



CITY COMMISSION MEETING
 AGENDA FOR OCTOBER 15, 2013
5:30 P.M.

ROLL CALL

INVOCATION – Pastor Russell Frazier – First Church of the Nazarene

PLEDGE OF ALLEGIANCE – Palmer Stroup – PTHS Sophomore

PRESENTATION – 2nd Annual 1-Day Conference for Electrical, Building, and Fire Professionals – April Tinsman

ADDITIONS/DELETIONS

	I.	<u>MINUTES</u>
	II.	<u>MOTIONS</u>
	A.	R & F Documents
	III.	<u>MUNICIPAL ORDERS</u>
	IV.	<u>ORDINANCES – ADOPTION</u>
	A.	Jackson House Elevator Community Development Block Grant Extension – S. ERVIN
	B.	Change Order #2 for the Riverfront Redevelopment Project Phase 1-A – R. MURPHY
	C.	Employment Agreement for Police Chief – CITY MGR
	V.	<u>ORDINANCES – INTRODUCTION</u>
	A.	Contract with Convention Center Corporation -- CITY MGR
	VI.	<u>CITY MANAGER REPORT</u>
	VII.	<u>MAYOR & COMMISSIONER COMMENTS</u>
	VIII.	<u>PUBLIC COMMENTS</u>
	IX.	<u>EXECUTIVE SESSION</u>



Paducah Fire Prevention Division to Host 2nd Annual 1-Day Conference for Electrical, Building, and Fire Professionals

PADUCAH – The Paducah Fire Prevention Division is hosting a one day conference for Electrical, Building, and Fire Service professionals. Classes will be offered to benefit electricians, electrical inspectors, anyone involved in the electrical industry, building contractors, building inspectors, building code professionals, (such as Architects, Engineers, Designers), and Firefighters. The workshop will be Friday, October 25, from 8 a.m. until 5 p.m., registration to begin at 7:30 a.m., at the Julian Carroll Convention Center located at 415 Park Avenue in Paducah. The FREE conference is available to anyone in the electrical, building/construction/design, or firefighting professions. Pre-registration by Monday, October 21 is **required** as lunch and materials will be provided.

City of Paducah Fire Department Deputy Chief of Fire Prevention Greg Cherry says, “In the Fall of 2012 we offered a one day conference for electrical professionals that was successful with more than 80 in attendance. We have expanded the conference to include classes in building and fire service this year. Our department is striving to be an active resource for the community and for construction and fire service professionals. We are offering continuing education opportunities as a way for us all to come together and develop strong working relationships and to build and maintain stronger, safer structures for citizens and the community.”

The electrical class offered is “The IAEI Analysis of Changes-2014 NEC” taught by Mr. Bill McGovern. McGovern is the Electrical Inspection Services Supervisor for the City of Plano, Texas. McGovern represents the International Association of Electrical Inspectors (IAEI) on Code Making Panel-2 for the 2008, 2011, and 2014 editions of the National Electrical Code. This class is designed to cover the major changes in the National Electrical Code for the 2014 code cycle. There are four new articles that will be discussed as well as numerous changes and some re-organization for the code cycle.

The building code class will be instructed by Mr. Russell Thornburg. Thornburg has served as a building technician, field inspector, and plans examiner since 1998, with 30 years of construction and inspection experience. He teaches building inspection technology classes for colleges, and also instructs for the International Code Council for residential codes. The course “2009 IECC-Performing Residential Energy Inspections” will be available for building professionals. Objectives will be to locate general topics in the 2009 IECC, locate applicable tables in the 2009 IECC for specific situations, apply code requirements to real world situations, explain the intent behind a code requirement, and identify essential code components for designing energy-efficient building thermal envelopes, energy efficient mechanical design, and electrical power and lighting systems.

