



CITY COMMISSION MEETING
AGENDA FOR JANUARY 7, 2014

5:30 P.M.

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE - Will Hancock –PTHS Senior

ADDITIONS/DELETIONS

RECOGNITION: Christmas Parade Awards

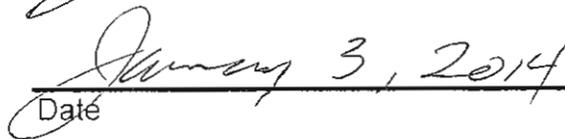
	I.	<u>MINUTES</u>
	II.	<u>MUNICIPAL ORDERS</u>
		A. Personnel Actions – C. MEDFORD
		B. 2014 National Endowment for the Arts "Our Town" Grant Application – S. ERVIN, L. BRYANT-GREENE
		C. Declaration and Sale of Surplus Property – 1235 South 5 th Street – S. ERVIN
	III.	<u>ORDINANCES – ADOPTION</u>
		A. Authorize Mayor to Execute A Cooperation Agreement with the United States Army Corps of Engineers for Paducah Levee Repairs Sustained During the 2011 Flood – R. MURPHY
	IV.	<u>ORDINANCES – INTRODUCTION</u>
		A. Sale of Property Located at 401 Washington Street On Behalf of Paducah Water – G. ANDERSON
		B. 2013 Ky Office of Homeland Security LEPP Grant Award – ASST. CHIEF S. GRIMES, S. ERVIN
	V.	<u>CITY MANAGER REPORT</u>
	VI.	<u>MAYOR & COMMISSIONER COMMENTS</u>
	VII.	<u>PUBLIC COMMENTS</u>
	VIII.	<u>EXECUTIVE SESSION</u>

CITY OF PADUCAH
January 7, 2014

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



City Manager's Signature



Date

CITY OF PADUCAH
PERSONNEL ACTIONS
January 7, 2014

NEW HIRES - PART-TIME (PT)/TEMPORARY/SEASONAL

<u>EPW - FLOODWALL</u>	<u>POSITION</u>	<u>RATE</u>	<u>NCS/CS</u>	<u>FLSA</u>	<u>EFFECTIVE DATE</u>
Griffin, Joe	Temporary Pump Operator	\$7.25/Hr	NCS	Non-Ex	January 2, 2014

TERMINATIONS - FULL-TIME (F/T)

<u>FIRE - SUPPRESSION</u>	<u>POSITION</u>	<u>REASON</u>	<u>EFFECTIVE DATE</u>
Greif, Robert A.	Firefighter - Relief Driver	Resignation	January 2, 2014

A MUNICIPAL ORDER APPROVING AN APPLICATION AND ALL DOCUMENTS NECESSARY FOR THE CITY OF PADUCAH PLANNING DEPARTMENT IN PARTNERSHIP WITH THE COLUMBIA THEATER TASK FORCE AND THE PADUCAH FILM SOCIETY TO APPLY FOR THE 2014 OUR TOWN MATCHING GRANT FUNDED BY THE NATIONAL ENDOWMENT FOR THE ARTS FOR \$81,500. FOR THE COLUMBIA THEATER PROJECT

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. The City of Paducah hereby approves an application and all documents necessary for the Planning Department, in partnership with the Columbia Theater Task Force and the Paducah Film Society to submit for the 2014 Our Town matching grant. The request is in the amount of \$81,500, and will be funded by the National Endowment for the Arts. This grant is for the Columbia Theater Project to assist in the development of the Feasibility Study, which will identify marketing strategies, financial resources, and outline the operational viability/sustainability of the theater.

SECTION 2. The Mayor is hereby authorized to execute the application and all documents necessary for an Our Town matching grant approved in Section 1 above.

SECTION 3. If the Our Town grant is approved, the Columbia Theater Task Force and the Paducah Film Society will provide in-kind services in the amount of \$81,500 for the matching grant, for a total project cost estimate of \$163,000.

SECTION 4. 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, January 7, 2014
Recorded by Tammara S. Sanderson, City Clerk, January 7, 2014
\\mo\grants\natl endowment for the arts-our town 2014 \$81,500

1-2014

**Agenda Action Form
Paducah City Commission**

Meeting Date: Jan. 7, 2014

Short Title: Declaration and Sale of Surplus Property at 1235 S. 5th Street.

