



CITY COMMISSION MEETING  
 AGENDA FOR AUGUST 27, 2013  
**5:30 P.M.**

**ROLL CALL**

**INVOCATION** – Joe Metzger, Elder -- Father's House of Paducah

**PLEDGE OF ALLEGIANCE**

**ADDITIONS/DELETIONS**

**PROCLAMATION: Women's Equality Day – M. KEMP**

	<b>I.</b>	<b><u>MINUTES</u></b>
	<b>II.</b>	<b><u>APPOINTMENTS</u></b>
		A. Paducah Area Transit Board
	<b>III.</b>	<b><u>MOTIONS</u></b>
		A. R & F Documents
	<b>IV.</b>	<b><u>MUNICIPAL ORDERS</u></b>
		A. Personnel Changes
		B. Accept Humvee and Armored Carrier from the Defense Logistics Agency's Law Enforcement Support Office (LESO) – ASST. CHIEF <b>BARNHILL</b>
		C. Sale of 511 North 5 <sup>th</sup> Street (Tract A) – <b>S. ERVIN</b>
		D. Sale of 511 North 5 <sup>th</sup> Street (Tract B) – <b>S. ERVIN</b>
		E. Sale of 517 North 5 <sup>th</sup> Street – <b>S. ERVIN</b>
	<b>V.</b>	<b><u>ORDINANCES – ADOPTION</u></b>
		A. KLC Premiums for Liability, Workers' Compensation and Property - <b>C. MEDFORD</b>
		B. Home 2012 House #5 – 1322 Madison Street – <b>S. ERVIN</b>
		C. 2012 Fire Prevention and Safety Award Extension – <b>S. ERVIN</b>
		D. Change Order #1 for the Riverfront Redevelopment Project Phase I-A.

		Piles and Mass Fill, for Demolition of the Executive Inn Concrete Slab for use as Mass Fill - <b>R. MURPHY</b>
		E. Purchase of Solid Waste Dumpsters for FY2013-2014 - <b>R. MURPHY</b>
		F. Purchase of a Trommel Portable Screening Plant for Use at Compost Yard - <b>R. MURPHY</b>
		G. Contract for Services:
		1) Paducah Area Transit - <b>CITY MGR PEDERSON</b>
		2) Barkley Regional Airport - <b>CITY MGR PEDERSON</b>
		3) Paducah Junior College, Inc - Paducah School of Art Funding - <b>CITY MGR PEDERSON</b>
		4) Paducah Junior College, Inc. - Community Scholarship Program - <b>CITY MGR PEDERSON</b>
	<b>VI.</b>	<b><u>ORDINANCES -INTRODUCTION</u></b>
		A. Change Order for Riverfront Development - <b>R. MURPHY</b>
		B. New Construction Bid Award for 717 Harrison Street - <b>S. ERVIN</b>
		C. Change Order #3 for Uniform Service in the Fire Department - <b>FIRE CHIEF KYLE</b>
		D. Contract for Services with GPEDC for FY2013-2014 - <b>CITY MGR PEDERSON</b>
		E. 2013/2014 Kentucky Transportation Discretionary Application - <b>ASST. CHIEF GRIMES</b>
	<b>VII.</b>	<b><u>CITY MANAGER REPORT</u></b>
	<b>VIII.</b>	<b><u>COMMISSIONER COMMENTS</u></b>
	<b>IX.</b>	<b><u>PUBLIC COMMENTS</u></b>
	<b>X.</b>	<b><u>EXECUTIVE SESSION</u></b>

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

- Appointment
- Reappointment
- Joint Appointment
- Joint Reappointment

NAME: Jonathan Mark Davis

NAME OF BOARD OR COMMISSION: \_\_\_\_\_

Paducah Area Transit System

DATE TO BE PLACED ON AGENDA: August 27, 2013

EXPIRATION OF TERM DATE: June 30, 2017

**APPOINTEE'S HOME ADDRESS:**

Street: 4018 Buckner Ln.

City/Zip: Paducah 42001

Phone: 519-8440

Email Address: mark.davis@purchaseadd.org

Appointee's Business Name: Purchase Area Development District

Address: 1002 Medical Drive (PO Box 558)

City/Zip: Mayfield, KY 42066

Phone: 270-251-6126 cell: 519-8440

TO REPLACE ON BOARD: \_\_\_\_\_

- Thank you
- Resigned

ADDRESS: \_\_\_\_\_

- Term Expired
- Other (explain)

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

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

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

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

**BOARD CHAIRMAN:**

\_\_\_\_\_

**Jonathan Mark Davis**  
4018 Buckner Lane  
Paducah, Kentucky 42001

Family

- Married 26+ years to Kelly S. Davis
- 3 sons, Matthew, Andrew & Patrick, all attending the University of Kentucky

Church

- Active member of Concord United Methodist Church, usher, Pastor-Parish Relations Committee, currently developing a new adult Sunday School Class with fellow members

Education

- 1981 graduate of Heath High School
- Attended Paducah Community College 1981-83
- BS from Murray State University, MSU Geography Student of the Year 1985

Work

- Employed at the Purchase Area Development District since 1987 in Regional and Transportation Planning fields
- Serve on the Kentucky Public Transit Association Board of Directors
- Recognized by the Kentucky Transportation Cabinet as the 1987 Outstanding West Kentucky public transportation grantee
- Recognized by the Kentucky Transportation Cabinet as the 2005 Outstanding West Kentucky public transportation grantee
- Inducted into the Kentucky Transit Hall of Fame, 2009 (13<sup>th</sup> person statewide)
- Serve as the West Kentucky representative on the Rural Transit Assistance Program (training funds for transit agencies) Committee

Community Activity

- Served on the Paducah Transit Authority Board 2001-present
- Past President of the McCracken County Youth Soccer Association

AUGUST 27, 2013

I move that the following documents be received and filed:

**DOCUMENTS**

1. Commissioner's Deeds
  - a. 1724 North 12<sup>th</sup> Street
  - b. 614 Husbands Street
  - c. 902 South 5<sup>th</sup> Street
  - d. 1245 Park Avenue
  - e. 2820 Bradley Street
  - f. 1126 Park Avenue
  
2. Contracts/Agreements
  - a. Construction Overage Agreement between the City of Paducah, County of McCracken, G.P.E.D.C., INC., and Teletech Services Corporation for construction of a customer care center building and associated parking lot located at Paducah Commerce Park (MO # 1735)
  - b. Management Agreement between the City of Paducah and Paducah McCracken County Joint Sewer Agency (JSA) for Information Technology Services (ORD # 2013-08-8055)
  - c. Contract for services with the Luther F. Carson Four Rivers Center, Inc. for Fiscal Year 2013/2014 (ORD # 2013-08-8058)
  - d. Contract for services with Paducah Tilghman High school – Tornado League Football for Fiscal Year 2013/2014 (Executed by the City Manager)
  
3. Notice of Cancellation for the Board of Commissioners of the City of Paducah, Kentucky
  - a. Regular Meeting scheduled for 5:30 p.m., Tuesday, July 16, 2013
  - b. Regular Meeting scheduled for 5:30 p.m., Tuesday, June 18, 2013
  - c. Regular Meeting scheduled for 5:30 p.m., Tuesday, August 20, 2013
  
4. Deed between City of Paducah and Todd Teas and Deborah Teas for Sheehan Bridge Road Property Tract I (ORD # 2013-07-8048)
  
5. Deed between City of Paducah and Karen Jackson for Sheehan Bridge Road Property Tract II (ORD # 2013-07-8049)

DRAFT

CITY OF PADUCAH  
August 27, 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.

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City Manager's Signature

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Date

CITY OF PADUCAH  
PERSONNEL ACTIONS  
August 27, 2013

DRAFT

TERMINATIONS - PART-TIME (P/T)/TEMPORARY/SEASONAL

PARKS SERVICES

Dunlap, Bruce L

<u>POSITION</u>	<u>REASON</u>	<u>EFFECTIVE DATE</u>
Lifeguard	Seasonal / Temporary	August 12, 2013

NEW HIRE - FULL-TIME (F/T)

EPW - STREET

Petty, Xavier J.

<u>POSITION</u>	<u>RATE</u>	<u>NCS/CS</u>	<u>FLSA</u>	<u>EFFECTIVE DATE</u>
ROW Maintenance Person	\$13.74/Hr	NCS	Non-Ex	August 29, 2013

Stewart, Bryce

ROW Maintenance Person	\$13.74/Hr	NCS	Non-Ex	August 29, 2013
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## Agenda Action Form Paducah City Commission

Meeting Date:  
08.27.2013

Short Title: Accept vehicles from LESO

Ordinance  Emergency  Municipal Order  Resolution  Motion

Staff Work By: Captain Mark Roberts

Presentation By: Asst. Chief Stacey Grimes and Captain Mark Roberts

### Background Information:

Through the Defense Logistics Agency's Law Enforcement Support Office (LESO), the police department was able to acquire, at no cost, two specialty vehicles.

1. A military High Mobility Multipurpose Wheeled Vehicle (HMMWV), commonly known as the Humvee. The department intends to use the vehicle to transport officers and equipment during disasters, to reach remote areas inaccessible to police cruisers, and for use by the SWAT team and Bomb Squad in their duties. The original cost was \$39,052. It was manufactured in 2008 and has 5,380 miles on the odometer.
  
2. An armored truck, known as a Mine Resistant Ambush Protected (MRAP) vehicle. The original cost was \$412,000. It was manufactured in 2008 and has 4,893 miles on the odometer. The department intends to use the vehicle to rescue officers or civilians under gunfire, or to get Special Weapons and Tactics (SWAT) or Bomb Squad officers close to dangerous situations involving gunfire or explosives.

Goal:  Strong Economy  Quality Services  Vital Neighborhoods  Restored Downtowns

Funds Available: Account Name:  
Account Number:

Finance
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Staff Recommendation: Accept property

Attachments:

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

A MUNICIPAL ORDER ACCEPTING THE DONATION OF A MILITARY HIGH MOBILITY MULTIPURPOSE WHEELED VEHICLE (HMMWV) COMMONLY KNOWN AS A HUMVEE AND A MINE RESISTANT AMBUSH PROTECTED (MRAP) VEHICLE FROM THE DEFENSE LOGISTICS AGENCY'S LAW ENFORCEMENT SUPPORT OFFICE TO BE UTILIZED BY THE PADUCAH POLICE DEPARTMENT

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. The City of Paducah hereby accepts the donation of a 2008 military High Mobility Multipurpose Wheeled Vehicle (MHHWV) commonly known as a Humvee (original cost \$39,052) and an armored truck known as a Mine Resistant Ambush Protected (MRAP) vehicle (original cost \$412,000) from the Defense Logistics Agency's Law Enforcement Support Office to be utilized by the Paducah Police Department.

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, August 27, 2013  
Recorded by Tammara S. Sanderson, City Clerk, August 27, 2013  
m:donation-police-humvee & armored car

LAW ENFORCEMENT AGENCY (LEA)  
ARMORED TACTICAL VEHICLE REQUEST

SCREENER ID: KY25941 AGENCY NAME: Paducah Police Department  
POC: Mark Roberts  
ADDRESS (No P.O. Box): 1400 Broadway  
CITY: Paducah STATE: KY  
ZIP: 42001 EMAIL: mroberts@paducahky.gov  
PHONE: 270-444-8548 FAX: 270-444-8663

1. Type of Armored Tactical Vehicle Requested (if a specific type is required):  
Wheeled vehicle: Up-armored Humvee, APC Style vehicle
2. Number of Armored Vehicles Requested: 1
3. Geographic Responsibility (Square Miles Covered): 249
4. Is the LEA in a High Intensity Drug Trafficking Area (HIDTA): Yes  No   
Verify at: <http://www.whitehousedrugpolicy.gov/hidta>
5. Is the LEA willing to accept an Armored Tactical Vehicle that is: Tracked  Wheeled  Either
6. Number Type of 1208, 1033 Armored Tactical Vehicles Currently on Inventory:  
0
7. Special Considerations:  
No current armored capabilities. We service 3 tactical teams, and the closest armored vehicle is over 4 hours away. We respond to a DOE uranium enrichment facility, a national railroad hub, an airport, multiple petroleum storage facilities and river ports, Tennessee Valley Authority and is the intersection of 3 major rivers.

The Chief Executive Official Head of Agency (Local Field Office), by signing, certifies that the requesting agency listed above has the appropriate funds, personnel, and equipment to operate and maintain the requested vehicle. It is also understood that this agency will not sell, trade, or cannibalize for parts, armored vehicles acquired through the 1033 Program. They certify that all information contained above is accurate and the request for an armored tactical vehicle is warranted and has been approved

CHIEF EXECUTIVE OFFICIAL:  
HEAD OF LOCAL AGENCY

Stacey Grimes DATE: 07/03/12  
PRINTED NAME  
Stacey Grimes  
SIGNATURE

STATE COORDINATOR:  
(NOT REQUIRED FOR FEDERAL)

DATE: \_\_\_\_\_  
PRINTED NAME  
SIGNATURE

LESO USE ONLY

LESO OFFICIAL:

