CITY COMMISSION MEETING
AGENDA FOR MAY 13, 2014
5:30 P.M.

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

ADDITIONS/DELETIONS

	I.	**MINUTES**
	II.	**MOTIONS**
		A. R & F Documents
	III.	**MUNICIPAL ORDERS**
		A. Personnel Actions
		B. Authorizing Advertisement for Sale of Build America Bonds – **J. PERKINS**
		C. 2014-2015 Edward Byrne Memorial Justice Accountability Grant (JAG) Application – **S. ERVIN**
		D. 2014 Delta Regional Authority (DRA) SEDAP Grant Application – **S. ERVIN**
		E. Acquisition of Property Located at 3400 Olivet Church Road for the Olivet Church Roadway Improvement Project – **R. MURPHY**
	IV.	**ORDINANCES – ADOPTION**
		A. Accept Office of Highway Safety – "Heads Up Don't Be In'text'icated" Grant Award – **S. ERVIN/POLICE CHIEF BARNHILL**
		B. Zoning Text Amendment – Banner Signs – **S. ERVIN**
		C. Intent to Annex 3025 Olivet Church Road (Huck's) – **S. ERVIN**
		D. Repeal Fountain Avenue Enhanced Standards – **S. ERVIN**

	E. Abolish Department of Main Street/Paducah Renaissance Alliance Advisory board and Establish Paducah Main Street Board of Directors – **S. ERVIN**
	F. Amend Ordinance Establishing Regulations for Annexation Agreements – **S. ERVIN**
	G. Amend Ordinance To Set Time Limit for Infill Development Agreements – **S. ERVIN**
	I. Fountain Avenue Construction Loan Extension – **S. ERVIN**
V.	**ORDINANCES - INTRODUCTION**
	A. 2010 Taxable Build America Bonds (BABs) General Obligation bonds (GOB), Refinancing Bonds Authorization – Tax Exempt Series 2014 – **J. PERKINS**
	B. Reimbursement Agreement with Paducah Power System for the Olivet Church Roadway Improvement Project Electrical Construction Expenses – **R. MURPHY**
	C. Reimbursement Agreement with Paducah-McCracken County Joint Sewer Agency for the Olivet Church Roadway Improvement Project Sanitary Sewer Construction Expenses – **R. MURPHY**
	D. Authorize Payment to AES Environmental for Household Hazardous Waste Collected During 2014 Clean-Up Day – **R. MURPHY**
	E. Closure of a Portion of Ridgewood Street between Topeka Avenue and Olympia Avenue – **R. MURPHY**
VI.	**CITY MANAGER REPORT**
VII.	**MAYOR & COMMISSIONER COMMENTS**
VIII.	**PUBLIC COMMENTS**
IX.	**EXECUTIVE SESSION**

MAY 13, 2014

I move that the following documents be received and filed:

DOCUMENTS

1. Certificates of Liability Insurance
   a. Leigh & Associates
   b. B H Green & Sons. Inc.
   c. Dave's Electric. LLC

2. Special Warranty Deed for 510-514 Broadway (Columbia Theater Building) (ORD # 2014-04-8129)

3. Commissioner's Deed for 2306 Eulah Street

4. Agreements/Contracts:
   a. Memorandum of Understanding with Higdon Development. Inc. for property development located at 451 Bleich Road (ORD # 2014-04-8134)
   b. Contract for Services with Brooks Stadium Commission (executed by the City Manager)

5. Paducah Power System Electric Rates and Rules & Regulations

6. Paducah Water Works Financial Highlights for March 2014

7. PRDA 2014 Riverfront Development Report

8. City of Paducah Department of Finance Financial Report for period ending March 31. 2014

CITY OF PADUCAH
May 13, 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.