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Steve Ervin/Nancy Upchurch

Presentation By: Steve Ervin

Background Information:

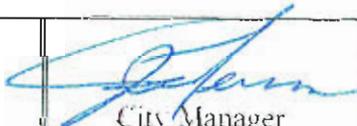
This action would declare 1235 South 5th Street surplus property owned by the City of Paducah and authorize the transfer to the property Mrs. Julieann Rose. She submitted an offer to purchase the property for \$175 on Dec. 4, 2013. She would use the property to grow produce to distribute to the needy. The property was advertised in the Paducah Sun on Sunday, Nov. 3, 2013 requesting interested parties to submit a bid by Nov. 14, 2013 at 9 AM. No bids were received. Sec. 2-654 (+) c. of the Paducah Code of Ordinances allows the city to enter into competitive negotiations once an invitation to bid has been made in accordance with section 2-645 (a through g) and no bids are received from responsive and responsible bidders. Therefore, staff recommends that the Commission declare the property surplus and transfer to Mrs. Julieann Rose.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

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

Finance

Attachments: Additional supporting documentation to meet requirements Sec. 2-668 of the Paducah Code of Ordinances.

 Department Head	City Clerk	 City Manager
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Sec. 2-668. Disposition of surplus or excess property.

1. Description of property: 1235 South 5th Street



2. Its intended use at the time of acquisition:

This lot was acquired by the City of Paducah on by deed recorded in Deed Book 1174 Page 161 on Sept. 8, 2009. The City did not have a specific use for the property at the time of the acquisition.

3. The reason why it is in the best interest of the City to dispose of the item:

Several months ago staff compiled a list of properties that

the City had acquired over the years through various means. This lot is on the list of properties staff deemed as surplus. The City of Paducah has owned and maintained the property since 2009. It is in the best interest of the City of Paducah to transfer that property to a responsible owner that will take over and maintain the property and possibly develop in the future.

4. The method of disposition to be used:

The property will be sold to Julieann Rose. She submitted a bid and offers to pay \$175 for the property.

Therefore, staff recommendation is that it is in the best interest of the city to declare this property surplus and approve the transfer of this property to Mrs. Julieann Rose.

Steve Ervin,
Director Planning Department

Jeff Pederson,
City Manager

Agenda Action Form

Paducah City Commission

Meeting Date: December 17, 2013

Short Title: Cooperation Agreement with the USACE for Paducah Levee Repairs Sustained During the 2011 Flood

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 May 18, 2011, the US Army Corps of Engineers notified the City of Paducah that under Public Law 84-99 the City was eligible to request Rehabilitation Assistance for damages sustained to the Paducah Levee System during the 2011 Flood. On June 27, 2011, correspondence was sent to the USACE documenting the 2011 Flood damages sustained on the Paducah Levee System and formally requesting the USACE to provide the rehabilitation benefits pursuant to provisions under Public Law 84-99. In March of 2012, the USACE inspected the flood damages made to the Paducah Levee System as described in a Project Information Report (PIR). On November 21, 2013, the USACE Division Engineer approved the rehabilitation work described in the PIR.

In order to proceed with the 2011 Flood Damage Rehabilitation Effort listed in the PIR, the USACE has requested the City execute a Cooperation Agreement. In accordance with this Cooperation Agreement, the USACE will complete all rehabilitation repairs noted within the PIR. The City of Paducah will be responsible to establish a suitable borrow site that will be utilized to procure the volume of soil needed for the proposed riverbank embankment fill. The City has located a suitable borrow site having a sufficient volume in close proximity of the project. The cost for the fill material is estimated at \$10,000 to \$15,000.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: Account Name: Floodwall Repairs/Upkeep
Account Number: 001-3308-532-3305

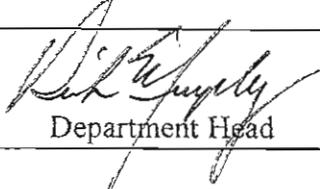
Finance

Staff Recommendation:

To adopt an Ordinance authorizing the Mayor to execute a Cooperation Agreement with the United States of America, Department of the Army Corps of Engineers for Rehabilitation Assistance for damages sustained to the City of Paducah Levee System during the 2011 Flood pursuant to Public Law 84-99 as documented in the USACE's Project Information Reports approved by the Division Engineer on November 21, 2013.