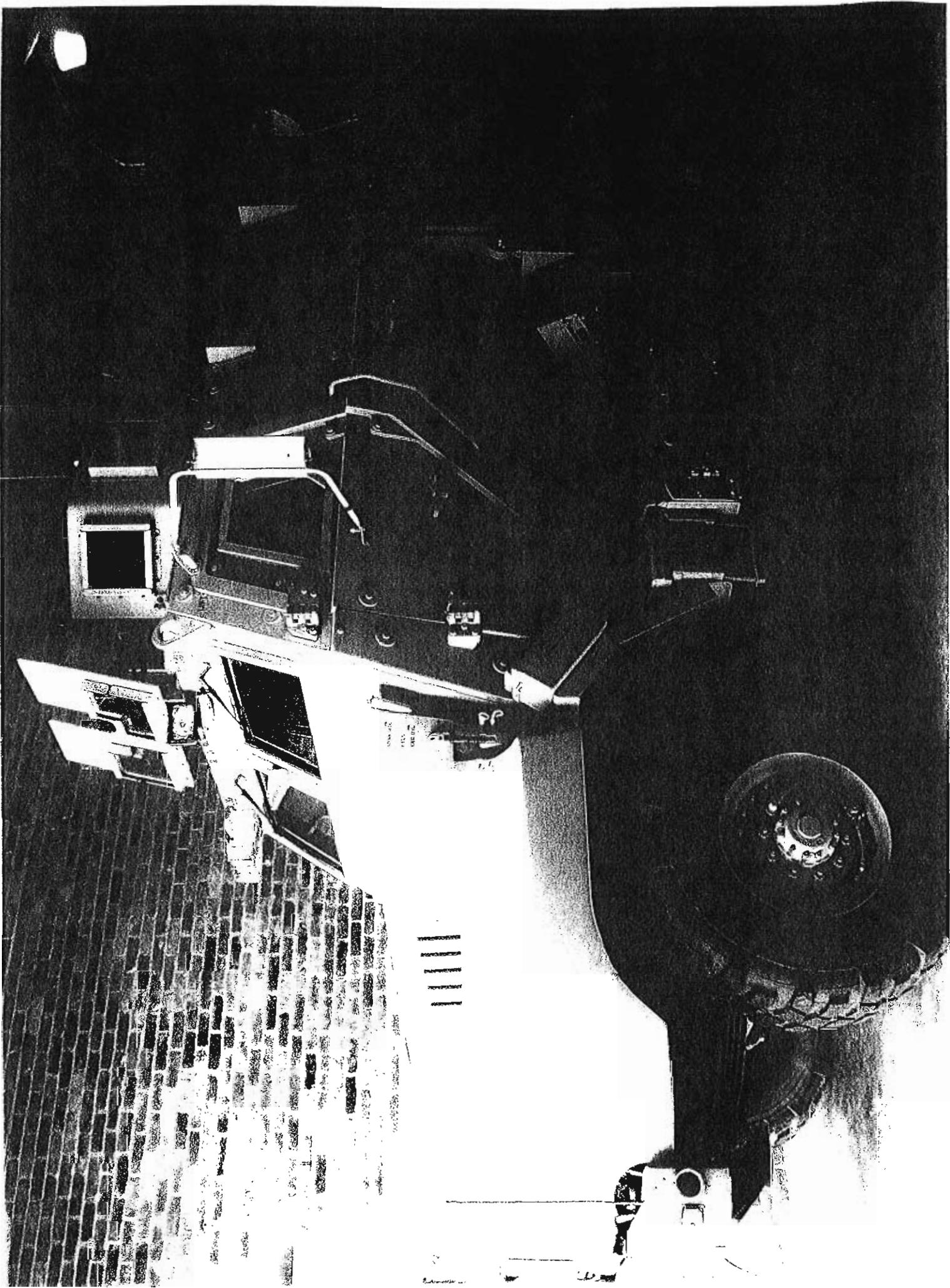
PRINTED NAME  
SIGNATURE

DATE LEA WAS ADDED TO THE NATIONAL PRIORITY LIST: \_\_\_\_\_

LESO NOTES: \_\_\_\_\_

DISAPPROVED BY LESO:  REASON: \_\_\_\_\_

RFTZ  
M  
A300455  
TI/CC



# Transferring Property from the Warfighter to the Crimefighter



**Law Enforcement  
Support Office**

**AMERICA'S  
COMBAT  
LOGISTICS  
SUPPORT  
AGENCY**

SWAT

## Transferring Property from the Warfighter to the Crimefighter

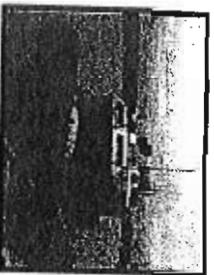
### We Are The LESO

Under Section 1033 of the National Defense Authorization Act of Fiscal Year 1997, Congress authorized the Secretary of Defense to transfer personal property that is excess to the Department of Defense (DoD) to Federal and State Law Enforcement Agencies (LEAs). The Law Enforcement Support Office (LESO) administers and executes 10 USC Section 2576a, for the Director, Defense Logistics Agency (DLA). DLA Disposition Services is a primary field level activity of DLA. DLA Disposition Services headquarters, is located in Battle Creek, MI.

Since inception, the Law Enforcement Support Office has transferred over 5,000,000 line items of property, significantly enhancing Law Enforcement Agency capabilities and saving tax-payers more than \$2.1 billion dollars.

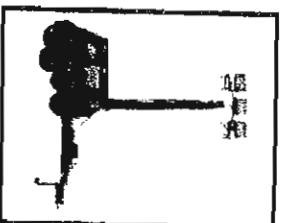
The 1033 Program significantly increases the capabilities of Law Enforcement Agencies (LEAs) nationwide while reducing costs for taxpayers. The LESO Team is dedicated to providing superior service to the Law Enforcement community by transferring excess property "from the War fighter to the Crime fighter."

## Property Available



Rescue, Safety and Environmental Protection Equipment such as ambulances, watercraft and welding machines.

Tactical and Field gear such as cots, blankets, generators, heaters and floodlights to support operational readiness.



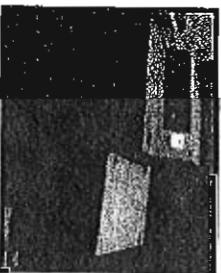
Special Weapons and Tactics Equipment such as boots and many other individual tactical clothing and equipment items.



Exercise Equipment such as treadmills, weights and bikes to maintain fitness standards.



Office Equipment such as computers, copiers, fax machines and furniture.



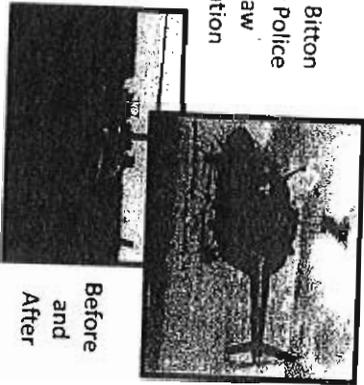
Training and Support items such as microwaves, refrigerators and furniture for operational readiness.



## Success Stories

*"LESO has provided a means for our multi-jurisdictional air support unit to acquire surplus military helicopters that have saved lives, found missing children and adults, apprehended fleeing felons and located illegal drug operations. LESO's continuing support and responsiveness to the needs of law enforcement has been instrumental in our efforts to enhance the safety of all first responders and the public we serve. Simply stated, these critically needed air support assets would not be available without the 1033 program and LESO's assistance."*

Commander Dan Bitton  
Winthrop Harbor Police  
Department, IL, Law  
Enforcement Aviation  
Coalition



Before  
and  
After

*"The infusion into our armory of the M-16s enables our division to more effectively respond to high level threats including high-risk warrants, to provide executive protection and witness protection and to assist other law enforcement in responding to situations which might involve weapons of mass destruction or suicide bombers, for example. In this day and age, law enforcement can never be too prepared to respond to such emergencies. We have received automobiles, bullet proof vests and other items through this program."*

Deputy Marshal II Vince Naputi  
Marshals Division of the Judiciary of Guam

## Requesting Enrollment

State and Federal Law Enforcement Agencies must request enrollment by submitting an Application for Participation.

Applications for Participation are found at:

<https://www.drms.dla.mil/rtdd03/leso/application.pdf>

*Application for Participation instructions are found at:*

<https://www.drms.dla.mil/rtdd03/leso/applicationinst.pdf>

### STATE

State LEAs must submit applications for participation to their State Coordinator. Approved applications are forwarded to the LESO for final approval and processing.

State Coordinator listing is found at:

<https://www.drms.dla.mil/rtdd03/leso/statecoormap.shtml>

### FEDERAL

Federal LEAs may submit their Application for Participation directly to the LESO at:

E-mail: [DRMSLESO@dlamail.mil](mailto:DRMSLESO@dlamail.mil)

OR

Fax: 1-269-961-4431

The LESO will review the Application for Participation. If approved, the Letter of Authorization for screening will be sent to the LEA the same day it was received.

## \$212 Million in property

## reutilized in Fiscal Year 2010

## What could this mean for your Agency?

Through the LESO, agencies are able to easily request property that they otherwise would be unable to afford. The DLA Disposition Services LESO provides an alternate source of supply that enables law enforcement agencies to request adequate equipment for their officers to stay safe. With the money saved, agencies are often able to retain officers and hire new staff even in the midst of a fiscally constrained environment. Agencies are then able to provide training and equipment to officers that were previously unavailable.



## Annual 1033 Program National Conference

Through annual conference briefings, the LESO provides updates on policies and procedures as well as training and assistance to our customers and 1033 Program State Coordinators. This forum is the catalyst for constructive interaction between the LESO staff, our 1033 Program State Coordinators, our customers and strategic partners such as Office of the Secretary of Defense, Department of Justice/National Institute of Justice, US Tank Automotive and Armaments Command, Naval Surface Warfare Center-Crane, International Association of Chiefs of Police, National Sheriff's Association and many others.

The Law Enforcement Support Office is dedicated to providing superior service and savings to the Law Enforcement community and the tax-payer by transferring excess property *"from the warfighter to the crimefighter"*.

Visit Us Online at:

<https://www.drms.dla.mil/rtd03/ieso/index.shtml>

The 1033 Program is one of thirteen Department of Defense Special programs that aim at providing cost savings to the taxpayer when property is no longer needed by the military services. Other Special Programs include Civil Air Patrol (CAP), Computers for Learning (CFL), Contractors, Firefighter, Museums, Foreign Military Sales (FMS), Humanitarian Assistance (HAP), Military Affiliate Radio System (MARS), National Guard Units, Senior Reserve Officer Training Corps (ROTC) Units and the Morale/Welfare/Recreation Activities (MWRRA) Services.

**Links to these programs are found at:**

<https://www.drms.dla.mil/rtd03/miscprograms.shtml>



Toll Free Phone: 1-800-532-9946

Fax: 1-269-961-4431

E-mail: [DRMSLESO@dlamail.mil](mailto:DRMSLESO@dlamail.mil)

Website: <https://www.drms.dla.mil/rtd03/ieso/index.shtml>

Law Enforcement Support Office  
ATTN: DLA Disposition Services 88L  
74 North Washington Avenue  
Battle Creek, Michigan 49037

# Defense Logistics Agency Instruction



DLAI 1111  
November 14, 2003  
Modified December 9, 2009  
DRMS J-363

## Law Enforcement Support (LES)

References. Refer to Enclosure I.

### I. PURPOSE

a. This Defense Logistics Agency (DLA) Instruction (DLAI) describes the processes used by DLA to provide support to Law Enforcement Activities (LEA). The DLA LES Office (LESO) administers and executes section 2576a, Title 10, United States Code, for the Director, DLA, at the direction of the Secretaries of Defense. The LESO transfers excess Department of Defense (DoD) personal property deemed suitable for use to Federal and state law enforcement activities. This process is known as the 1033 Program. The customer base is exclusively law enforcement and participation is controlled through the LESO. Federal and state law enforcement activities' requests for excess DRMO equipment are submitted to the LESO who in turn approves or disapproves the request. Memorandums of Agreement (MOA) have been entered into with each state and four territories, establishing them as DoD customers.

b. Federally owned excess property deemed suitable in support of the police functions of arrest and apprehension and or duties directly supporting law enforcement activities is reutilized by transferring excess property to eligible LEAs at no cost to DoD. This mission is carried out in consultation with the Attorney General, Department of Justice, and the Secretary of Defense, Office of National Drug Enforcement Policy and Support, in accordance with Public Law supporting the president's National Homeland Defense strategy.

c. The focus on LESO transfer of property under the 1033 Program (order fulfillment) is to ensure customers receive property in a fair, equitable, and timely manner.

### 3. POLICY

a. It is DLA policy to execute and administer the 1033 Program, under Section 2576a, Title 10, United States Code, for the Director, DLA, as directed by the Secretary of Defense. The Director, DLA, will serve as the designated agent for the Secretary of Defense for management and oversight for the LESO Program Office. DLA will coordinate with the Office of the Assistant Deputy Under Secretary of Defense, Supply Chain Integration (ADUSD SCI), and the designated DoD office for program policy guidance. DLA will also consult with the National Institute of Justice (NIJ) and with the Director of National Drug Control Policy in carrying out the program.

**NOTE:** DLA provides management oversight of the LESO, responds to congressional and other inquiries on behalf of the Agency related to the program, issues program guidance in an Agency instruction, and executes agreements with the state coordinators concerning the program. Requests will be fairly and thoroughly reviewed to determine priority and suitability of the request (using criteria developed in consultation with DoD and NIJ), and to ensure excess property is in direct support of the police functions of arrest and apprehension and or duties directly supporting law enforcement activities. Approved requests are met on a first-come first-served basis with additional criteria for special categories of property (aircraft, weapons). Transfer of property is on an as-is where-is basis and is in accordance with established DoD policy (DoD 4160.21-M, Chapter 5, Attachment 1, paragraph 2) and terms and conditions stated in the applicable MOA. All costs associated with property and transportation are borne by the LEA or Federal agency.

b. The Defense Reutilization and Marketing Service (DRMS) will provide management oversight for property issued under the program and assist LESO in accessing the automated system for defense excess property.

c. The Defense Reutilization and Marketing Offices (DRMO) will issue excess property approved for release under the program, permit onsite screening of property by approved screeners, and when appropriate, in accordance with terms and conditions in the MOA, accept property for demilitarization and disposal action from the state coordinator LEAs.

#### 4. RESPONSIBILITIES

a. Develop plans, policy, procedures, program objectives, guidance, and program evaluation criteria regarding the administration, management, oversight and implementation of the DoD LES Program. Coordinate through DLA with the Office of the Assistant Deputy Under Secretary of Defense, Supply Chain Integration (ADUSD SCI), the designated DoD office for program policy guidance, and consult with NIJ and the Director of National Drug Control Policy in carrying out the program.

b. Guide and administer the LES Program (<http://www.dla.mil/j-3/leso>), commonly referred to as the 1033 Program, on behalf of the Director, DLA, and the Office of the Secretary of Defense.

(1) Develop procedures criteria for 1033 Program (<http://www.dla.mil/j-3/leso/section1033.htm>) equipment transfer to include types of material that may be transferred; maximum equipment allowance; justification requirements; prioritizing of requests; special handling criteria (i.e., weapons, aircraft, etc.); 1033 Program equipment recovery and disposal procedures; program performance and evaluation measures; and develop any other special program procedures, as needed (i.e., transitional distribution points, customer reserve stock, etc.).

(2) Develop policy and procedures for 1033 Program enrollment application (<http://www.dla.mil/j-3/leso/Section1033WhoCanPart.htm>) (<http://www.dla.mil/j-3/leso/Section1033how2enroll.htm>). Approve or deny customer enrollment requests ([www.safetysource.com](http://www.safetysource.com)). Establish a customer base (<http://www.dla.mil/j-3/leso/customerbase.htm>).