Acting City Manager's Signature

5-9-2014

Date

CITY OF PADUCAH
PERSONNEL ACTIONS
May 13, 2014

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

	POSITION	RATE	NCS/CS	FLSA	EFFECTIVE DATE
PARKS SERVICES					
Abernathy, Jordan K.	Lifeguard	$8.00/Hr	NCS	Non-Ex	May 19, 2014
Ashley, Stephen G.	Lifeguard	$8.00/Hr	NCS	Non-Ex	May 19, 2014
Cockrum, Dallas M.	Lifeguard	$8.00/Hr	NCS	Non-Ex	May 19, 2014
Colli, Dylan F	Pool Attendant	$7.50/Hr	NCS	Non-Ex	May 19, 2014
Dallas, Victoria R.	Lifeguard	$8.00/Hr	NCS	Non-Ex	May 19, 2014
Deming, Taylor N	Lifeguard	$8.00/Hr	NCS	Non-Ex	May 19, 2014
DeNeve, John J	Lifeguard	$8.00/Hr	NCS	Non-Ex	May 19, 2014
Durbin, Alexandra C.	Recreation Leader	$8.00/Hr	NCS	Non-Ex	June 2, 2014
Ellis, Nathan	Pool Attendant	$7.50/Hr	NCS	Non-Ex	May 19, 2014
Elrod, Robert L.	Pool Attendant	$7.50/Hr	NCS	Non-Ex	May 19, 2014
Green, Molly E.	Summer Camp Coordinator	$9.00/Hr	NCS	Non-Ex	May 8, 2014
Grewelle, Courtney R.	Head Lifeguard	$8.25/Hr	NCS	Non-Ex	May 19, 2014
Grogan, Joshua E.	Lifeguard	$8.00/Hr	NCS	Non-Ex	May 19, 2014
Haire, Brent K.	Lifeguard	$8.00/Hr	NCS	Non-Ex	May 19, 2014
Hall, Jesse A.	Pool Attendant	$7.50/Hr	NCS	Non-Ex	May 19, 2014
Hargrove, Molly F.	Summer Camp Coordinator	$9.00/Hr	NCS	Non-Ex	May 8, 2014
Harned, Emme C.	Lifeguard	$8.00/Hr	NCS	Non-Ex	May 19, 2014
Hatton, Patrick B	Recreation Leader	$8.00/Hr	NCS	Non-Ex	June 2, 2014
Kaltenbach, Robert C.	Recreation Leader	$8.00/Hr	NCS	Non-Ex	June 2, 2014
Kinne, Kaitlyn E.	Recreation Leader	$8.00/Hr	NCS	Non-Ex	June 2, 2014
Martin, John W.	Lifeguard	$8.00/Hr	NCS	Non-Ex	May 19, 2014
May, Olivia A.	Pool Attendant	$7.50/Hr	NCS	Non-Ex	May 19, 2014
Miller, Ashley J.	Lifeguard	$8.00/Hr	NCS	Non-Ex	May 19, 2014
Oilver, Mekala E.	Lifeguard	$8.00/Hr	NCS	Non-Ex	May 19, 2014
Owen, Taylor T	Lifeguard	$8.00/Hr	NCS	Non-Ex	May 19, 2014
Petter, Olivia	Recreation Leader	$8.00/Hr	NCS	Non-Ex	April 24, 2014
Phelps, Bethany J.	Summer Camp Coordinator	$9.00/Hr	NCS	Non-Ex	May 8, 2014
Roberts, Dylan M.	Pool Attendant	$7.50/Hr	NCS	Non-Ex	May 19, 2014
Schnuck, Anna	Recreation Leader	$8.00/Hr	NCS	Non-Ex	June 2, 2014
Shannon, Mack	Lifeguard	$8.00/Hr	NCS	Non-Ex	May 19, 2014
Sparks, Hali A.	Pool Attendant	$7.50/Hr	NCS	Non-Ex	May 19, 2014
Starnes, Devon C.	Lifeguard	$8.00/Hr	NCS	Non-Ex	May 19, 2014
Stills, Lashanda F.	Summer Camp Coordinator	$9.00/Hr	NCS	Non-Ex	May 8, 2014
Townsend, Jennifer C.	Pool Attendant	$7.50/Hr	NCS	Non-Ex	May 19, 2014
Tucker, Michael C.	Pool Attendant	$7.50/Hr	NCS	Non-Ex	May 19, 2014
Walden, Case	Recreation Leader	$8.00/Hr	NCS	Non-Ex	June 2, 2014
West, Bradley R.	Recreation Leader	$8.00/Hr	NCS	Non-Ex	April 24, 2014
White, Lauren E.	Lifeguard	$8.00/Hr	NCS	Non-Ex	May 19, 2014
Whittaker, Ross M.	Recreation Leader	$8.00/Hr	NCS	Non-Ex	April 24, 2014
Williamson, Sara E.	Pool Attendant	$7.50/Hr	NCS	Non-Ex	May 19, 2014
Wurth, Amanda Marie	Recreation Leader	$8.00/Hr	NCS	Non-Ex	April 24, 2014
Young, Dana M.	Lifeguard	$8.00/Hr	NCS	Non-Ex	May 19, 2014

PAYROLL ADJUSTMENTS/TRANSFERS/PROMOTIONS/TEMPORARY ASSIGNMENTS

	PREVIOUS POSITION AND BASE RATE OF PAY	CURRENT POSITION AND BASE RATE OF PAY	NCS/CS	FLSA	EFFECTIVE DATE
PARKS SERVICES					
Jones, Kelleigh	Recreation Leader $8.00/Hr	Summer Camp Coordinator $9.00/Hr	NCS	Non-Ex	May 8, 2014
Jordan, Diamond R	Recreation Leader $8.00/Hr	Lifeguard $8.00/Hr	NCS	Non-Ex	May 19, 2014
Meier, Miranda A.	Recreation Leader $8.00/Hr	Lifeguard $8.00/Hr	NCS	Non-Ex	May 19, 2014
West, Bradley R.	Recreation Leader $8.00/Hr	Lifeguard $8.00/Hr	NCS	Non-Ex	May 19, 2014