Fire service professionals will have a class available on Hybrid Car Technology. Students will learn fire suppression and extrication techniques for hybrid vehicles. The Instructor for this class will be Mr. Michael Shoulders. He is an IFSAC Level II Instructor, AAS, NREMT-P. Mr. Shoulders has 14 Years of service in Fire Service/EMS.

Participation in the classes will provide attendees with hours of continuing education for the State of Kentucky. The Paducah Fire Department welcomes sponsors for the event. If you are interested in being a sponsor, or reserving a vendor space, contact April Tinsman in the Fire Prevention Division at 270-444-8527. To pre-register for the event, complete a registration form that is available on the City of Paducah website at www.paducahky.gov or call the Fire Prevention Division for more information.

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OCTOBER 8, 2013

At a Regular Meeting of the Board of Commissioners, held on Tuesday, October 8, 2013, 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 Public Information Officer, Pam Spencer, the following answered to their names: Commissioners Abraham, Gault, Rhodes, Wilson and Mayor Kaler (5).

INVOCATION

Pastor Tommy Tucker, Pastor for Caring and Senior Adult Ministries at First Baptist Church of Paducah, gave the invocation.

PROCLAMATION

Mayor Kaler presented a proclamation to Troy Brock, Director of Pupil Personnel at Paducah Independent Schools, proclaiming October 20-26, 2013 Safe Schools Week.

MINUTES

Commissioner Abraham offered motion, seconded by Commissioner Gault, that the reading of the Minutes for September 24, 2013 and October 1, 2013 City Commission meetings be waived and that the Minutes of said meetings prepared by the City Clerk be approved as written

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

MOTIONS

R & F DOCUMENTS

Commissioner Gault offered motion, seconded by Commissioner Abraham, that the following documents be received and filed:

DOCUMENTS

1. Insurance Certificates:
 - a. Jason Sams, DBA Sams Brothers Concrete
 - b. Faughn Electric, Inc.
2. Right of Way Bond for Jason Sams, DBA Sams Brothers Concrete
3. Notice of Cancellation for the Board of Commissioners of the City of Paducah for 5:30 p.m., September 10, 2013
4. Commissioner's Deeds:
 - a. 434 Ohio Street
 - b. 1131 Flournoy Street
5. Deed of Release for Freedom Capital Investments (ORD # 2008-02-7391)
6. Agreements/Contracts:
 - a. Second Amendment to Tower Option and Lease Agreement between the City of Paducah and New Cingular Wireless PCS, LLC (ORD # 2013-09-8084)
 - b. Memorandum of Understanding between City of Paducah and Tom Dunn for Roof Stabilization for the Roof Stabilization Assistance Program for 203 Broadway (ORD # 2013-09-8079)
 - c. Memorandum of Understanding between Superior Care Homes, Inc. and City of Paducah for the relocation of corporate offices and rehabilitation facility (ORD # 2013-09-8085)

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- d. AIA Design-Build Construction Agreement between City of Paducah and McCracken County and A&K Construction, Inc. for the Teletech Call Center (ORD # 2013-08-8054)
- e. Agreement between City of Paducah and Harper Construction, LLC for the Greenway Trail Phase II (ORD # 2013-09-8076)
7. Change Order # 3 with Bluegrass Uniforms for Uniform Services for the Fire Department (ORD # 2013-09-8070)
8. Change Order # 1 with Bluegrass Fire Equipment Company and Pierce Manufacturing Company, Inc. for two Triple Combination Pumper Trucks (ORD # 2013-09-8075)
9. Grant Agreement for 2013-2014 Edward Byrne Memorial Justice Accountability Grant (JAG) Award (ORD #2013-09-8083)
10. Williams, Williams & Lentz, LLP Financial Statements for years ended June 30, 2013 and 2012 for Paducah Water Works
11. Paducah Water Works Financial Highlights for August 2013
12. Annual Report for Television Department for FY 2012-2013