3 les0 Section1033 DATAPDFSHEET.pdf ) and provide approved LEAs with a letter of authorization so they may screen DRMOs for excess personal property or so they may screen online by accessing the DRMS automated system using their assigned LEA identification number (<https://wex.drms.dla.mil/les0/LesoHome.html>).

(3) Negotiate and develop MOAs (<http://www.dla.mil/j-3/les0/memorandumAgree.htm>) between DLA and each state territory, in consultation and coordination with the DLA General Counsel and the Department of Justice for rules, policies, and procedures governing the 1033 Program. The MOA must contain the terms and conditions for participation in the program with each state. State coordinators sign the MOA establishing them as DoD customers. Generally, MOAs are not executed with Federal agencies.

(4) Develop and implement property management systems and accountability policy for the administration of the 1033 Program to include development of system interface (i.e., DRMS to the Law Enforcement Equipment Data System [LEEDS]).

(a) Develop, operate, and maintain the DoD DLA LES office Web site (<http://www.dla.mil/j-3/les0/>) to provide information, instructions, and program guidance to the law enforcement community and other DoD agencies with interests in the 1033 Program. Provide a Web-link to DRMS LESO application for automated requisitioning (<https://wex.drms.dla.mil/les0/LesoHome.html>).

(b) Develop, operate, and maintain the DoD DLA LES Counter Drug Management Information System (CMIS) database which serves as an accountability and tracking system for property transferred through the 1033 Program (<http://www.dla.mil/j-3/les0/aboutcmis.htm>).

c. Process customer requests.

(1) Receive 1033 Program requests from the customer through the automated DRMS system (<https://wex.drms.dla.mil/les0/LesoHome.html>) or via fax. Automated requests will have priority over manual DRMS Form 103, Screeners Tally Requests ([http://www.dla.mil/j-3/les0/Section1033\\_drms103.htm](http://www.dla.mil/j-3/les0/Section1033_drms103.htm)), which will be accepted on a case-by-case basis. Training guides on processing automated requests have been created for the LEA, state coordinator, and LESO. The LEA and state coordinator training guides are available on the LESO Web site ([http://www.dla.mil/j-3/les0/DRMS\\_LESO\\_drms\\_leso\\_auto.htm](http://www.dla.mil/j-3/les0/DRMS_LESO_drms_leso_auto.htm)).

NOTE: Special request procedures are in place for the transfer of excess weapons and aircraft, see LESO Standard Operating Procedures (SOP), located on the LESO share drive

(2) Approve or deny request based on established procedures. If denied, provide rationales to state coordinators and Federal agencies and offer alternative sources options, where available. If approved, transfer property to eligible transferees, in accordance with the terms and conditions stated in the applicable MOA.

(3) On manual requests, process the approved request in the LEEDS database and provide the customer with a LESO coordinator approved signed DD Form 1348-1A, authorizing the customer to receive equipment from the supplier (DRMO or RCP). On automated requests after the LESO approval process has taken place, the request is submitted via the DRMS

automated system to Military Standard Requisitioning and Issue Procedures (MILSTRIP) for end of day processing. If MILSTRIP approves the request, a DD Form 1348-1A will be available from the supplier (DRMO or RCP).

(4) On DRMO requests, the applicable DRMO (supplier) fulfills the request. LESO customers must coordinate with the DRMO to pay for shipment of materials or they must pick up the materials themselves. On RCP requests, the RCP fulfills the request and ships the materials to the customer free of charge. LESO will download data provided from the DRMS system to the LEEDS for material tracking purposes. LESO will also conduct inventory reconciliations with the customer to ensure approved materials are received by the requesting agency. State coordinators may access inventory reports for their state through the LESO Web site ([http://www.dla.mil/j-3/leso/leso\\_login.asp](http://www.dla.mil/j-3/leso/leso_login.asp)). Materials no longer needed by the customer may be returned to DRMS, transferred to another authorized agency, or disposed, in accordance with established procedures (<http://www.dla.mil/j-3/leso/Section1033/>).

d. Review program by conducting 1033 Program compliance reviews biannually to each state and U.S. territory to monitor and evaluate compliance with the 1033 Program guidelines and MOA specifications. Use established checklists to conduct the review. Participate with other DLA offices and other executive agencies to ensure LEA compliance and application of DoD disposal policy. Work with DoD audit agencies regarding evaluation of the 1033 Program and work in conjunction with DoD, DLA, General Accounting Office (GAO), and other field offices' Criminal Investigation Services and Special Investigations offices regarding cases being investigated involving property received by LEAs through the 1033 Program. Take appropriate action for material noncompliance with the terms and conditions of the applicable MOA. Modify the MOA, as needed, by new legislation, rules, laws, Executive Orders, Office of the Secretary of Defense directives, DLA or DRMS policy, and customer feedback (<http://www.dla.mil/j-3/leso/feedback.asp>).

(1) Oversee and prepare submission of reports regarding the 1033 Program. Provide responses to congressional, state governor, and other DoD agency inquiries, as well as public affairs' inquiries under the Freedom of Information Act concerning the transfer of DoD excess personal property and the 1033 Program.

(2) Provide staff assistance and guidance to DRMS and conduct continuing objective analysis of performance and compliance relative to goals and standards of the 1033 Program. Participate in DoD-level meetings regarding policies and procedures relating to the utilization and transfer of excess DoD personal property through the 1033 Program.

(3) Plan, coordinate, and host the annual DLA LES 1033 Program National Conference ([http://www.dla.mil/j-3/leso/lesoConference\\_conf\\_default.htm](http://www.dla.mil/j-3/leso/lesoConference_conf_default.htm)) designed to brief, present, and discuss 1033 Program issues and effect improvements to the program.

## 5. PROCEDURES.

- a. Develop plans, policy, procedures and program objectives
- b. Guide and administer program

- c. Process customer requests
- d. Receive request.
- e. Approve or deny request.
- f. Process requisition.
- g. Satisfy requisition.
- h. Review program.

6. EFFECTIVE DATE. July 14, 2009.

COL Thomas M. Laffey, USAF  
Director, DLA Enterprise Support

2 Enclosures

Enclosure 1 – References

Enclosure 2 – Definitions

Enclosure 3 - Additional Information

References

1. United States Code, Title 10, Section 2576a, Excess Personal Property: Sale or Donation for Law Enforcement Activities (P.L. 104-201, Â§1033) (<http://www4.law.cornell.edu/uscode/>; <http://www4.law.cornell.edu/uscode/>; [http://resourcescommittee.house.gov/104cong\\_laws/104.htm](http://resourcescommittee.house.gov/104cong_laws/104.htm); [http://thomas.loc.gov/cgi-bin/query\\_F?c104:l1:temp~c104vZNSJ:e706826](http://thomas.loc.gov/cgi-bin/query_F?c104:l1:temp~c104vZNSJ:e706826)).
2. Letter from the Office of the Attorney General to the Secretary of Defense, 26 Mar 97. The Attorney General advises the Secretary of Defense on the administration of the Law Enforcement Excess Property Program.
3. Letter from the Secretary of Defense to the Under Secretary of Defense for Acquisition and Technology, 26 Jan 95, Section 1208, Excess DOD Personal Property Program.
4. Letter from the Secretary of Defense to the Under Secretary of Defense for Acquisition and Technology, 8 Feb 99, DOD Excess Personal Property Program
5. Letter from the Logistic Director to the Assistant Deputy Under Secretary of Defense for Supply Chain Integration (AUDUSD SCI), 10 Jan 00, Criteria for Issuing Aircraft, Weapons, and Peacekeeper Vehicles under the Transfer of Excess Property to Law Enforcement Activities
6. DoD 4160.21-M, Defense Materiel Disposition Manual ([http://www.drms.dla.mil/publications/4160.21\\_toc.htm](http://www.drms.dla.mil/publications/4160.21_toc.htm)).
7. DoD 4160.21-M-1, Defense Demilitarization Manual (<http://www.drms.dla.mil/publications/>).
8. Higher level directives, regulations, etc.
9. DoD policy. See mission and functions at the DLA J-372 Web site (<http://www.dla.mil/>).
10. Defense Logistics Agency Memorandum of Agreement (MOA) with state (<http://www.dla.mil/j-3/ieso/memorandum.Agree.htm>).

### Definitions

1. Defense Reutilization and Marketing Office (DRMO) - The DLA organizational entity having accountability for and control over disposable property (<http://www.drms.dla.mil>).
2. Defense Reutilization and Marketing Service (DRMS) - The DLA organizational entity having management responsibility for the Defense Materiel Disposition Program.
3. Eligible Entity - A Federal agency or a state agency through its state coordinator.
4. Excess Personal Property - Any personal property under the control of any Federal agency which is not required for its needs and the discharge of its responsibilities, as determined by the head thereof.
5. Federal Agency - Any agency, department, independent establishment, commission, administration, authority, board or bureau of the United States, or any corporation in which the United States has a proprietary interest. (See 18 USC 6.)
6. Law Enforcement Activity (LEA) - Law enforcement activities are those activities undertaken by Government agencies whose primary function is the enforcement of applicable Federal, state, and local laws, and whose compensated law enforcement officers have powers of arrest and apprehension.
7. Law Enforcement Support Office (LESO) - The DLA entity having program responsibility and management for the transfer of excess personal property for law enforcement activities.
8. Memorandum of Agreement (MOA) - The memorandum between DLA and the state which sets forth the terms and conditions of the relationship for transferring excess property determined to be suitable for law enforcement purposes.
9. State Coordinator - The governor-appointed person authorized to enter into the MOA for the state. This person will act as sponsor for local LEAs that desire excess personal property, coordinating their requests.

Additional Information

1. Internet systems:
  - a. Law Enforcement Support Office Web site (<http://www.dla.mil/j-3/leso/>).
  - b. DRMS Web site (<http://www.drms.dla.mil/>),
    - (1) Reutilization (<http://www.drms.dla.mil/rtda/>).
    - (2) Twelve Special Reutilization Programs ([http://www.drms.dla.mil/rtda/RTD\\_Info/Special\\_Programs/special\\_programs.html](http://www.drms.dla.mil/rtda/RTD_Info/Special_Programs/special_programs.html)).
  - c. DRMS LESO 1033 Automation (<https://wex.drms.dla.mil/leso/LesoHome.html>).
2. Law Enforcement Equipment Data System (LEEDS) database- The LESO develops, operates, and maintains the DoD DLA LES office Law Enforcement Equipment Data System (LEEDS) database, which serves as the accountability and tracking system for property transferred through the 1033 Program.
3. LEA datasheet (<http://www.dla.mil/j-3/leso/Section1033/DATAPDFSHEET.pdf>).
4. DRMS Form 103 request (<http://www.dla.mil/j-3/leso/Section1033/drms103.htm>).
5. DD Form 1348-1A, for property transfer (<http://www.drms.dla.mil/turn-in/dd13481a.pdf>)



Boston Police Department's armored vehicles used during the capture of the Boston Marathon bombing suspect.



# The Big Story

## Boston bombing suspect captured, brother killed

By JAY LINDSAY and EILEEN SULLIVAN

— Apr. 20 12:25 AM EDT

Home » Massachusetts » Boston bombing suspect captured, brother killed



Police in tactical gear conduct a search for a suspect in the Boston Marathon bombings, Friday, April 13, 2013, in Watertown, Mass. The bombs that blew seconds apart near the finish line of the Boston Marathon left the streets scattered with blood and glass, and gaping questions of who chose to attack and why. AP Photo/Matt Bourke

- Prev
- 1 of 16
- Next

WATERTOWN, Mass. (AP) — Lifting days of anxiety for a city and a nation on edge, police captured the surviving Boston Marathon bombing suspect, found bloodied in a backyard boat Friday night, less than 24 hours after a wild car chase and gun battle that left his older brother dead and Boston and its suburbs sealed in an extraordinary dragnet.

"We got him," Boston Mayor Tom Menino tweeted. A cheer erupted from a crowd gathered near the scene.

"CAPTURED," police added later. "The hunt is over. The search is done. The terror is over. And justice has won. Suspect in custody."

During a long night of violence Thursday and into Friday, brothers Dzhokhar and Tamerlan Tsarnaev killed an MIT police officer, severely wounded another lawman and hurled explosives at police in a desperate getaway attempt, authorities said.

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#### Oil drops 2 percent as Fed policy signal awaited

Aug. 20 3:50 PM EDT

#### AP on Twitter



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AirTrain trains to New York advised businesses not to open and warned close to 1 million people in the entire city and some of its suburbs to unlock their doors only for uniformed police.

Around midday, the suspects' uncle, Russian Tsarnaev of Montgomery Village, Md., beamed on television: "Dzhokhar, if you are alive, turn yourself in and ask for forgiveness."

Until the younger man's capture, it was looking like a grim day for police. As night fell, they announced that they were scaling back the hunt and lifting the stay-indoors order across Boston and some of its suburbs because they had come up empty-handed.

But then the break came and within a couple of hours, the four-day ordeal was over. Dzhokhar Tsarnaev was captured about a mile from the site of the shootout that killed his brother.

Dnechnya has been the scene of two wars between Russian forces and separatists since 1994, in which tens of thousands were killed in nearly Russian bombing. That spawned an Islamic insurgency that has carried out deadly bombings in Russia and the region, although not in the West.

The older brother had strong political views about the United States, said Alprent Ammon, 13, a downstairs-apartment neighbor in Cambridge. Ammon quoted Tsarnaev as saying that the U.S. uses the Bible as an excuse for invading other countries.

Also, the FBI interviewed the older brother at the request of a foreign government in 2011, and nothing derogatory was found, according to a federal law enforcement official who was not authorized to discuss the case publicly and spoke on condition of anonymity.

The official did not identify the foreign country or say why it made the request.

Authorities said the man dubbed Suspect No. 1 — the one in sunglasses and a dark baseball cap in the surveillance-camera pictures — was Tamerlan Tsarnaev. While Suspect No. 2, the one in a white baseball cap worn backward, was his younger brother.

Exactly how the long night of crime began was unclear. But police said the brothers carjacked a man in a Mercedes-Benz in Cambridge, just across the Charles River from Boston, then released him unharmed at a gas station.

They also shot to death a Massachusetts Institute of Technology police officer, 33-year-old Sean Collier, while he was responding to a report of a disturbance, investigators said.

The search for the Mercedes led to a chase that ended in Watertown, where authorities said the suspects threw explosive devices from the car and exchanged gunfire with police. A transit police officer, 33-year-old Richard Donohue, was shot and critically wounded, authorities said.

Dzhokhar Tsarnaev somehow slipped away. He ran over his already wounded brother as he fled, according to two law enforcement officials who spoke on condition of anonymity because they were not authorized to discuss the investigation. At some point, he abandoned his car and ran away.

