAD  
OWNER: City of Paducah, Kentucky  
CONTRACTOR: MURTCO, INC.

THE FOLLOWING CHANGES ARE HEREBY MADE TO THE CONTRACT DOCUMENTS:

ADDITIONS	\$ <u>5,080.01</u>
DEDUCTIONS	<u>                    </u>

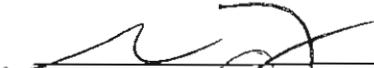
CONTRACT PRICE DUE TO THIS CHANGE ORDER WILL BE INCREASED BY:	\$ <u>5,080.01</u>
ORIGINAL CONTRACT PRICE:	\$ <u>188,466.00</u>
CURRENT CONTRACT PRICE ADJUSTED BY PREVIOUS CHANGE ORDERS:	\$ <u>117,785.28</u>
NEW CONTRACT PRICE INCLUDING THIS CHANGE ORDER WILL BE:	\$ <u>122,865.29</u>
THE CONTRACT TIME WILL BE INCREASED BY:	<u>30 Days</u>

\*THE MODIFIED CONTRACT END DATE BASED ON THIS C.O. SHALL BE JULY 31, 2013.

APPROVALS REQUIRED:

  
\_\_\_\_\_  
FLORENCE & HUTCHESON, INC.

8/5/13  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
CONTRACTOR - MURTCO, INC.

8-5-13  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
DEPT. OF PARKS SERVICES DIRECTOR

8-16-2013  
\_\_\_\_\_  
DATE

\_\_\_\_\_  
MAYOR:

\_\_\_\_\_  
DATE

ITEMIZED

NOBLE PARK POOL SPRAYPAD			
CONTRACTOR: MURTCO, INC.			
CHANGE ORDER NO. 2 ITEMIZED COSTS			
1	Installation of 4-2" valves for feature piping (as required by Jan Brown)		\$461.01
2	Install over flow pipe to existing 6" drain following reservoir delivery		\$700.00
3	Wilkins 5x5 concrete area (required for reservoir over flow tie-in)		\$308.00
4	Install manifold inside tank (as required by Jan Brown)		\$1,059.00
5	Valve box pit (necessary for addition of 4-2" valves by Jan Brown)		\$617.00
6	Install power to 15KW heater (Electrical requirements were modified by Raindrop after bidding for larger heater)		\$650.00
7	Install power to one single phase pump (Electrical requirements were modified by Raindrop after bidding)		\$285.00
8	Install power to 20 amp GFCI receptacle (Electrical requirements were modified by Raindrop after bidding)		\$410.00
9	Replace 2P30 amp breaker with a GFI breaker (required by City Inspection department)		\$590.00
	<b>TOTAL</b>	<b>\$5,080.01</b>	
<b>MURTCO, INC. TO INVOICE RAINDROP DIRECTLY FOR THESE SERVICES</b>			
A	Installation of flow meters on skid (wrong flow meters supplied by Raindrop)		\$164.00
B	Electrical for solenoid valve (Raindrop supplied skid with incorrect wiring for this valve)		\$151.00
C	2-hours of electrical OT work to correctly wire the filter pump motor (poor workmanship by Raindrop)		\$285.00
D	Repair broken flange on the pump skid damaged during shipping (skid improperly supported - Raindrop)		\$250.00
	<b>TOTAL</b>	<b>\$850.00</b>	