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

ORDINANCE – ADOPTION

APPROVE AGREEMENT WITH THE KY DEPARTMENT OF HOUSING, BUILDINGS AND CONSTRUCTION FOR EXPANDED JURISDICTION

Commissioner Rhodes offered motion, seconded by Commissioner Wilson, that the Board of Commissioners adopt an ordinance entitled, "AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE COMMONWEALTH OF KENTUCKY, DEPARTMENT OF HOUSING, BUILDINGS AND CONSTRUCTION AND THE CITY OF PADUCAH, KENTUCKY." This ordinance is summarized as follows: That the Mayor is hereby authorized to execute an agreement between the Commonwealth of Kentucky, Department of Housing, Buildings and Construction, and the City of Paducah, Kentucky, for additional plan review and inspection responsibilities within the City of Paducah. This agreement is for a term of three years; however, it may be canceled as described in KRS 198B.060.

Adopted on call of the roll, yeas. Commissioners Abraham, Gault, Rhodes, Wilson and Mayor Kaler (5). ORD # 2013-10-8087 BK 33

AUTHORIZE AND APPROVE THE PURCHASE & ACQUISITION OF PROPERTY LOCATED AT 5065 CONCORD AVENUE FOR THE OLIVET CHURCH ROAD IMPROVEMENT PROJECT

Commissioner Wilson offered motion, seconded by Commissioner Rhodes, that the Board of Commissioners adopt an ordinance entitled, "AN ORDINANCE AUTHORIZING AND APPROVING THE PURCHASE AND ACQUISITION OF THE REAL PROPERTY LOCATED AT 5065 CONCORD AVENUE, PADUCAH, McCracken County, KENTUCKY, FROM BETTY J. OWENS, FOR THE IMPROVEMENT OF A PUBLIC PROJECT". This ordinance is summarized as follows: This Ordinance authorizes the City of Paducah, Kentucky, to purchase the real property located at 5065 Concord Avenue, Paducah, McCracken County, Kentucky (the "Property"), for purposes of the Olivet Church Roadway Improvement Project from Betty J. Owens, for the purchase price of Five Hundred Thousand

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Dollars (\$500,000.00), subject to the reservation of a life estate interest reserved by Owens in and to a portion of the Property to be set out in the deed of conveyance from Owens to City of Paducah.

Adopted on call of the roll, yeas. Commissioners Abraham, Gault, Rhodes, Wilson and Mayor Kaler (5). ORD # 2013-10-8088 BK 33

ORDINANCES – INTRODUCTION

JACKSON HOUSE ELEVATOR COMMUNITY DEVELOPMENT BLOCK GRANT EXTENSION

Commissioner Abraham offered motion, seconded by Commissioner Gault, that the Board of Commissioners introduce an ordinance entitled, "AN ORDINANCE OF THE CITY OF PADUCAH ACCEPTING AN AMENDMENT TO THE GRANT AWARD FOR AN EXTENSION OF TIME WITH THE OFFICE OF THE GOVERNOR, DEPARTMENT FOR LOCAL GOVERNMENT FOR THE PADUCAH JACKSON HOUSE ELEVATOR REHABILITATION PROJECT COMMUNITY DEVELOPMENT BLOCK GRANT #10-109". This ordinance is summarized as follows: That the City of Paducah hereby accepts an amendment to the Grant Agreement with the Office of the Governor, Department for Local Government to extend the project completion date from December 31, 2013 to December 31, 2014, for the Paducah Jackson House Elevator Rehabilitation Project Community Development Block Grant #10-109.