Attachments:

USACE May 18, 2011 Notice, City Formal Request June 27, 2011, Cooperative Agreement

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

Meeting Date:
January 7, 2014

Short Title: Sale of 401 Washington Street on Behalf of Paducah Water

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By:

Presentation By: Glen Anderson,
General Manager, Paducah Water

Background Information:

As a result of the completion of the Paducah Water's new business office building off of North 8th Street, in Paducah, the former business office of Paducah Water located at 401 Washington Street, Paducah, Kentucky (the "Property") and owned by the City of Paducah, Kentucky, for the use and benefit of the Commissioners of WaterWorks of the City of Paducah, DBA Paducah Water ("Paducah Water") was deemed surplus real estate and was authorized to be sold by Paducah Water by Municipal Order No. 1685, adopted by the Board of Commissioners on September 11, 2012.

On August 13, 2013, Paducah Water entered into a Real Estate Purchase Agreement, as may be amended, (the "Agreement") for the sale of the property to Great Rivers, L.L.C., an Illinois limited liability company, for and in consideration of TWO HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$250,000.00) and in accordance with the terms and conditions set forth in the Agreement. The sale is to be consummated on or before February 3, 2014.

The monies due to Paducah Water for the sale of the surplus property shall be remitted to Paducah Water following execution and delivery of the aforesaid deed of conveyance.

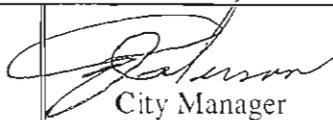
Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: Account Name:
Account Number:

Finance

Staff Recommendation:

Attachments:

Department Head	City Clerk	 City Manager
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ORDINANCE NO. 2014-_____**AN ORDINANCE APPROVING THE SALE AND TRANSFER OF
MUNICIPALLY OWNED REAL PROPERTY HELD FOR THE
USE AND BENEFIT OF THE COMMISSIONERS OF
WATERWORKS OF THE CITY OF PADUCAH, DBA PADUCAH
WATER**

WHEREAS, certain real property located at 401 Washington Street, Paducah, Kentucky (the "Property") and owned by the City of Paducah, Kentucky, for the use and benefit of the Commissioners of WaterWorks of the City of Paducah, DBA Paducah Water ("Paducah Water") was deemed surplus real estate and was authorized to be sold by Paducah Water in accordance with the requirements of KRS 82.083 by Municipal Order No. 1685, adopted by the Board of Commissioners on September 11, 2012; and

WHEREAS, on August 13, 2013, Paducah Water entered into a Real Estate Purchase Agreement, as may be amended, (the "Agreement") for the sale of the Property to Great Rivers, L.L.C., an Illinois limited liability company, for and in consideration of TWO HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$250,000.00) and in accordance with the terms and conditions set forth in the Agreement; and

WHEREAS, the Property is located in Paducah, McCracken County, Kentucky and is more particularly described in the attached **Exhibit "A"**; and

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

Section 1. Recitals and Authorizations. The Board of Commissioners hereby approves the sale of the Property to Great Rivers, L.L.C., for and in consideration of TWO HUNDRED

FIFTY THOUSAND AND 00/100 DOLLARS (\$250,000.00) and in accordance with the terms and conditions set forth in the Agreement.

Section 2. Recitals and Authorizations. That the Mayor of the City of Paducah, Kentucky for the use and benefit of the Commissioners of Waterworks of the City of Paducah, DBA Paducah Water, be and he is hereby authorized to execute and deliver a special warranty deed of conveyance of the Property to Great Rivers, L.L.C., together with all other documentation necessary to effectuate the transfer of the Property.

Section 3. Distribution of Proceeds. The monies due to Paducah Water for the sale of the surplus property shall be remitted to Paducah Water following execution and delivery of the aforesaid deed of conveyance.

Section 4. Severability. If any section, paragraph or provision of this Order shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Order.