Tamerlan Tsarnaev died at a Boston hospital after suffering what doctors said were multiple gunshot wounds and a possible blast injury.

The brothers had built an arsenal of pipe bombs, grenades and improvised explosive devices and used some of the weapons in trying to make their getaway, said Rep. Dutch Ruppersperger, D-Md., a member of the House Intelligence Committee.

Watertown resident Kayla Diab said she was woken up overnight by gunfire and a large explosion that sounded like it was right next to my head ... and shook the whole house."

She said she was looking at the front door when a bullet came through the glass paneing. SWAT team officers were running all over her yard, she said.

"It was very scary," she said. "There are two bullet holes in the side of my house, and by the front door there is another."

Tamerlan Tsarnaev had studied accounting as a part-time student at Bunker Hill Community College in Boston for three semesters from 2008 to 2009, the school said.

Dzhokhar Tsarnaev was registered as a student at the University of Massachusetts Dartmouth. Students said he was on campus this week after the Boston Marathon bombing. The campus closed down Friday along with colleges around the Boston area.

The men's father, Anzor Tsarnaev, said in a telephone interview with AP from the Russian city of Makhachkala that his younger son, Dzhokhar, is "a true angel." He said his son was studying medicine.

"He is such an intelligent boy," the father said. "We expected him to come on holidays here."

The city of Cambridge announced two years ago that it had awarded a \$2,500 scholarship to him. At the time, he was a senior at Cambridge Rindge & Latin School, a highly regarded public school whose alumni include Matt Damon, Ben Affleck and NBA Hall of Famer Patrick Ewing.

Tsarni, the men's uncle, said the brothers traveled here together from Russia. He called his nephews "losers" and said they had struggled to settle in the U.S. and ended up "thereby just hating everyone."

Sullivan and Associated Press writers Stephen Braun and Jack Gillum reported from Washington. Associated Press writers Mike Hill, Katie Zezima, Pat Eaton-Robo and Steve LeBlanc in Boston and Jeff Dorn in Cambridge, Mass., contributed to this report.

## Tags

Europe, Government and politics, Barack Obama, North America, United States, Industries, Business, United States government, Sports, Events, Men's sports, Accidents, Transportation accidents, Accidents and disasters, General news, Transportation, Crime, New York, Law and order, War and unrest, Higher education, School violence, Criminal investigations, State governments, Violent crime, Education, Social affairs, Education issues, Social issues, Violence, School safety, Massachusetts, Relationships, Lifestyle, Shootings, Industry regulation, Government business and finance, Government regulations, Social media, Online media, Media, Health, Law enforcement agencies, Michelle Obama, Industrial products and services, Track and field, Automotive accidents, Transportation and shipping, Police, Boston, Eastern Europe, Russia, Bombings, Robbery, Theft, Terrorism, Moscow, Terrorist attacks, Improvised explosives, Violence in sports, Undergraduate education, Men's track and field, Massachusetts Institute of Technology, AP Subject, U.S. Federal Bureau of Investigation, Intelligence agencies, David Patrick, Hostage situations, Thomas Menino, Men's marathons, Marathons, Editorial, Boston Marathon, Mass transit systems, Automotive industry regulation, C.A. Ruppertsberger, Ben Affleck, Siblings, Suburbs, Lisa Wonaco, Matt Damon, Watertown, Chertkova, Massachusetts state

# Shooter Wearing Bulletproof Vest Guns Down 3 Pittsburgh Officers, Upset Over Losing Job

Published April 04, 2009  
Associated Press

PITTSBURGH — A gunman wearing a bulletproof vest and 'lying in wait' opened fire on officers responding to a domestic disturbance call Saturday, killing three of them and turning a quiet Pittsburgh street into a battlefield, police said.

Police Chief Nate Harper said the motive for the shooting isn't clear, but friends said the gunman recently had been upset about losing his job and feared the Obama administration was poised to ban guns.

Richard Poplawski, 23, met officers at the doorway and shot two of them in the head immediately, Harper said. An officer who tried to help the two also was killed.

Click here for photos.

Poplawski, armed with an assault rifle and two other guns, then held police at bay for four hours as the fallen officers were left bleeding nearby, their colleagues unable to reach them, according to police and witnesses. More than 100 rounds were fired by the SWAT teams and Poplawski, Harper said.

The three slain officers were Eric Kelly, 41, Stephen Mayhle, 29, and Paul Sciuillo III, 37. Kelly had been on the force for 14 years, Mayhle and Sciuillo for two years each. Another officer, Timothy McManaway, was shot in the hand and a fifth broke his leg on a fence. Poplawski had gunshot wounds in his legs but was otherwise unharmed because he was wearing a bulletproof vest, Harper said. He was charged with three counts of homicide, aggravated assault and a weapons violation.

The shooting occurred just two weeks after four police officers were fatally shot in Oakland, Calif., in the deadliest day for U.S. law enforcement since Sept. 11, 2001. The officers were the first Pittsburgh city officers to die in the line of duty in 13 years.

"This is a solemn day and it's a very sad day in the city of Pittsburgh," Harper said. "We've seen this kind of violence happen in California. We never would think this kind of violence would happen in the city of Pittsburgh."

At 7 a.m., Sciuillo and Mayhle responded to a 911 call from Poplawski's mother, who remained holed up in the basement during the entire dispute and escaped unharmed, Harper said.

When they arrived at the home, Sciuillo was immediately shot in the head, Mayhle, who was right behind him, was also shot in the head.

"It appears he was lying in wait for the officers," Harper said.

Kelly, who was on his way home after completing his overnight shift when he heard the call for help, rushed to the scene and was killed trying to help Sciuillo and Mayhle, Harper said. SWAT teams and other officers arrived and were immediately fired on as well.

Don Sand, who lives across the street from Poplawski, said he was woken up by the sound of gunfire. Hunkering down behind a wall in his home, he saw the first two officers go down and then saw Kelly get shot.

"They couldn't get the scene secure enough to get to them. They were just lying there bleeding," Sand said. "By the time they secured the scene enough to get to them it was way too late."

Poplawski feared "the Obama gun ban that's on the way" and "didn't like our rights being infringed upon," said Edward Perkovic, his best friend.

Perkovic, 22, said he got a call at work from him in which he said, "Eddie, I am going to die today. . . Tell your family I love them and I love you."

Perkovic said "I heard gunshots and he hung up. . . He sounded like he was in pain, like he got shot."

Poplawski had once tried to join the Marines, but was kicked out of boot camp after throwing a food tray at a drill sergeant, Perkovic said.

Another longtime friend, Aaron Vire, said Poplawski feared that President Barack Obama was going to take away his rights, though he said he "wasn't violently against Obama."

Vire, 23, said Poplawski once had an Internet talk show but that it wasn't successful. He said Poplawski owned an AK-47 rifle and several powerful handguns, including a .357 Magnum. Obama has said he respects Americans' constitutional right to bear arms, but that he favors 'common sense' gun laws. Gun rights advocates interpret that as meaning he would approve of curbs on ownership of assault and concealed weapons.

Poplawski had been laid off from his job at a glass factory earlier this year, said another friend, Joe DiMarco. DiMarco said he didn't know the name of the company, but knew his friend had been upset about it.

The last Pittsburgh police officers killed in the line of duty were Officers Thomas L. Herron and Joseph J. Grill, according to a Web site that tracks police killings. They died after their patrol car collided with another vehicle while chasing a stolen car on March 3, 1991. In 1995, an off-duty officer was shot with his own gun after he confronted a group of teenagers about graffiti. Tests later showed the officer had been drinking.

According to the National Law Enforcement Officers Memorial Fund, 133 law enforcement officers died in the line of duty in 2008, a 27 percent decrease from year before and the lowest annual total since 1960.

Poplawski had often fought with neighbors and had even gotten into fist fights with a couple, Sand said.

"This is a relatively really quiet neighborhood except for him," Sand said. "He was just one of those kids that we knew to stay clear from."

Harper confirmed police had responded to calls from the Poplawski house several times but said the incidents were still being investigated.

Rob Gift, 45, who lives a block away, said the well-kept single-family houses with manicured lawns are home to many police officers, firefighters, paramedics and other city workers.

"It's just a very quiet neighborhood," Gift said.

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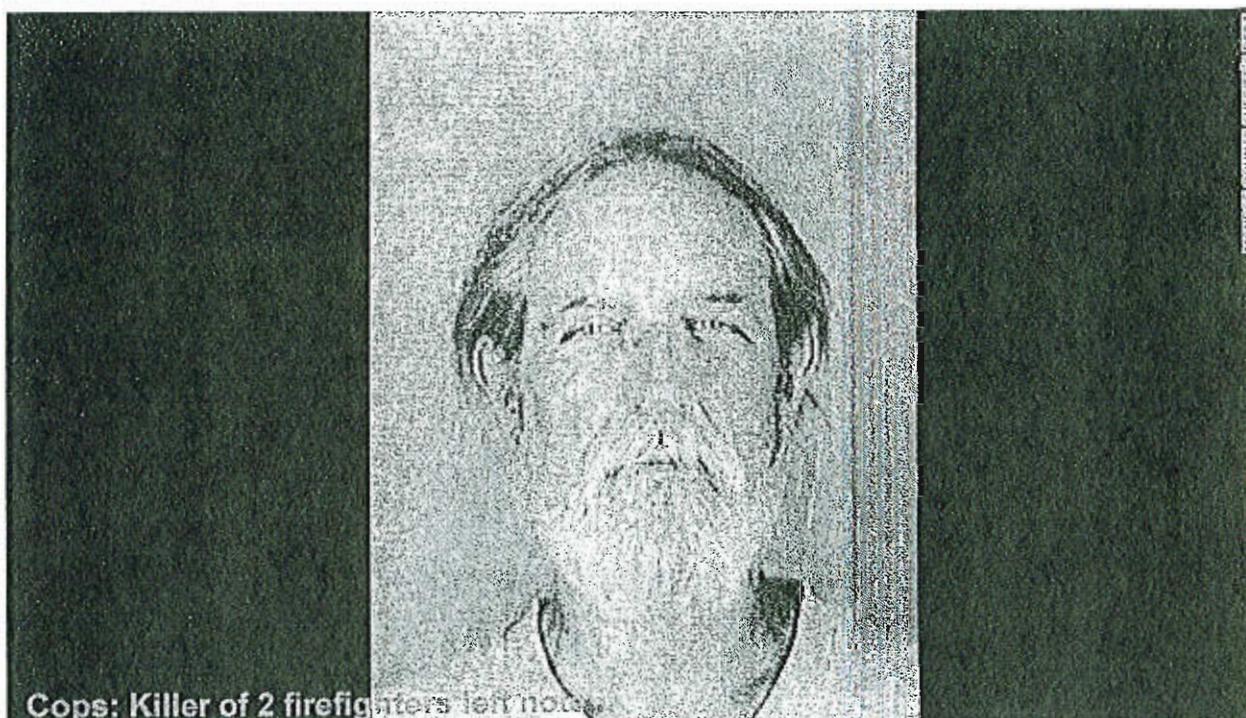


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# Shooter who ambushed firefighters left note showing intent to burn, kill

By Alan Duke, CNN

updated 7:30 AM EST Wed December 26, 2012



Cops: Killer of 2 firefighters left note

## STORY HIGHLIGHTS

**NEW:** A charred body believed to be the shooter's sister's was found in her burned house

The shooter used a Bushmaster rifle, the same kind used in the Sandy Hook assault, police say

William Spengler, 62, shot himself to death after his ambush killed two firefighters, police say

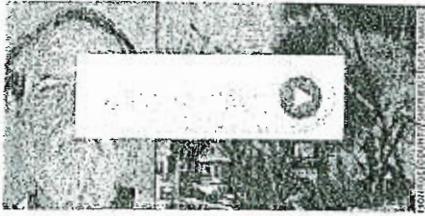
Spengler was convicted in 1981 of killing his grandmother

(CNN) -- A sniper who ambushed volunteer firefighters in upstate New York on Monday, killing two and seriously wounding two others, left a note saying he hoped to burn down his neighborhood and kill as many people as possible, police said Tuesday.

A charred body, believed to be his sister's, was found in the burned house she shared with him Tuesday, police said

William Spengler, 62, used a Bushmaster semiautomatic rifle, the same kind of weapon used in the assault on Sandy Hook Elementary School, Webster Police Chief Gerald Pickering said

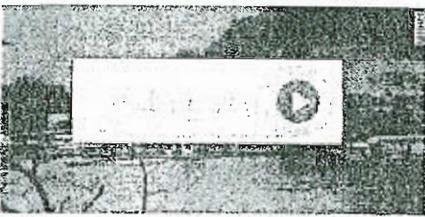
"He was equipped to go to war," Chief Pickering said



Cop: Gunman set up to shoot firefighters

The shooter, who was convicted of killing his grandmother decades ago, was found dead of a self-inflicted gunshot wound hours later.

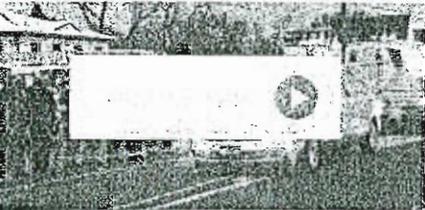
Read more: N.Y. man who shot dead 2 firefighters killed grandmother in 1980



Hear firefighters' calls after shooting

Pickering, at a news conference Tuesday, read a sentence from the three-page typewriter note that detectives believe Spengler left behind: "I still have to get ready to see how much of the neighborhood I can burn down and do what I like doing best -- killing people."

The note indicated Spengler's intentions, but not his motive, Pickering said. The rest of the contents will not be made public because it is evidence in a criminal investigation, he said.



Firefighters honor fallen comrades

There is "all kinds of speculation" about why he wanted to destroy his neighborhood and kill firefighters and residents, Pickering said.

One theory is that he was upset about a donation his mother, who died in the past year, made to the fire department, he said. Another theory is there could be a connection to his arrest in the killing of his grandmother, he said.

"Motive is always the burning question and I'm not sure we'll ever really know what was going through his mind," Pickering said.

Spengler was convicted in 1981 of first-degree manslaughter in the death of his grandmother and had been released on supervised parole, Pickering said.

It will be a challenge for the medical examiner to determine if William Spengler's sister -- 67-year-old Cheryl Spengler -- was killed before the fire was set, because it was a "raging inferno," Pickering said.

A former neighbor, Roger Vercruyssen, said that Spengler was a nice guy who used to come over to Vercruyssen's sister's house for holiday parties and would wave to the family from his front porch, where he often sat during the summer.