CHANGE ORDER #2 FOR THE RIVERFRONT REDEVELOPMENT PROJECT PHASE I-A

Commissioner Gault offered motion, seconded by Commissioner Abraham, that the Board of Commissioners introduce an ordinance entitled, "AN ORDINANCE APPROVING CHANGE ORDER #2 WITH MAC CONSTRUCTION & EXCAVATING, INC., FOR THE RIVERFRONT REDEVELOPMENT PROJECT PHASE I-A, PILES AND MASS FILL, AND AUTHORIZING THE MAYOR TO EXECUTE SAID CHANGE ORDER". This ordinance is summarized as follows: The City of Paducah hereby approves Change Order No.2 with MAC Construction & Excavating, Inc. in the amount of \$314,428.82, therefore, increasing the total contract price to \$4,805,028.82 for the Riverfront Redevelopment Project Phase I-A. Piles and Mass Fill; authorizes the Finance Director to transfer the required additional \$50,000 for completion of the project from the Investment Fund to the Riverfront Development Project account and reduce the transfer from the Investment Fund to the MAP Fund by \$50,000; and authorizes the Mayor to execute said change order.

EMPLOYMENT AGREEMENT FOR POLICE CHIEF

Commissioner Rhodes offered motion, seconded by Commissioner Wilson, that the Board of Commissioners introduce an ordinance entitled, "AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN EMPLOYMENT AGREEMENT FOR POSITION OF POLICE CHIEF". This ordinance is summarized as follows: That the Mayor is hereby authorized to execute an Employment Agreement between the City of Paducah and Brandon Barnhill for employment as Police Chief of the City of Paducah.

CITY MANAGER REPORT

City Manager Pederson requested that the Board of Commissioners go into Executive Session for Economic Development topics.

COMMISSIONER COMMENT

Commissioner Abraham wanted to bring to the attention of the Police Department that in the 21st Street, Madison, and Monroe area, some citizens have complained that items have been stolen during the night.

OCTOBER 8, 2013

Commissioner Abraham spoke about clarifying what animals the Animal Warden is able to control. Mayor Kaler informed the Commission that since some animals are considered feral animals, citizens must first trap the animal using a safe trap and then the Animal Warden will remove the feral animal.

Commissioner Abraham brought to the attention of the Commission an issue with the bus stop down the block from the 28th Street and Jones St. corner where citizens are concerned that the traffic moves too fast and could potentially be dangerous.

PUBLIC COMMENTS

Jeanette Jennett, spoke about bullying in schools and the need for awareness in schools.

EXECUTIVE SESSION

Commissioner Wilson offered motion, seconded by Commissioner Rhodes, that the Board go into closed session for discussion of matters pertaining to the following topics:

1. A specific proposal by a business entity where public discussion of the subject matter would jeopardize the location, retention, expansion or upgrading of a business entity, as permitted by KRS 61.810(1)(g).

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

Upon motion the meeting adjourned.

ADOPTED: October 15, 2013

City Clerk

Mayor

OCTOBER 15, 2013

I move that the following documents be received and filed:

DOCUMENTS

1. Insurance Certificates:
 - a. Schmitt Concrete, Inc.
 - b. Brookshire Concrete Construction

2. Agreements/Contracts:
 - a. Agreement between City of Paducah and Marcum Engineering, LLC for the Final Phase of the Julian Carroll Convention Center Renovation Project (ORD # 2013-09-8077)
 - b. Grant Agreement for Port Security Grant Program for Riverfront Video Security Project Phase II (ORD # 2013-09-8082)

3. Change Orders # 1 & 2 with MURTCO, INC. for the Noble Park Pool Spraypad Project (ORD 2013-10-8086)

**Agenda Action Form
Paducah City Commission**

Meeting Date: October 8th, 2011

Short Title: Community Development Block Grant (CDBG) Grant Agreement Amendment

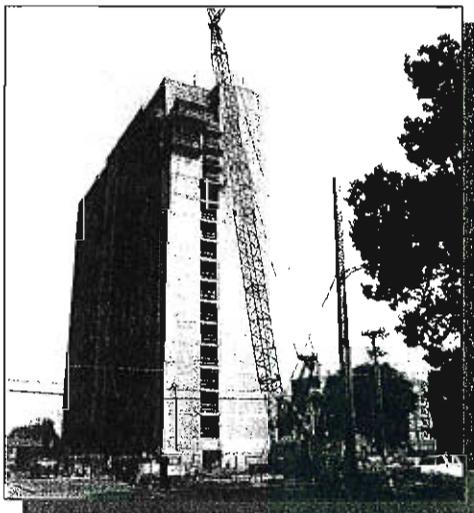
Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Steve Ervin
Presentation By: Steve Ervin

Background Information:

The federal CDBG program, administered by the Kentucky Department for Local Government (DLG), is designed to benefit low-income individuals and special populations that includes the elderly, handicapped or disabled.