Section 5. Compliance with Open Meetings Laws. The City Commission hereby finds and determines that all formal actions relative to the adoption of this Order were taken in an open meeting of the City Commission, and that all deliberations of this City Commission and of its committees, if any, which resulted in formal action, were in meetings open to the public, in full compliance with applicable legal requirements.

Section 6. Conflicts. All ordinances, resolutions, orders or parts thereof in conflict with the provisions of this Order are, to the extent of such conflict, hereby repealed and the provisions of this Order shall prevail and be given effect.

Section 7. Effective Date. This ordinance shall be read on two separate days and

will become effective upon summary publication pursuant to KRS Chapter 424.

Mayor

ATTEST:

Tammara S. Sanderson, City Clerk

Introduced by the Board of Commissioners, January 7, 2013

Adopted by the Board of Commissioners, January 14, 2013

Recorded by Tammara S. Sanderson, City Clerk, January 14, 2013

Published by *The Paducah Sun*, _____

\\ord\pww-401 washington

EXHIBIT "A"
LEGAL DESCRIPTION

Being a part of Lot 171, Block "N" 19, Paducah, McCracken County, and identified as Parcel No. 3, in Block No. "N" 19, in the Downtown Civic Center, Project No. Ky-R-30, as shown by a plat of subdivision recorded in Plat Book "G," page 364, in the McCracken County Court Clerk's office, and more particularly described as follows:

Beginning at a point where the northerly right-of-way line of Washington Street intersects with the new westerly right-of-way line of South 4th Street; thence, from the point of beginning S 59 degrees – 42' W a distance of 109.0' to a point at the intersection of the westerly subdivision property line; thence, with said westerly property line N 30 degrees – 20' W a distance of 115.42' to a point at the intersection of the southerly property line of a lot now owned or formerly owned by Paducah Newspapers, Inc.; thence N 59 degrees – 40' E a distance of 36.38' to a point at the intersection of the easterly property line of the above-mentioned lot; thence, N 30 degrees – 20' W a distance of 37.54 to a point at the intersection of the southerly right-of-way line of a 20.00' alley; thence with said southerly right-of-way line N 59 degrees – 40' E a distance of 72.71 to a point at the intersection of the new westerly right-of-way line of South Fourth Street; thence, with said westerly right-of-way line S 30 degrees – 20' E a distance of 153.02' to the point of beginning.

The above described parcel contains .352 acres (15,324 sq. ft.) The above described parcel is subject to an encroachment along the westerly most property line. Said encroachment being .45' at the southwest property corner and 1.55' at the northwest most property corner. There exists on this parcel a ten-foot wide sewer easement more particularly described as follows:

Beginning at a point on the centerline of a ten-foot wide sewer easement, said point being S 30 degrees – 20' E a distance of 228' from the intersection point of the southerly right-of-way line of Kentucky Avenue and the new westerly right-of-way line of South Fourth Street; thence, with said centerline S 59 degrees – 40' W a distance of 72.71' to the easterly property line of a lot now owned or formerly owned by Paducah Newspapers, Inc.

Being the same property conveyed to the City of Paducah, Kentucky, for the use and benefit of the Paducah Water Works by deed dated October 1, 1968, of record in Deed Book 502, page 218, in the McCracken County Court Clerk's office.

NOTICE OF ADOPTION AND SUMMARY OF ORDINANCE NO. 2014 - _____

The Board of Commissioners of the City of Paducah, Kentucky, at meetings held on _____, 2014, and _____, 2014, gave first and second readings to, and adopted the following ordinance:

**AN ORDINANCE APPROVING THE SALE AND TRANSFER OF
MUNICIPALLY OWNED REAL PROPERTY HELD FOR THE
USE AND BENEFIT OF THE COMMISSIONERS OF
WATERWORKS OF THE CITY OF PADUCAH, DBA PADUCAH
WATER**

In this Ordinance the City of Paducah ("City") approves the sale of surplus real property located at 401 Washington Street, Paducah, Kentucky pursuant to a Real Estate Purchase Agreement dated August 13, 2013 by and between Paducah Water and Great Rivers, L.L.C., an Illinois limited liability company, for and in consideration of TWO HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$250,000.00) and in accordance with the terms and conditions set forth in the aforesaid agreement. This Ordinance further authorizes the Mayor of the City of Paducah, Kentucky, for the use and benefit of Paducah Water to execute and deliver a special warranty deed of conveyance of the surplus property.