"He'd come to our house, we used to have picnics," he said

Spengler was especially attentive to his mother, who passed away in October, Vercruysse said, visiting her every day in the nursing home where she lived until she died.

"He loved his mama," Vercruysse said. "He always talked about his mother."

Spengler did not share the same closeness with his sister, with whom he shared his home, Vercruysse said.

"He told me he hated his sister and never could tell me why," he said. "I'd always wave to the sister, but she was not friendly."

Firefighters from the Rochester-area town of Webster responded before 6 a.m. Monday to a 911 call, reporting a fire that Spengler is believed to have set, when the gunfire began, Pickering said.

"This was a clear ambush on first responders," he said. Spengler was firing from "a natural depression" against a bank and a tree, he said.

An off-duty police officer, who happened on the scene, returned gunfire and sheltered firefighters with his car, Pickering said.

"Had the police officer not been there, more people would have been killed because he immediately engaged the shooter with a rifle," he said. "Essentially, it was a combat condition." Investigators won't know until after an autopsy if any of his shots hit Spengler, he said.

Officer John Ritter of the Greece, New York, Police Department, suffered minor shrapnel wounds but was released after treatment at a hospital.

The two wounded firefighters were in stable condition after surgery Tuesday, Pickering said Tuesday morning. They were being treated for "serious injuries" in intensive care at Strong Memorial Hospital in Rochester, New York, he said.

Seven houses were destroyed and several others damaged by the fire, which investigators believe spread from a car parked next to the home where they believe Spengler lived, Pickering said.

Authorities do not know how Spengler obtained the Bushmaster rifle, .38-caliber revolver and 12-gauge shotgun he used, Pickering said. As a convicted felon, Spengler was not allowed to legally possess weapons.

In chilling audio heard over a scanner Monday, a West Webster Fire Department firefighter reported "multiple firemen shot" -- including himself, with wounds to his lower back and lower leg -- and "shots still being fired."

"I'm pretty sure that we have two DOAs" -- the term for dead on arrival -- "on the street," the wounded firefighter said. "... They're down and not good."

For several hours after that, the threat of gunfire stopped firefighters from battling the blaze and forced police SWAT teams to evacuate 33 people in the neighborhood of small waterfront homes.

The fire destroyed seven houses. It was under control by 2:30 p.m. ET, but authorities weren't able to get into any of the homes. Pickering said it's possible that more victims could be inside.

Lt. Michael Chiapperini, a firefighter who died at the scene, was a veteran of the West Webster Fire Department and a police lieutenant. He'd been named Firefighter of the Year just two weeks ago. And not long before that, he had volunteered to go to Long Island to help those suffering after Superstorm Sandy, New York Lt. Gov. Bob Duffy said.

The other slain firefighter was Tomasz Kaczowka, who was also a 911 dispatcher. He'd been with the West Webster Fire Department for just more than a year, department spokesman Al Sienkiewicz said.

The shooting occurred amid a renewed gun control debate after the December 14 elementary school massacre in Newtown, Connecticut, that killed 26 people, most of them children. The gunman in that case, Adam Lanza, also killed his mother and himself.

The head of a lobbying group that represents first responders said the Monday shooting was "senseless and cruel."

"The firefighters who responded today were performing a selfless, meaningful service to their community, unaware that a cold-hearted maniac was planning to ambush them and take their lives," said Harold Schaitberger, general president of the Washington-based International Association of Fire Fighters. "Coming on the heels of the horrific tragedy in Newtown, Connecticut, and on Christmas Eve this shooting is even harder to comprehend."

New York Gov. Andrew Cuomo described the Webster shooting as "horrific." And the state's attorney general called it a "senseless tragedy"

President Barack Obama has set a January deadline for "concrete proposals" to deal with gun violence after the Newtown shooting.

Sen. Dianne Feinstein, D-California, has said she will introduce legislation to reinstate the assault weapons ban that expired in 2004, while National Rifle Association CEO Wayne LaPierre has said his group will fight any new gun restrictions, saying most gun laws now on the books are rarely enforced.

Pickering, the Webster police chief, said it was important -- after the shooting in his town and others -- to "get a handle on gun control." He also said more needs to be done to make sure that dangerous people aren't in society, where they can kill.

"For the last 20 years, we have been turning people loose and de-institutionalizing people, and I think we've swung too far," he said. "I think there are still people that need to be in institutions that are a danger to themselves or others. And this is a classic example."

CNN's Brittany Brady, Chuck Johnson, Jake Carbenter and John Fuka contributed to this report.

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- Judge: 3 ex-Penn State administrators will face trial
- Ex-Microsoft exec, 3 others feared dead after plane hits Connecticut homes
- Florida man allegedly kills wife, posts confession, photo of body on Facebook

Recommended by

# Agenda Action Form Paducah City Commission

Meeting Date: August 27, 2013

Short Title: Sale of 511 North 5<sup>th</sup> Street – Tract A

Ordinance     Emergency     Municipal Order     Resolution     Motion

Staff Work By: Steve Ervin  
Presentation By: Steve Ervin

### Key Components:

In an effort to reduce lot inventory and promote development within the Lowertown neighborhood, staff recently solicited bids for the sale of 511 N. 5<sup>th</sup> Street (Tract A) for new residential infill construction. 511 N. 5<sup>th</sup> Street will be divided in half. The remaining portion of 511 N. 5<sup>th</sup> Street (Tract B) was advertised separately.

### Bids:

In full compliance with the City's procurement policies, staff solicited sealed bids through an advertisement in the Paducah Sun on August 7th, 2013. Bids were opened at 9:00 AM on Monday, August 19th, 2013 with the following results:

#### 511 N. 5<sup>th</sup> Street (Tract A) Bids:

1. Henry C. & Neva F. Rudy:	\$1,500.00
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Mr. Rudy has submitted a bid that includes the construction of a 2,500 sf home on 505 N. 5<sup>th</sup> Street and Tract A of 511 N. 5<sup>th</sup> Street. The proposed construction cost of the new home is \$275,000. Upon approval by the City Commission, staff will proceed with the subdivision of property by the Planning Commission and design approvals through the Historical and Architectural Review Commission.

### Staff Recommendations:

Staff recommendation is that the property be transferred to the highest responsible bidder, Henry C. & Neva Rudy for their offer of \$1,500.00.

Goal:  Strong Economy     Quality Services     Vital Neighborhoods     Restored Downtowns

Funds Available:

Account Name:  
Account Number:

Finance
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Attachments: Elevations

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

A MUNICIPAL ORDER APPROVING THE SALE OF REAL PROPERTY LOCATED AT 511 NORTH FIFTH STREET (TRACT A) IN THE AMOUNT OF \$1,500 TO HENRY C. AND NEVA F. RUDY, AND AUTHORIZING THE MAYOR TO EXECUTE A DEED FOR SAME

WHEREAS, on August 7th, 2013, the City of Paducah solicited bids by public notice in the Paducah Sun for the sale of 511 North Fifth Street (Tract A) to reduce lot inventory and to promote development within the Lower Town neighborhood, and

WHEREAS, only one bid was received from Henry C. & Neva F. Rudy; and

WHEREAS, the City will accept their bid based upon the recommendation of the Planning Department.

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. The City of Paducah hereby approves the sale of real property located at 511 North Fifth Street (Tract A) for and in consideration of \$1,500 to Henry C. & Neva F. Rudy

SECTION 2. The Mayor is hereby authorized to execute a deed and any necessary documents relating to same to complete the sale of the real property approved in Section 1 above.

SECTION 3. 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, August 27, 2013  
Recorded by Tammara S. Sanderson, City Clerk, August 27, 2013  
mo/prop sale-511 N 5<sup>th</sup> (Tract A)

# PURCHASE PROPOSAL

Property Description: Tract A, 511 N. 5<sup>th</sup> St., Paducah, KY, 42001

Offer Price: \$ 1,500.00 for Tract A. In addition, buyer to pay 50% of subdividing costs upon completion of subdividing.

Property to be used for new construction: See initial proposed plan, attached.

Approximate Cost to Build: (2,500 sq. ft. @ 110.00/sq. ft.): \$275,000

## Financial Ability:

### Balance Sheet (a/o 8/13/2013)

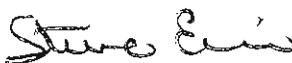
Cash in Bank Accounts:	\$ [REDACTED]	(Bank of America-attached)
Cash in Brokerage Acct:	\$ [REDACTED]	(T.D. Ameritrade-attached)
Cash in Brokerage Acct:	\$ [REDACTED]	(T.D. Ameritrade-attached)
Equity in 409 N. 5 <sup>th</sup> St, Paducah – to be sold during construction of new home – condo has no lien.	\$ [REDACTED]	(on tax rolls for \$ [REDACTED])
<b>Total Available Cash</b>	<b>\$ [REDACTED]</b>	

## BUYER:

Henry C. & Neva F. Rudy  
409 N. 5<sup>th</sup> St.  
Paducah, KY 42001  
(214) 236-1431



Attachments: Elevations

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

A MUNICIPAL ORDER APPROVING THE SALE OF REAL PROPERTY LOCATED AT 511 NORTH FIFTH STREET (TRACT B) IN THE AMOUNT OF \$4 TO GARY JACKSON, AND AUTHORIZING THE MAYOR TO EXECUTE A DEED FOR SAME

WHEREAS, on August 7th, 2013, the City of Paducah solicited bids by public notice in the Paducah Sun for the sale of 511 North Fifth Street (Tract B) to reduce lot inventory and to promote development within the Lower Town neighborhood; and

WHEREAS, only one bid was received from Gary Jackson, and

WHEREAS, the City will accept his bid based upon the recommendation of the Planning Department.

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. The City of Paducah hereby approves the sale of real property located at 511 North Fifth Street (Tract B) for and in consideration of \$4 to Gary Jackson.

SECTION 2. The Mayor is hereby authorized to execute a deed and any necessary documents relating to same to complete the sale of the real property approved in Section 1 above.

SECTION 3. 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, August 27, 2013  
Recorded by Tammara S. Sanderson, City Clerk, August 27, 2013  
mot prop sale-511 N 5<sup>th</sup> (Tract B)



Attachments: Elevations

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

A MUNICIPAL ORDER APPROVING THE SALE OF REAL PROPERTY LOCATED AT 517 NORTH FIFTH STREET IN THE AMOUNT OF \$4 TO GARY JACKSON, AND AUTHORIZING THE MAYOR TO EXECUTE A DEED FOR SAME

WHEREAS, on August 7th, 2013, the City of Paducah solicited bids by public notice in the Paducah Sun for the sale of 517 North Fifth Street to reduce lot inventory and to promote development within the Lower Town neighborhood; and

WHEREAS, only one bid was received from Gary Jackson; and

WHEREAS, the City will accept their bid based upon the recommendation of the Planning Department.

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. The City of Paducah hereby approves the sale of real property located at 517 North Fifth Street for and in consideration of \$4 to Gary Jackson.

SECTION 2. The Mayor is hereby authorized to execute a deed and any necessary documents relating to same to complete the sale of the real property approved in Section 1 above.

SECTION 3. 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, August 27, 2013  
Recorded by Tammara S. Sanderson, City Clerk, August 27, 2013  
no prop sale-517 N 5<sup>th</sup>

August 19, 2013

To Whom It May Concern,

Below is my proposal for the purchase and transfer of the property located at 517 North 5<sup>th</sup> Street, ±40 feet, in the city of Paducah, Kentucky.

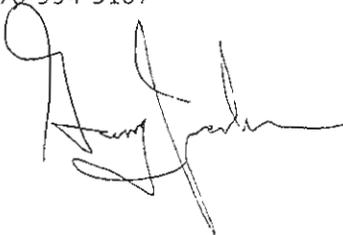
Proposal Price: \$4.00

Intended Use: Residential

Please see attached documents for financial ability to complete the proposed project, along with structural facades.

Thank you for your consideration,

Gary Jackson  
5420 US Highway 60 West  
Paducah, KY 42001  
270-994-5107

A handwritten signature in black ink, appearing to read "Gary Jackson", written over the typed name and contact information.



**Signet**  
FEDERAL CREDIT UNION

[www.signetfcu.com](http://www.signetfcu.com)

August 5, 2013

To Whom It May Concern,

Gary Ronald Jackson has applied for and has met the requirements to be pre-approved for a Construction Line of Credit with Signet Federal Credit Union. He is approved for a loan amount not to exceed \$200,000.00.

If you have any questions or concerns please feel free to contact me at either 270-443-5261x216 or via email [mfdriskill@signetfcu.com](mailto:mfdriskill@signetfcu.com).