An application authorized by Municipal Order 1559 on behalf of the Jackson House Seniors Center was approved by DLG for funding and required several actions by Commission Ordinance including acceptance of the terms and conditions of the award in a formal grant agreement with the Commonwealth



The grant agreement stipulated that the City is the award recipient on behalf of the facility owner, the not-for-profit Western Kentucky Seniors Center Union Labor Housing Corporation, and provides a \$1,000,000 award to rehabilitate two existing elevators and construct a new multi-service elevator.

The Jackson House project is estimated at 75% complete at this time. Completion date is anticipated to be December 31, 2013. Staff is requesting a 1 year extension to allow for additional time if needed.

If the Commission desires to proceed with an extension, it must authorize and direct the Mayor to execute the grant agreement amendment with DLG.

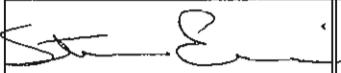
Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: Project Title: Jackson House CDBG
Project #: CD0078
File #: 6.217
Account #: 006-1213-513.23-07

Finance

Staff Recommendation: Approval

Attachments:

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

Meeting Date: October 8, 2013

Short Title: Change Order #2 for the Riverfront Redevelopment Project Phase 1-A, Piles and Mass Fill

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Angela Weeks, EPW Proj Mgr
Presentation By: Jeff Pederson, City Manager
Rick Murphy, P.E., City Engineer-Public Works Director

Background Information:

On July 25, 2013, Municipal Order #1736 was adopted authorizing and directing the Finance Director to transfer \$265,000 from the General Fund to the Riverfront Development Project Account to cover the additional work and materials required on the extension of the Gangway Piles for the Riverfront Phase 1-A Project. This Municipal Order was adopted with the understanding that an Ordinance authorizing a Change Order would be introduced after the work was complete and the actual costs were documented. All work associated with the Contract for Phase 1-A Project has been completed. Therefore, Change Order #2 for Riverfront Redevelopment Project Phase 1-A, Piles and Mass Fill has been compiled to finalize the Project. Change Order #2 consists of the following three items:

1. Extension of the Gangway Piles

At this time, all equipment, labor and materials associated with the extension of the Gangway Piles has been completed. The final time and material costs associated with the extension of the Gangway Piles totals \$192,428.8, which is less than the estimated \$265,000 transferred by Municipal Order #1736. The breakdown is as follows:

Gangway "A"	\$ 72,006.02
Gangway "B"	\$ 78,811.47
Gangway "C"	\$ 41,611.33
TOTAL COST	\$192,428.82

2. Temporary Shut-Down Barge Retainage:

On August 15, 2013, MAC gave the City official notice that the stone fill contract quantity in the amount of 316,550 tons was not sufficient to complete the land mass fill according to the Phase 1-A Project design. After MAC completed the installation of the 316,550 stone fill contract tonnage on August 22, 2013, a "temporary shut-down" was implemented by MAC while the City investigated the authorization to install additional stone. Due to this temporary shut-down, all work by the Contractor's employees and operational equipment was halted; thereby causing a \$6,000 per day "down-time" daily charge to reserve the quantity of deck barges. The deck barges were retained a total of seven days before being released. Therefore, the total down-time for barge retention totals \$42,000.