I, the undersigned City Clerk of the City of Paducah, Kentucky, hereby certify that Ordinance No. 2014 - _____ was approved by the Board of Commissioners of the City of Paducah, Kentucky, for first reading on _____, 2014, and was adopted after second reading on _____, 2014, and was further approved for publication following adoption according to law. I further certify that the foregoing summary was prepared for the City by Lisa H. Emmons of Denton & Keuler, LLP, Attorneys at Law, 555 Jefferson Street, Paducah, Kentucky, 42002-0929.

WITNESS my hand and seal of said County, this ____ day of _____, 2014.

/s/ Tammara Brock
City Clerk, City of Paducah, Kentucky

The undersigned Attorney at Law, licensed to practice in Kentucky, hereby certifies that the foregoing title summary of Ordinance No. 2014 - _____ of the City of Paducah, Kentucky, was prepared by the undersigned and constitutes a general summary of essential provisions of said Ordinance, reference to the full text of which Ordinance is hereby made for a complete statement of its provisions and terms.

/s/ Lisa H. Emmons
Lisa H. Emmons, Esq.
Denton & Keuler, LLP
555 Jefferson Street
Paducah, Kentucky 42002-0929

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Agenda Action Form Paducah City Commission

Meeting Date: January 7, 2014

Short Title: 2013 KY Office of Homeland Security LEPP Grant Award

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Asst. Chief Stacey Grimes, Sheryl Chino

Presentation By: Asst. Chief Stacey Grimes, Steve Ervin

Background Information: The Kentucky Office of Homeland Security (KOHLS), Law Enforcement Protection Program (LEPP) will reimburse law enforcement agencies for prior-approved items including body armor, duty weapons, ammunition and electronic control devices. The Police Department has received awards from this agency in the past and desires to develop and submit an application with for the KOHS.

The Police Department has been awarded a LEPP grant in the amount of \$4,400, to reimburse the city for the purchase of eight (8) body armors. The grant award does not require any match funds.

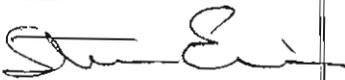
If the Commission desires the Police Department to accept this award funding and it must authorize and direct the Mayor to sign all grant related documents.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: Project Title: 2014 LEPP Grant
Project #: PO0077
File #: 6.253
Account #: #: 040-1616-521.23-07

Finance

Staff Recommendation: Approval

 Department Head	City Clerk	 City Manager
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AN ORDINANCE OF THE CITY OF PADUCAH ACCEPTING A 2013 LAW ENFORCEMENT PROTECTION PROGRAM GRANT AWARD FOR THE PADUCAH POLICE DEPARTMENT AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT AND ALL DOCUMENTS RELATING THERETO WITH THE KENTUCKY OFFICE OF HOMELAND SECURITY

WHEREAS, the City of Paducah applied for a Law Enforcement Protection Program Grant Award adopted by Municipal Order No. 1722 on May 14, 2013, for the purchase of body armors for police officers; and

WHEREAS, the Kentucky Office of Homeland Security 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 accepts grant funds in the amount of \$4,400 through the Kentucky Office of Homeland Security for a Reimbursable 2013 Law Enforcement Protection Program Grant Award to purchase body armors for police officers to be used by the Paducah Police Department. This award does not require a local cash match.

SECTION 2. That the Mayor is hereby authorized to execute a Grant Agreement and all documents relating thereto with the Kentucky Office of Homeland Security to obtain a grant in the amount of \$4,400 as referenced in Section 1 above.

SECTION 3. This expenditure shall be charged to Project Account PO0077, account number 040-1616-521-2307.

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, January 7, 2014
Adopted by the Board of Commissioners, January 14, 2014
Recorded by Tammara S. Sanderson, City Clerk, January 14, 2014
Published by *The Paducah Sun*, _____
ord\plan\grants\police-body armors KOHS LEPP 2013 1-2014