Sincerely,

Margaret J. Driskill

Loan Officer



**PADUCAH OFFICES**  
1500 CLARK STREET • 333 JULY STREET  
2450 NEW HOLY ROAD • 2520 LONE OAK ROAD  
PHONE 270 443 3251 • PHONE BANKING 270 443 1500

**MAYFIELD OFFICE**  
102 CHARLES DRIVE • PHONE 270 247 7771



PROJECT:	Jackson Residence	DURATION:	
JOB NO:			
PERMIT	YES	BOND	NO
		SQUARE FT	1,300
BUILDERS RISK RATE:	\$0.3000 / \$100	CONTINGENCY %:	3.30%

	LABOR	MATERIAL	SUB	EQUIPMENT
% OVERHEAD	0	0	0	0
% PROFIT	0	0	0	0

SPEC CODE	CODE	DESCRIPTION	LABOR	MATERIAL	SUB	EQUIPMENT	TOTALS
	<b>1000</b>	<b>GENERAL CONDITIONS</b>					
	1260.100	UTILITIES	0	0	850	0	850
	1350.101	RENTAL TOOLS	0	0	750	0	750
	1500.103	DESIGN FEES	0	0	0	0	0
	<b>2000</b>	<b>SITework</b>					
	2110.210	SITework SUB	0	0	4,500	0	4,500
	2900.990	LANDSCAPE/OUTDOOR LIVING	0	0	7,500	0	7,500
	2900.990	GARAGE	0	0	18,500	0	18,500
	<b>3000</b>	<b>CONCRETE</b>					
	3000.990	CONC SUB	0	0	14,500	0	14,500
	<b>4000</b>	<b>MASONRY</b>					
	4000.980	MASONRY SUB	0	0	22,500	0	22,500
	<b>5000</b>	<b>METALS</b>					
	<b>6000</b>	<b>WOOD &amp; PLASTICS</b>					
	6100.980	ROUGH CARPENTRY	0	0	35,000	0	35,000
	6200.101	FINISH CARPENTRY	0	0	7,500	0	7,500
	6410.101	CASEWORK	0	0	7,500	0	7,500
	<b>7000</b>	<b>THERMAL &amp; MOISTURE</b>					
	7410.150	ROOFING - SUB	0	0	7,500	0	7,500
	7460.010	SIDING	0	0	5,500	0	5,500
	7630.011	GUTTERS & DOWNSPOUTS	0	0	1,000	0	1,000
	7920.010	INSULATION	0	0	7,700	0	7,700
	<b>8000</b>	<b>DOORS &amp; WINDOWS</b>					
	8500.020	WINDOWS	0	0	13,500	0	13,500
	<b>9000</b>	<b>FINISHES</b>					
	9250.020	DRYWALL	0	0	8,500	0	8,500
	9630.100	FLOORING SUB	0	0	1,500	0	1,500
	9910.011	PAINTING	0	0	4,500	0	4,500
	<b>15000</b>	<b>MECHANICAL</b>					
	15400.430	PLUMBING	0	0	8,000	0	8,000
	15500.110	HVAC	0	0	8,500	0	8,500
	<b>16000</b>	<b>ELECTRICAL</b>					
	16010.100	ELECTRICAL SUB	0	0	3,500	0	8,500
						vertical total>	193,800
		SUBTOTALS	0	0	193,800	0	193,800
		OVERHEAD	0	0	0	0	0
		PROFIT	0	0	0	0	0
		SUBTOTAL	0	0	193,800	0	193,800
	231.23100	CONTINGENCY 3.00%	0	0	5,814	0	5,814
	171.17100	TRAVEL/PER DIEM		0			0
	131.18100	BUILDING PERMIT			625		625
	191.19100	GENERAL LIABILITY			216		216
		SUBTOTAL	0	0	200,239	0	200,239
	201.20100	BUILDERS RISK			601		601
	211.21100	SITE VISIT			0		0
	221.22100	WORK PLAN			0		0
	241.24100	BOND			0		0
		<b>TOTAL JOB COST</b>	<b>0</b>	<b>0</b>	<b>200,839</b>	<b>0</b>	<b>\$200,839</b>

**Agenda Action Form  
Paducah City Commission**

Meeting Date: August 13, 2013

Short Title: Accept proposed premiums from the Kentucky League of Cities for Workers' Compensation, Liability Insurance and Property Insurance Coverage. **Total cost of all premiums is \$941,284.**

Ordinance  Emergency  Municipal Order  Resolution  Motion

Staff Work By: Cindy Medford  
Presentation By: Cindy Medford

Background Information: Each year the City of Paducah receives from the Kentucky League of Cities the invoices for payment of premiums to cover these areas. Total Fiscal Year 2013-2014 (FY 2014) premiums are for the following: (1) Workers' Compensation \$306,525, (2) Liability Insurance \$502,448, (3) Property Insurance Coverage \$132,311. J. Carroll Convention Center to reimburse \$32,960 for property and \$3,098 for liability expenses associated with coverage of Expo and Convention Center in absence of executable hotel lease agreement.

Goal:  Strong Economy  Quality Services  Vital Neighborhoods  Restored Downtowns

Funds Available: Account Name: Insurance Fund  
Account Number: 072

AOL 8/13/13 Finance
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Staff Recommendation: That the Mayor and Commission approve the proposed premium rates for Workers' Compensation, Property and Liability insurance from the Kentucky League of Cities for FY 2014.

Attachments: Premium Invoices for Workers' Compensation, Liability and Property Insurance.

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

Meeting Date: August 13, 2013

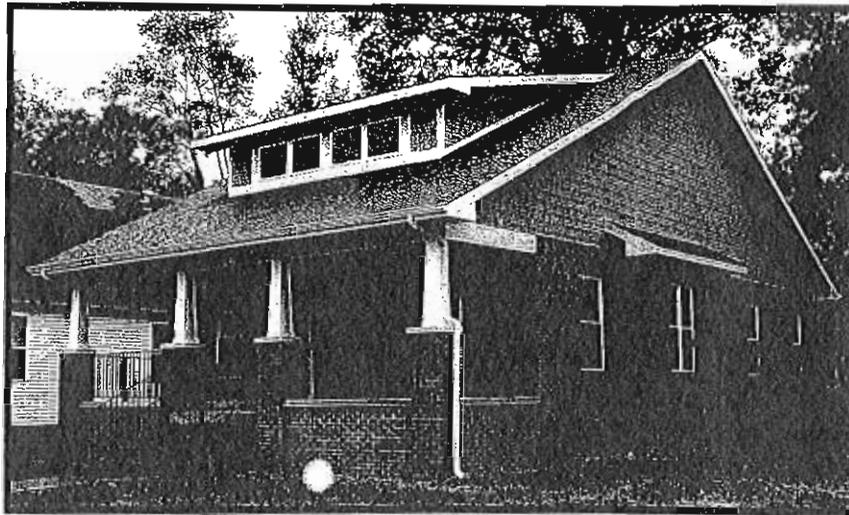
Short Title: HOME 2012 House #6 – 1322 Madison Street

Ordinance     Emergency     Municipal Order     Resolution     Motion

Staff Work By: Charlie Doherty/Steve Ervin

Presentation By: Steve Ervin

Background Information:



1322 Madison Street: "Rolling Fields"

## Key Components:

After receiving final SHPO approval to build a new 2012 HOME house on the lot at 1322 Madison Street, staff solicited bids for the construction of the 1,380 SF "Rolling Fields" home on this lot in a Public Notice published in the Paducah Sun on July 22<sup>nd</sup>, 2013. Bids were opened on July 31<sup>st</sup>, 2013 with the following results:

D&D Construction:	\$139,495.00 (\$101.08/SF)
Elliot Construction:	\$136,825.00 (\$99.15/SF)
Jim Steele Construction:	\$135,200.00 (\$97.97/SF)

## Staff Analysis:

As stated in the Public Notice, contracts are to be awarded based on the best evaluated and most responsive bids.

- Jim Steele Construction was the low bidder at \$135,200.00. His evaluation was scored at 99 based on previous experience with City projects and being low bidder.

**Staff Recommendations:**

Based on the evaluations, the URCDA Board recommended that the Board of Commissioners award the construction contract for 1322 Madison Street to Jim Steele Construction for \$135,200.00.

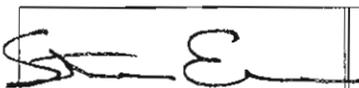
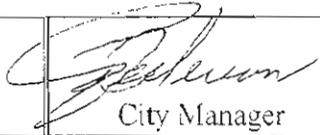
Goal:  Strong Economy     Quality Services     Vital Neighborhoods     Restored Downtowns

Funds Available:    Account Name: 2012 HOME project  
Account Number: 008-1216-513.2307  
Project Number: CD 0081

*MJ* 8/9/13  
Finance

Staff Recommendation: Approval

Attachments:

		
Department Head	City Clerk	City Manager

# Agenda Action Form Paducah City Commission

Meeting Date: August 13, 2013

Short Title: 2012 Fire Prevention and Safety Award Extension

Ordinance  Emergency  Municipal Order  Resolution  Motion

Staff Work By: Fire Marshall Greg Cherry, Cheryl Meadows  
Presentation By: Chief Steve Kyle

**Background Information:** The Department of Homeland Security, Federal Emergency Management Agency (FEMA) offers the Fire Prevention and Safety Grant (FP&S) to allow fire departments to reach a higher level of fire prevention and safety and fire-related hazard mitigation.

The Paducah Fire Department submitted grant application under Municipal Order #1656 and accepted an award through Ordinance #012-8-7966, as offered from Department of Homeland Security. The requested amount of \$78,979 was combined with a \$8,775 local cash match for the total project budget of \$87,754.00. The amount of \$69,254 have been used for the salary and benefits of a new position, with the additional \$18,500 to be used for the Juvenile Fire Setter Intervention Program volunteer training and juvenile testing.

The funding has allowed the department to hire a Deputy Fire Marshall to perform various duties as a Fire Prevention Education and Code Enforcement Coordinator, as well as the funding needed for the Juvenile Fire Setter Intervention Prevention. On July 26, 2013, at the Paducah Fire Department's request FEMA granted an eight (8) month extension until March 30, 2014.

If the Commission desires to accept the FEMA Fire Prevention and Safety Award extension, it must authorize and direct the Mayor or Mayor's designee to complete and sign all required application documents.

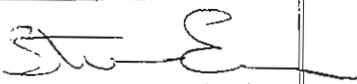
Goal:  Strong Economy  Quality Services  Vital Neighborhoods  Restored Downtowns

Funds Available: Account Name: FEMA Fire Prevent  
Account Number: various 1803 accounts  
Project Number: FI0025  
File Number: 6.237

<i>AW</i> 8/24/13 Finance
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Staff Recommendation: Approval

Attachments:

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

Meeting Date: August 13, 2013

Short Title: Change Order #1 for the Riverfront Redevelopment Project Phase I-A, Piles and Mass Fill, for Demolition of the Executive Inn Concrete Slab for use as Mass Fill

Ordinance  Emergency  Municipal Order  Resolution  Motion

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

### Background Information:

In 2010, the Executive Inn building was demolished by the City. However, the work associated with the removal of the concrete slab of the parking garage area was deleted from the demolition contract. The concrete slab remains today and will need to be removed at some time. The Executive Inn concrete slab is estimated to be 81,000 square feet by 0.25 feet thick, which equates to approximately 1,460 tons of concrete.

With construction of the Riverfront Phase I-A Project underway, the idea of utilizing the concrete from the Executive Inn site as fill for the land mass area has become a viable option. After discussing possible alternatives, MAC Construction and Excavating, Inc., submitted a proposal to demolish the exiting concrete pad and place the concrete in the mass fill area for the total lump sum amount of \$16,800. With the installation of the Executive Inn concrete slab material in the mass fill area, the required tonnage of stone for fill will decrease. In order to not increase or decrease the current contract amount, \$16,800 will be deducted from the change order - which equals 1,400 tons of stone fill at \$12.00 per ton. Therefore, this Change Order will be a substitution of materials used on the project only with no cost increase or decrease.

The opportunity to demolish and utilize the concrete slab during this project would allow multiple dividends; the concrete would be removed from valuable property owned by the City in preparation of a higher better use, the materials removed from the slab would offset tonnage of stone being placed on the project and the cost of a future contract will be avoided. In the event the slab removal is postponed, the City will have to pay a separate contractor to perform this work at a later date, essentially doubling the cost of its removal.

Goal:  Strong Economy  Quality Services  Vital Neighborhoods  Restored Downtowns

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

Aug 8/14/13  
Finance

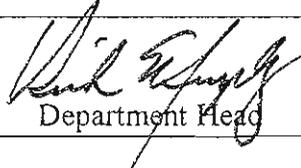
**Staff Recommendation:**

To adopt an Ordinance authorizing the Mayor to execute Change Order #1 for the Riverfront Redevelopment Project Phase 1-A, Piles and Mass Fill contract with MAC Construction & Excavating, Inc., for the follows:

1. To increase the contract amount by \$16,800.00 to allow for the demolition of the Executive Inn concrete slab for use as mass fill.
2. To decrease the contract amount by \$16,800 deducting 1,400 Tons of Stone Fill at \$12.00 per ton.

**Attachments:**

Ordinance #2013-4-8029, Change Order #1 and support documentation

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

Meeting Date: August 13, 2013

Short Title: Purchase of Solid Waste Dumpsters for the FY2013-2014 from Municipal Equipment, Inc., Utilizing the Kentucky State Contract

Ordinance  Emergency  Municipal Order  Resolution  Motion

Staff Work By: Chris Yarber, EPW Operations Mgr  
Angela Weeks, EPW-Engr Proj Mgr

Presentation By: Rick Murphy, P.E., City Engineer-Public Works Director

### Background Information:

Municipal Equipment, Inc. is the current Vendor listed on the Commonwealth of Kentucky's Contract for the purchase of solid waste dumpsters. The Engineering-Public Works Department, Solid Waste Division is in need of new dumpsters to be utilized by commercial businesses within the City and would like to utilize the existing Kentucky State Contract for this purchase. Every year, an amount is allocated toward dumpster purchases in the annual commercial refuse replacement budget. Therefore, we are requesting authorization to order the required dumpsters along with additional replacement parts and lids during the 2013-2014 Fiscal Year in an amount not to exceed the budgeted amount of \$70,000. The Kentucky Master Agreement number is MA-758-1100000316.

Goal:  Strong Economy  Quality Services  Vital Neighborhoods  Restored Downtowns

Funds Available: Account Name: Solid Waste Fund -  
Annual Dumpster Replacement Budget  
Account Number: 050-2210-531-4219

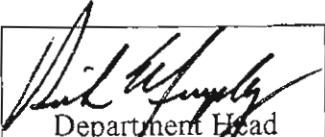
8/13/13  
Finance

### Staff Recommendation:

To adopt an Ordinance authorizing the purchase of Solid Waste Dumpsters for the FY2013-2014 utilizing the Kentucky state contract price from Municipal Equipment, Inc., in an amount not to exceed \$70,000.00.

### Attachments:

KY Master Agreement

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

Meeting Date: August 13, 2013

Short Title: Purchase of a Trommel Portable Screening Plant to be used at the City's Compost Facility

Ordinance    Emergency    Municipal Order    Resolution    Motion

Staff Work By: Randy Crouch, EPW Maintenance Supt.  
Angela Weeks, EPW Proj Mgr

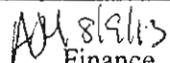
Presentation By: Rick Murphy, P.E., City Engineer-Public Works Director

### Background Information:

On August 6, 2013, sealed bids were opened for the purchase of a Trommel Portable Screening Plant for use by the City of Paducah's EPW Solid Waste Division at the Compost Facility. One bid was received from Ohio Machinery Company dba Ohio CAT in the amount of \$172,850.00. This bid is below the budgeted amount of \$300,000.00.

Goal:    Strong Economy    Quality Services    Vital Neighborhoods    Restored Downtowns

Funds Available:   Account Name: Solid Waste Non-Rolling Stock  
Account Number: 050-2211-532-4219

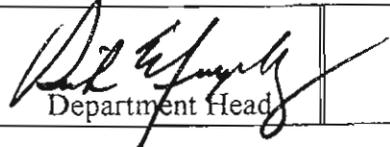
 Finance
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### Staff Recommendation:

To receive and file the bid and adopt an Ordinance authorizing the Mayor to execute a contract with Ohio Machinery Company dba Ohio CAT for the purchase of a Trommel Portable Screening Plant for use by the City of Paducah's EPW Solid Waste Division at the Compost Facility in the amount of \$172,850.00.