3. Orderly Shut-Down/Project Stabilization:

On September 17, 2013, after consideration, the City Commission agreed to an "Orderly Shut-down" and requested that MAC complete the items related to the Phase 1-A Project. This shut-down would provide additional time to review the entire Project as a whole with respect to existing funding

including grants. Complying with the City Commission direction to complete an "Orderly Shut-down," MAC was directed by the City Engineer-Public Works Director to finalize and complete the remaining Contract items related to the Phase 1-A Project. However, prior to MAC demobilizing and leaving the Project site, it was determined that additional grade work was necessary to leave the Project site in a stable condition from a geotechnical global stability perspective. Failure to reduce the very steep free standing mass fill slopes (angle of repose) would subject the river bottom foundation soils to fail or "blow-out" under the current loading condition if prolonged.

Therefore, in order create stability within the Project site area, MAC has been requested to grade the downstream "ridge area" where the existing slopes are 1½:1 (very steep) to establish a 3:1 slope. In order to accomplish this slope grade change, an additional amount of work outside of the current contract is required. This additional work will consist of moving the existing rock from the "ridge area" to create the 3:1 slope to leave the Project site in a stable situation while also installing the rock around the pilings to help stabilize the gangway structures. MAC has agreed to perform this necessary stability work on a time and material basis. The estimated cost to stabilize the downstream side of the Project site is \$80,000.00. It is our desire that the final stabilization amount will actually be less than this amount proposed amount.

Therefore, the combination of the aforementioned three items, Change Order #2 will increase the contract by \$314,428.82, with the new contract amount being \$4,805,028.82. In order for this Change Order to be executed in the recommended amount, it will be necessary to appropriate an additional \$50,000 into the Project Account.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: Account Name: Riverfront Development
Phase 1-A, Gangway Piles and Mass Fill
Account Number: 040-3315-532-2307 DT0015

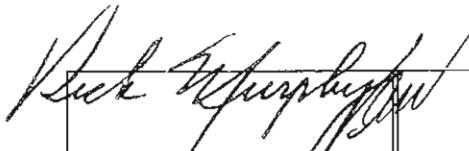
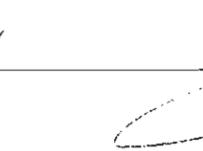
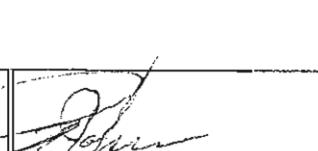
Finance

Staff Recommendation:

To adopt an Ordinance authorizing the Mayor to execute Change Order #2 in the amount of \$314,428.82 with MAC Construction & Excavating, Inc., for the Riverfront Redevelopment Project Phase 1-A, Piles and Mass Fill, which will increase the original Contract from \$4,490,600.00 to the new final Contract amount of \$4,805,028.82.

Attachments:

- Ordinance #2013-04-8029 - Original Contract
- Ordinance #2013-08-8062 - Change Order #1
- Municipal Order #1736
- Proposed Change Order #2 Form

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

Meeting Date: October 22, 2013

Short Title: Approve employment agreement for Chief of Police.

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Cindy Medford, Brandon Barnhill, Jeff Pederson
Presentation By: Jeff Pederson

Background Information:

Brandon Barnhill was appointed Chief of Police on September 17, 2013, after a thorough selection process. Consistent with past practices for this position, Chief Barnhill is offered an Employment Agreement which specifies major terms and conditions for his employment in the capacity of Chief of Police. The term of his employment is indefinite.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

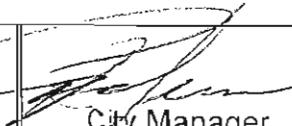
Funds Available: Account Name:
Account Number:

Finance

Staff Recommendation:

Authorize the Mayor and City Manager to sign and execute the employment agreement for Police Chief.