### Attachments:

Bid Proposal, Bid Tab, Proposed Contract

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

Meeting Date: August 13, 2013

**Short Title:** Contract with Paducah Transit Authority

Ordinance    Emergency    Municipal Order    Resolution    Motion

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

**Background Information:**

As part of the General Fund Decision Items for FY2014, the Commission approved appropriation of the sum of \$215,000 to Paducah Area Transit System, to be paid in quarterly installments.

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: General Fund  
Account Number: 001-0106-511-8008

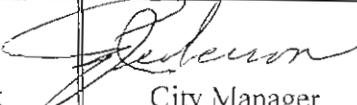
AOL 8/13/13 Finance
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**Staff Recommendation:**

Authorize the Mayor to enter into a one-time Contract For Services with Paducah Transit Authority in the amount of \$215,000.

**Attachments:**

Ordinance  
Contract

Department Head	City Clerk	 City Manager
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# Agenda Action Form

## Paducah City Commission

Meeting Date: August 13, 2013

**Short Title:** Contract with Barkley Regional Airport

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 the sum of \$136,430 to Barkley Regional Airport, to be paid in quarterly installments.

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: 004-9999-699-9040/TR0003

Ad Stutz  
Finance

### Staff Recommendation:

Authorize the Mayor to enter into a one-time Contract For Services with Barkley Regional Airport in the amount of \$136,430.

### Attachments:

Ordinance  
Contract

Department Head	City Clerk	 City Manager
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# Agenda Action Form

## Paducah City Commission

Meeting Date: August 13, 2013

**Short Title:** Contract with Paducah Junior College, Inc. – Paducah School of Art Funding

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 Paducah Junior College, Inc., Paducah School of Art in the amount of \$75,000, to be paid quarterly. This expenditure will be used to pay for operational expenses for the school's two locations: 409 Broadway and 919 Madison Street.

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: 004-0401-536-2307

*DL 8/13*  
Finance

### Staff Recommendation:

Authorize the Mayor to enter into a one-time Contract For Services with Paducah Junior College, Inc. in the amount of \$75,000.

### Attachments:

Ordinance  
Contract

Department Head	City Clerk	<i>[Signature]</i> City Manager
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# Agenda Action Form

## Paducah City Commission

Meeting Date: August 13, 2013

**Short Title:** Contract with Paducah Junior College, Inc. – Community Scholarship Program

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 Paducah Junior College, Inc., scholarship program in the amount of \$125,000, to be paid by June 30, 2014.

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: 004-0401-536-2307

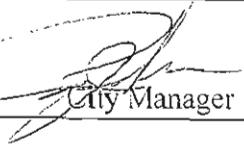
Ad 8/9/13  
Finance

### Staff Recommendation:

Authorize the Mayor to enter into a one-time Contract For Services with Paducah Junior College, Inc. in the amount of \$125,000.

### Attachments:

Ordinance  
Contract

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

Meeting Date: August 27, 2013

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

Ordinance  Emergency  Municipal Order  Resolution  Motion

Staff Work By: Angela Weeks, EPW Proj Mgr

Presentation By: Rick Murphy, P.E., City Engineer-Public Works Director

### Background Information:

On April 30, 2013, Ordinance #2013-04-8029 was adopted authorizing the Mayor to execute an Agreement with MAC Construction & Excavating, Inc., ("MAC") for construction of the Riverfront Redevelopment Project Phase 1-A, Piles and Mass Fill, in the amount of \$4,490,600.00. The installation of the stone for the mass fill began in June and has proceeded consistently during the past few months.

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. Subsequent to receiving this notification, the City, in conjunction with MAC has determined the Project has undergone initial settlement into the river bottom that was not accounted for in the Engineer's original estimate for this phase of the Project. This initial settlement has caused the original Project quantity to yield a stone elevation much less than the approved design elevation.

On August 22, 2013, MAC completed installation of the 316,550 stone fill contract tonnage, resulting in MAC having to temporarily shut-down the stone installment of the Project. This "downtime" has created a financial domino effect to both MAC and the City, as the City must pursue authorization from the Board of Commissioners for any change orders resulting from the under-run of stone fill. Due to the temporary shut-down, the Contractor's employees and operational equipment are shut down; thereby causing a \$6,000 per day "down-time" daily charge to reserve the quantity of deck barges need while waiting for direction from the City.

Subsequently, MAC, the City Manager, and the City Engineer-Public Works Director have been investigating alternatives to prepare the way for a viable Phase 1-B Project. The Phase 1-A portion of the Project represents a corner stone for the completion of the ultimate Project. Therefore, City Staff was challenged to produce a revised project plan that considered the following alternatives/options:

- Instruct the Contractor to stop work for Project 1-A once the contract stone was completed. This decision could cause the City's forfeiture of future grant and match funding in the amount of \$5,111,000
- The City is obligated to complete its commitment with the granting authority of HUD.
- The City is obligated to its permitting authorities to produce the project acceptable to the USACE and the Kentucky Division of Water.
- The current status of the Project will not allow ordering a Stop-Work order. In the event that would be desired, additional monies would be required to the Contractor to manipulate to a condition that would not allow for a future Project pursuit.
- Several iterations/scenarios have been investigated including significantly reducing the park elevation that would cause the park to become submerged several times during flood seasons.

Given the circumstances above, the City and MAC have been negotiating a strategy to determine a suitable mass rock fill elevation that would yield the best foundation for Phase 1-B of the Riverfront Project. At present, the City Engineer-Public Works Director has determined a revised acceptable lowered final elevation of 334.0 feet (NAVD88). The approximate elevation of 334' allows the park to be used for local river gage from 16 feet to 48 feet. As a point of reference, the street elevation at Broadway is local river gage 50 feet.

With the revised final elevation, MAC has presented a negotiated \$2.00 per ton (\$12.00 per ton to \$10.00 per ton) reduction in MAC's unit price for stone placement. It has been estimated by MAC and the City that an additional 80,000 tons of stone will bring the stone mass fill portion of this project to an approximate elevation of approximately 327 feet that prepares the Project for a suitable ultimate final elevation of approximately 334 feet.

Therefore, we are requesting that additional monies be allocated from; the Capital Projects Fund, The Investment Fund and from the unspent General Fund Appropriations Accounts in an aggregate amount of \$800,000.00 to the Riverfront Development Project to cover the expenses associated with the additional stone fill.

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

 8/23/2013  
Finance

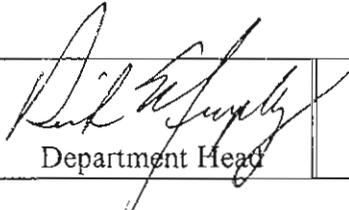
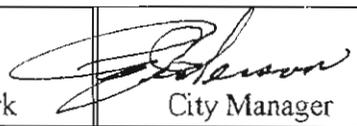
**Staff Recommendation:**

To adopt an Ordinance authorizing the Mayor to execute Change Order #2 for the Riverfront Redevelopment Project Phase 1-A, Piles and Mass Fill contract with MAC Construction & Excavating, Inc., for the follows:

- To increase the contract amount of "Stone Fill for Land Mass" from 316,550 tons to 396,550 tons, yielding a difference of 80,000 tons at a new unit price of \$10.00 per ton, equating to an increase of \$800,000.00.
- To authorize the payment of \$6,000 per day negotiated as a daily down-time payment to secure the deck barges being utilized to transport the stone.
- To authorize and direct the Finance Director to transfer the following to the Riverfront Project Fund:
  - \$280,000 from the Capital Projects Fund (Greenway Trail and projected savings in the Riverfront Pilings Extensions)
  - \$325,000 from the Investment Fund (Street Rehabilitation/Reconstruction and Wayfinding Project)
  - \$195,00 from the General Fund (Unspent Appropriations-Current Year)

Attachments:

Ordinance #2013-4-8029, Change Order #1, Change Order #2 and support documentation

 Department Head	City Clerk	 City Manager
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# Agenda Action Form

## Paducah City Commission

Meeting Date: September 3<sup>rd</sup>, 2013

Short Title: Construction of residential infill at 717 Harrison Street

Ordinance     Emergency     Municipal Order     Resolution     Motion

Staff Work By: Steve Ervin

Presentation By: Steve Ervin

### Key Components:

In order to fulfill the public purpose of redevelopment of the Lower Town Arts District, the City Commission approved the utilization of the \$900,000.00 construction line of credit approved by ordinance # 2012-11-7987 to include construction of residential structures in Lower Town with the adoption of Municipal Order #1724 on June 11<sup>th</sup>, 2013.

Currently, staff has a homebuyer in place for a residential construction at 717 Harrison Street. A legally binding purchase agreement has been signed stated their intent to purchase the home from the City upon completion. Using standard policies and procedures which have been successfully applied to the Fountain Avenue revitalization efforts, the home buyer has provided staff with solid proof of financial ability to purchase the structure from the City upon completion of the project including a mortgage commitment from Paducah Bank and a secured escrow account to cover any deficits between the final purchase price and the mortgage commitment. The City is acting solely as a construction management/funding agent and will be under no liability in this matter.

### Bids:

In full compliance with the City's procurement policies, staff solicited sealed bids through an advertisement in the Paducah Sun on Sunday June 30<sup>th</sup>, 2013 for the construction of a 1,700 SF residence to be built at 717 Harrison Street. Bids were opened at 10:01 AM on Monday, July 22<sup>nd</sup>, 2013. As stated in the Public Notice, awards are to be based on the best-evaluated bid. The following bid criteria were used by to evaluate each bid:

- 1) 20 Points: Specialized experience or technical expertise of the contractor and its personnel in connection with construction and/or the rehabilitation of homes including the renovation of historic structures.
- 2) 20 Points: Past record of performance on contract with the community and other clients, including quality of work, timeliness, and cost control.
- 3) 20 Points: Capacity of the contractor to perform the work within the time limitations, taking into consideration the current and planned workload of the contractor.
- 4) 20 Points: Cost
- 5) 20 Points: Familiarity with local conditions relevant to the proposed project.

Three bids were received and evaluated with Jim Steele Construction receiving the highest evaluated score of 97 with the bid of \$182,965.00 for the proposed project.

**Staff Recommendations:**

Staff recommendation is that the City Commission awards the contract to Jim Steele Construction for \$182,965.00 for the construction of the infill residential structure at 717 Harrison Street with Planning Staff acting as the construction management team using funds approved for this use by Municipal Order #1724.

Goal:  Strong Economy     Quality Services     Vital Neighborhoods     Restored Downtowns

Funds Available:

Account Name: Lowertown  
Account Number: CD 0075

Finance

Attachments: Elevations

Department Head	City Clerk	 City Manager
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ORDINANCE NO. 2013-9. \_\_\_\_\_

AN ORDINANCE APPROVING THE RECOMMENDATION OF THE PADUCAH PLANNING DEPARTMENT TO ACCEPT THE BID OF JIM STEELE CONSTRUCTION FOR CONSTRUCTION OF A NEW HOME AT 717 HARRISON STREET, AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR SAME

WHEREAS, on June 30, 2013, the Paducah Planning Department solicited bids on behalf of the City of Paducah for construction of a new home located at 717 Harrison Street via public notice in the Paducah Sun; and

WHEREAS, bids were opened on July 22, 2013, by the Paducah Planning Department; and

WHEREAS, the Planning Department recommends the City of Paducah accept the bid of Jim Steele Construction for the construction of a new home located at 717 Harrison Street utilizing the \$900,000 construction line of credit approved by Ordinance No. 2012-11-7987 which includes construction of residential structure in Lower Town with the adoption of Municipal Order No. 1724.

BE IT ORDAINED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. That the City of Paducah accepts the bid of Jim Steele Construction in the amount of \$182,965.00, for the construction of a new home at 717 Harrison Street, said bid is in substantial compliance with the bid specifications, advertisement for bids, and as contained in the bid dated July 22, 2013

SECTION 2. The Mayor is hereby authorized to execute a contract with Jim Steele Construction for the construction of a new home at 717 Harrison Street, according to the specifications, bid proposal and all contract documents heretofore approved and incorporated in the bid.

SECTION 3. This expenditure will be funded through the Lower Town account, project number CD0075.

SECTION 4. 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, August 27, 2013  
Adopted by the Board of Commissioners, September 3, 2013  
Recorded by Tammara S. Sanderson, City Clerk, September 3, 2013  
Published by The Paducah Sun, \_\_\_\_\_  
ord'plan'contract-jim Steele Construction-717 Harrison

# Agenda Action Form Paducah City Commission

Meeting Date: 8-27-13

Short Title: Change Order #3 for Uniform Services for the Fire Department

Ordinance  Emergency  Municipal Order  Resolution  Motion

Staff Work By: Steve Kyle  
Presentation By: Steve Kyle

### Background Information:

The primary purpose of this change order is to update and add items that were not previously incorporated into the contract. This does not change the overall amount of the clothing allowance that each employee has but increases the number of items available to each employee. Things included in this change order are clarifications, replacement items, small pieces of equipment available to the individual employee, uniform items that were inadvertently left off of previous actions, and additions for items that have been discontinued by the manufacturer.

Goal:  Strong Economy  Quality Services  Vital Neighborhoods  Restored Downtowns

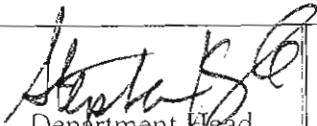
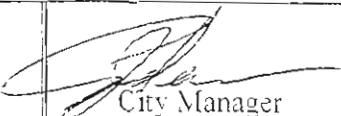
Funds Available: Account Name: Clothing Allowance  
Account Number: 001-1801/1802/1803/1804/1805/1806-522-1610

Finance
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### Staff Recommendation:

Approve change order #3 for the uniform services contract for the fire department.

Attachments: Change order #3

 Department Head	City Clerk	 City Manager
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CITY OF PADUCAH  
FIRE DEPARTMENT  
CHANGE ORDER

CHANGE ORDER NO: 3  
 DATE: August 27, 2013  
 NAME OF PROJECT: Uniform Services for the Fire Department  
 OWNER: City of Paducah, Kentucky  
 VENDOR: Bluegrass Uniforms

THE FOLLOWING ITEMS ARE CLARIFICATIONS AND/OR ADDITIONS TO THE TECHNICAL SPECIFICATIONS AT NO CHARGE:

Section	Description
2100 1.15	CHANGE: All uniformed personnel can purchase item 90.
2100 1.17	Items 112-113, 125-127, 132, 135-145 are available for uniformed personnel and non-uniformed inspectors
2100 1.18	Items 114-117, 133-134 are available for all personnel
2100 1.19	Items 118-124, 128-131 are available for all uniformed personnel
2100 1.2	Item 47 & 48 Badges require a number on the bottom of the badge. Badge number to be gotten from the Fire Department
2100 1.21	Item 146-152 are available for all personnel
2100 1.22	Item 153 is available only for Christina Gowen

THE FOLLOWING UNIT PRICES ARE HEREBY ADDED TO THE CONTRACT DOCUMENTS:

Section	Description	Brand	Style Number	Size	Price - Each
00310 Change item #95	Timberland PRO Wildcard ESD Hiker Composite Toe	Timberland	37565		\$90.00
00310 New item #112	Crew neck under shirt, 3 pack white	Jockey	9953	S-2XL	\$13.50
00310 New item #113	Tank top under shirt, 3 pack white	Jockey	9955	S-2XL	\$15.25
00310 New item #114	Pink T-Shirts for Breast Cancer, S/S	Sanmar	2000G	S-2XL	\$10.50
00310 New item #115	Pink T-Shirts for Breast Cancer, S/S	Sanmar	2000G	3XL-4XL	\$12.50
00310 New item #116	Pink T-Shirts for Breast Cancer, L/S	Sanmar	32400	S-2XL	\$13.50
00310 New item #117	Pink T-Shirts for Breast Cancer, L/S	Sanmar	32100	3XL-4XL	\$35.00
00310 New item #118	Nomex Short Sleeve Shirt w/embroidery Navy	Workrite	720-NX-45	38-50	\$89.00
00310 New item #119	EMS Shears	Froll	EMH-1095		\$3.75
00310 New item #120	Medical Glove Holder	Bianchi	3023		\$10.75
00310 New item #121	Scissor Holder	Boston Leather	3115RS		\$8.50
00310 New item #122	Door Badges	R & B	SAC-HW-DR		\$5.75

00310	New Item #123	RIT Bailout Bag	Parade Tech	3253323050		\$125.00
00310	New Item #124	Garment Bag	Bridle	3009		\$11.75
00310	New Item #125	Hellraiser Clear Safety Glasses	Logistics Supply	25715KOZ		\$5.75
00310	New Item #126	Hellraiser Tinted Safety Glasses	Logistics Supply	20541KOZ		\$5.75
00310	New Item #127	G2X Pro Light	Safefire	G2X-D-BK		\$73.00
00310	New Item #128	Duty Jacket, Navy	Bauer	8120	XS-XL	\$127.00
00310	New Item #129	Duty Jacket, Navy	Bauer	8120	2XL	\$139.00
00310	New Item #130	Duty Jacket, Navy	Bauer	8120	3XL	\$155.00
00310	New Item #131	Duty Jacket, Navy	Bauer	8120	4XL	\$167.00
00310	New Item #132	Alpha Scout Folding Knife	511	51025		\$39.00
00310	New Item #133	Fleece Jacket Liner for 5 11 Hi-Viz Parka, Navy	511	48038	S-2XL	\$99.00
00310	New Item #134	Fleece Jacket Liner for 5 11 Hi-Viz Parka, Navy	511	48038L	3XL-4XL	\$105.00
00310	New Item #135	Light Mount for Helmet	Blackjack	BJ0001		\$20.00
00310	New Item #136	Ogio Rage Bag, Red w/embroidered PFD Logo	Sarmar	108089		\$45.00
00310	New Item #137	Dress Shoestrings	Bates	7046		\$5.00
00310	New Items #138	Duty Boot Shoestrings	Carner	70023		\$6.00
00310	New Items #139	Knucklehead Battery Pack	Sreamlight	90338		\$38.00
00310	New Items #140	Steady charge plug in holder	Sreamlight	90010		\$24.00
00310	New Items #141	Xenon Bulb	Sreamlight	90314		\$7.75
00310	New Items #142	4AA LED Bulb	Sreamlight	98221		\$21.75
00310	New Items #143	CR123 Lithium Batteries, 12 pack	Sreamlight	95177		\$26.50
00310	New Items #144	CR123 Lithium Batteries, 2 pack	Sreamlight	95175		\$5.75
00310	New Items #145	Rubber Fastener for Collar Pins	Klench	KL		\$4.99
00310	New Items #146	Hazmat Pin	Premier	P4364		\$4.75
00310	New Items #147	Training Instructor Pin, Gold	Blackinton	A3353T		\$24.50
00310	New Items #148	EMT Pin	Blackinton	A6194		\$18.75
00310	New Items #149	Medal of Valor	Blackinton	A11173		\$13.00
00310	New Items #150	Distinguished Service Award	Blackinton	A11415		\$13.00
00310	New Items #151	Maltese Cross, Gold	Blackinton	A12806		\$13.00
00310	New Items #152	EMS Lifesaving	Blackinton	A7125-3		\$13.00
00310	New Items #153	Vaisetz Black Boot for Women	Line-A-Mole	1236452		\$99.99

THE CONTRACT TIME WILL BE INCREASED BY:

C Days

APPROVALS REQUIRED:

VENDOR

DATE

FIRE CHIEF

DATE

MAYOR

DATE

# Agenda Action Form Paducah City Commission

Meeting Date: August 27, 2013

**Short Title:** Contract with GPEDC

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 Greater Paducah Partners For Progress and GPEDC in the amount of \$250,000, to be paid in quarterly installments.

In addition, since GPEDC has absorbed the role and all responsibilities of EntrePaducah, an additional \$50,000 was allotted, also payable in quarterly installments.

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 FY2013 Budget.

Account Name: Investment Fund  
Account Number: 004-0401-536-2307/ED0006/ED0101

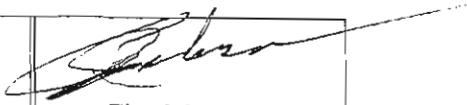
Finance
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### Staff Recommendation:

Authorize the Mayor to enter into one-time Contracts For Services with GPEDC for a total of \$300,000 (\$250,000 for GPEDC responsibilities and \$50,000 for EntrePaducah responsibilities)

### Attachments:

Ordinance  
Contract

Department Head	City Clerk	 City Manager
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ORDINANCE NO. 2013-9- \_\_\_\_\_

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A  
CONTRACT WITH THE GREATER PADUCAH ECONOMIC DEVELOPMENT COUNCIL  
FOR SPECIFIC SERVICES THAT WILL INCLUDE SERVICES FOR ENTREPADUCAH  
BE IT ORDAINED BY THE CITY OF PADUCAH, KENTUCKY.

SECTION 1. That the Mayor is hereby authorized to execute a contract with  
Greater Paducah Economic Development Council in the amount of \$250,000, to be paid in equal  
quarterly allocations of \$62,500, for performance of services as outlined in said Contract.  
Further, the contract sets out services for EntrePaducah with funding from the City in the amount  
of \$50,000, to be paid in equal quarterly allocations of \$12,500. This contract shall expire June  
30, 2014.

SECTION 2. This expenditure will be charged to the Investment Fund account,  
Project No. ED0006.

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, August 27, 2013  
Adopted by the Board of Commissioners, September 3, 2013  
Recorded by Tammara S. Sanderson, City Clerk, September 3, 2013  
Published by The Paducah Sun, \_\_\_\_\_  
ord\contract-GPEDC 8/13/14

## CONTRACT FOR SERVICES

This Contract for Services, effective this \_\_\_\_\_ day of \_\_\_\_\_, 2013, by and between the **CITY OF PADUCAH** ("City") and the **GREATER PADUCAH ECONOMIC DEVELOPMENT COUNCIL, INC. (GPEDC)**, a Kentucky not-for-profit corporation.

### WITNESSETH:

**WHEREAS**, GPEDC is a non-profit organization charged with the economic development of Paducah and McCracken County.

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

**WHEREAS**, promoting investment and economic development in the Paducah area as well as supporting entrepreneurs and business development in the community serves a valid public purpose; and

**WHEREAS**, the City of Paducah desires to contract with GPEDC 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**

- A. In consideration of the administrative costs including compensation for personnel who carry out the objectives and services of GPEDC for services described herein, the City shall pay GPEDC Two Hundred Fifty Thousand Dollars (\$250,000) to be paid in equal quarterly allocations of \$62,500 each by the end of each quarter; provided however such payment may be reduced to recover payment if loans to GPEDC become past due. A quarterly invoice will be provided by GPEDC prior to payment.
- B. Also, in consideration of GPEDC absorbing the role of EntrePaducah, and for the additional services outlined in Section 5, the City shall pay GPEDC an additional \$50,000, to be paid in equal quarterly allocations of \$12,500 each by the end of each quarter. A quarterly invoice will be provided by EntrePaducah (GPEDC) prior to payment.

- C. 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** GPEDC shall perform the following services for and on behalf of the city in consideration for the allocation payments described above:

- Market the greater Paducah area and promote economic development through capital investment, job creation, and business retention.
- Incur costs and expenses for the advertisement and promotion of industrial and commercial sites.
- Host visits by prospective investors and site selection consultants.
- Act as local liaison to the Kentucky Cabinet for Economic Development, the Southern Kentucky Industrial Development Association, the Tennessee Valley Authority, the Paducah Area Community Reuse Organization, and other regional economic development organizations.
- Provide staff support to the Paducah-McCracken Industrial Development Authority.
- Incur costs and expenses related to data compilation and maintenance required by companies making site decisions. This includes conducting, analyzing, and maintaining ongoing information including: competitive studies, the local labor market area, land availability, market trends, and such other data for the promotion of economic development.
- Conduct ongoing business retention program.
- Maintain information regarding labor management relations.
- Market GPEDC's Information Age Park
- Coordinate and support property acquisition for and development of Riverport West
- Publish an annual report
- Market Industrial Park West and Riverport West
- Coordinate GPEDC's business recruitment work with the Chamber's support of retail businesses, EntrePaducah's support of entrepreneurs, the commercialization and innovation centers' support of start-ups and PUPAU's work with McCracken County's nuclear industry.
- Monitor compliance with incentive agreements for the City and County and provide periodic written reports of such to the City Manager.

**SECTION 5: ENTREPADUCAH**

With the addition of the former EntrePaducah becoming a part of GPEDC, the following services are also included in the contract:

Will provide staff and conduct programs to support entrepreneurs and entrepreneurial behavior in the community. Activities will include concierge support for entrepreneurs, development of networking forums where experienced entrepreneurs can mentor new entrepreneurs and their start-up businesses, coordination with existing government programs that support new businesses, including administration of the Small Business Incentive Program and assistance with development of business plans.

**SECTION 6: ACCOUNTING**

- (A) GPEDC shall conduct all accounting, payroll, financial management, and shall make regular reports of GPEDC's expenditures to ensure such expenditures are proper.
- (B) City shall have the right to inspect the operations of GPEDC, including reviewing its books, records, ledgers, or other documents, without prior notice of said inspection.
- (C) GPEDC shall supply an annual financial audit to the City within two (2) weeks of its completion.

**SECTION 7: 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.

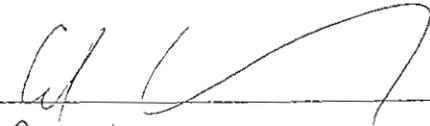
**SECTION 8: WITHDRAWAL OF FUNDS** Notwithstanding any other provision in this Contract for Services, in the event it is determined that any funds provided GPEDC are used for some purpose other than in furtherance of the services described herein, the City shall have the right to immediately withdraw 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

**GREATER PADUCAH ECONOMIC DEVELOPMENT COUNCIL, INC.**

By  \_\_\_\_\_  
Title President/CEO

# Agenda Action Form

## Paducah City Commission

Meeting Date: August 27, 2013

Short Title: **2013/2014 Kentucky Transportation Discretionary Application**

Ordinance     Emergency     Municipal Order     Resolution     Motion

Staff Work By: Capt. Don Hodgson

Presentation By: Asst. Chief Stacey Grimes

Background Information: The Kentucky Office of Highway Safety, a division of the Kentucky Transportation Cabinet has competitive, discretionary grant programs that offer reimbursements to police agencies. Kentucky Office of Highway Safety has contacted the police department in regard to discretionary funds that are available and can be requested.

In an effort to reduce unsafe driving behaviors and reduce collisions, the Paducah Police Department submitted a letter to request funds through Municipal Order #1734 on July 23, 2013, in the amount of \$5,000. These funds will be expended for overtime traffic enforcement. There is no cash match required.

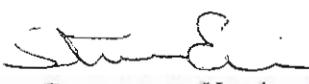
If the Commission desires the Police Department to accept an award from The Kentucky Office of Highway Safety it must authorize and direct the Mayor to sign all pertaining documents.

Goal:  Strong Economy     Quality Services     Vital Neighborhoods     Restored Downtowns

Funds Available: Project Title: Highway Safety - \$5000  
Project #: PO0073  
File #: 6.249  
Acct. #: 001-1602-521.12-01

Finance
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Staff Recommendation: Approval

 Department Head	City Clerk	City Manager
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ORDINANCE NO. 2013-9-\_\_\_\_\_

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A 2013-2014 KENTUCKY TRANSPORTATION DISCRETIONARY AWARD FOR A REIMBURSEMENT GRANT WITH THE KENTUCKY OFFICE OF HIGHWAY SAFETY, A DIVISION OF THE KENTUCKY TRANSPORTATION CABINET

WHEREAS, the City of Paducah applied for a 2013/2014 Kentucky Office of Highway Safety Grant, by Municipal Order No. 1734 adopted on July 23, 2013, for overtime traffic enforcement activities for the Paducah Police Department; and

WHEREAS, the Kentucky Office of Highway Safety has approved the application and is now ready to award this grant.

BE IT ORDAINED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. That the City of Paducah hereby authorizes the Mayor to execute a grant agreement and all documents relating thereto for a 2013-2014 Kentucky Transportation Discretionary Reimbursement Grant Award with the Kentucky Office of Highway Safety, a division of the Kentucky Transportation Cabinet, in the amount of \$5,000, for overtime hours for traffic enforcement. This program does not require any local cash or in-kind match.

SECTION 2. This expenditure shall be charged to Project No. P00073

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, August 27, 2013  
Adopted by the Board of Commissioners, September 3, 2013  
Recorded by Tammara S. Sanderson, City Clerk, September 3, 2013  
Published by *The Paducah Sun*, \_\_\_\_\_  
ord plan grants police-governor: 2013-2014 Ky Transportation Discretionary Grant