Attachments: Employment Agreement

Department Head	City Clerk	 City Manager
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Agenda Action Form

Paducah City Commission

Meeting Date: October 15, 2013

Short Title: Contract with Convention Center Corporation (CCC)

Ordinance Emergency Municipal Order Resolution Motion

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

Background Information:

As part of the Investment Fund Decision Items for FY2014, the Commission approved appropriation of funding for the Convention Center Corporation (CCC) in the amount of \$100,000, to be paid in quarterly installments (1st Quarter - \$34,500 – less insurance premiums), and Quarters 2, 3 and 4 in the amount of \$21,833.33 each.

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.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: This expenditure was appropriated in the FY2014 Budget.

Account Name: Investment Fund
Account Number: 004-0401-536-8069

Finance

Staff Recommendation:

Authorize the Mayor to enter into one-time Contracts For Services with CCC in the amount of \$100,000

Attachments:

Ordinance
Contract

Department Head	City Clerk	 City Manager
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CONTRACT FOR SERVICES

This Contract for Services, effective this _____ day of _____, 2013, by and between the **CITY OF PADUCAH** ("City") and the **CONVENTION CENTER CORPORATION** (hereinafter referred to as **CCC**).

WITNESSETH:

WHEREAS, the services of CCC as described herein are for the **direct** benefit of the citizens of the City of Paducah, and

WHEREAS, promoting conventions and tourism in the Paducah area serves a valid public purpose; and

WHEREAS, the City of Paducah desires to contract with CCC for the services to be described herein under the terms and conditions set forth in this Contract for Services.

NOW THEREFORE, in consideration of the foregoing premises and the mutual covenants as herein set forth, the parties do covenant and agree as follows:

SECTION 1: TERM The term of this contract for services shall be from the effective date of the contract until June 30, 2014.

SECTION 2: TERMINATION Either party may terminate this Contract for Services upon failure of any party to comply with any provision of this agreement provided any such party notifies the other in writing of such failure and the breaching party fails to correct the breach within thirty (30) calendar days of the notice.

SECTION 3: OPERATIONS PAYMENT In consideration of the administrative costs including compensation for personnel who carry out the objectives and services of CCC for services described herein, the City shall pay CCC the sum of ONE HUNDRED THOUSAND (\$100,000), as follows:

1st Quarter - \$34,500 (less insurance premiums)

It is agreed between the parties that the City shall deduct the insurance premiums due for the Convention and Expo Center from the first quarterly payments.

The remaining quarters shall be paid in equal one-third installments. A quarterly invoice will be provided by CCC prior to payment. In the event this Contract for Services is terminated the City shall not be obligated to make any further quarterly allocation payments.

SECTION 4: OBJECTIVES AND SERVICES CCC shall market and operate the Expo Center and Julian Carroll Convention Center to bring tourists and conventions to Paducah.

SECTION 5: ACCOUNTING

- (A) CCC shall conduct all accounting, financial management, and shall make regular reports of CCC's expenditures to ensure such expenditures are proper.
- (B) City shall have the right to inspect the operations of CCC, including reviewing its books, records, ledgers, or other documents, without prior notice of said inspection.
- (C) CCC shall supply an annual financial audit to the City by October 31, 2013. With the exception of the first quarter, quarterly payments shall not be paid until the City receives the annual financial audit.

SECTION 6: ENTIRE AGREEMENT This contract for services embodies the entire agreement between the parties and all prior negotiations and agreements are merged in this agreement. This agreement shall completely and fully supersede all other prior agreements, both written and oral, between the parties.

SECTION 7: WITHDRAWAL OF FUNDS Notwithstanding any other provision in this Contract for Services, in the event it is determined that any funds provided to CCC are used for some purpose other than in furtherance of the services described herein, the City shall have the right to immediately withdraw any and all further funding and shall immediately have the right to terminate this Contract for Services without advance notice and shall have the right to all remedies provided in the law to seek reimbursement for all monies not properly accounted.

Witness the signature of the parties as of the year and date first written above.

CITY OF PADUCAH

By _____
GAYLE KALER, Mayor

CONVENTION CENTER CORPORATION

By: 

Title Chairman

Date: 10.10.13