CITY OF PADUCAH
PERSONNEL ACTIONS
May 13, 2014

PAYROLL ADJUSTMENTS/TRANSFERS/PROMOTIONS/TEMPORARY ASSIGNMENTS

	PREVIOUS POSITION AND BASE RATE OF PAY	CURRENT POSITION AND BASE RATE OF PAY	NCS/CS	FLSA	EFFECTIVE DATE
POLICE					
Copeland, Anthony J.	Detective $24.41/Hr	Operations Sergeant $24.52/Hr	NCS	Non-Ex	May 22, 2014

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

	POSITION	REASON	EFFECTIVE DATE
PARKS SERVICES			
Hutson, William E.	Recreation Leader	Resignation	April 25, 2014
Washer, Caroline R.	Tiny Tot League Coach	Resignation	April 25, 2014
Wilson, Susannah B	Tiny Tot League Coach	Resignation	April 25, 2014
Wright, Bradley W	Summer Camp Coordinator	Resignation	April 25, 2014

TERMINATIONS - FULL-TIME (F/T)

	POSITION	REASON	EFFECTIVE DATE
EPW - STREET			
Lassy III, Paul G.	ROW Maintenance Person	Terminated	May 7, 2014

Agenda Action Form
Paducah City Commission

Meeting Date: May 13, 2014

Short Title: 2010 Taxable Build America Bonds (BABs) General Obligation Bonds (GOB), Refinancing Bonds authorization – Tax Exempt Series 2014

☒ Ordinance ☐ Emergency ☐ Municipal Order ☐ Resolution ☐ Motion

Staff Work By: Jonathan Perkins, Audra Herndon
Presentation By: Jonathan Perkins

Background Information:

The 2010 Build America Bonds (BABs) taxable general obligation bonds (GOB) were originally issued in March of 2010. It is our intention to refinance the 2010 BAB GOBs with proceeds from another bond sale scheduled for May 27, 2014. A Second reading of this ordinance is scheduled for May 20, 2014.

Bond proceeds from the May 27, 2014 *tax-exempt* bond sale will be used to pay off the outstanding 2010 BAB GOB *taxable* issue. The 20-year taxable GOB issue was scheduled to be paid in full in 2030.

By refinancing the 2010 BAB taxable GOB issue, it is our intention to remove the City's dependency on the federal government for interest subsidy payments. When the issue was first put in place in 2010, the federal government promised to provide a reimbursement of 35% of all interest expenses for the life of the bond issue (20 years). Several years ago, with 'sequestration', the federal government broke its promise to Paducah and reduced the amount of interest expense subsidy. As a part of the BAB program, the original BAB GOB issue was required to be sold as a 'taxable GOB', thus at a higher interest rate to lock-in the 35% interest subsidy payment.

The bond market appears to be favorable to refinance the entire bond issue over the remaining life of the issue (to 2030) at an interest savings estimated to exceed $210,000. The savings is driven by two factors: (1) elimination of the BAB program requirement removes our obligation to a taxable GOB; and, (2) the market is such that interest rates in general may be more attractive now than in the past.

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

Funds Available: Account Name: Bond Issue - 2013
Account Number: Bond Fund

5/9/2014
Finance

S Jon Perkins Word Debt Management Bond Issue $6 645M - 2010, Pavilion, SportsPark E-Inn, various capital projects, file 8 68 2010 BABs (2014A Series) Refinanced Agenda - 2014 Bond Ordinance (2010 BABs refinance, Intro doc

Staff Recommendation: That the Commission approve ordinance and all appropriate related agreements to refinance the 2010 BAB GOBs and reduce the amount of interest expense over the life of the remaining debt issue through 2030.

Attachments: Draft of Ordinance

Department Head	City Clerk	City Manager

MUNICIPAL ORDER NO. ___

MUNICIPAL ORDER APPROVING THE ADVERTISEMENT FOR BID AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT FOR THE PURCHASE OF CITY OF PADUCAH, KENTUCKY GENERAL OBLIGATION REFUNDING BONDS, SERIES 2014A IN THE AGGREGATE PRINCIPAL AMOUNT OF APPROXIMATELY $5,765,000.

WHEREAS, the City of Paducah, Kentucky (the "City"), heretofore issued its $6,645,000 City of Paducah, Kentucky Taxable General Obligation Build America Bonds, Series 2010 (Build America Bonds - Direct Payment) (the "Prior Bonds"), the proceeds of which were used to finance various public projects within the City, including the construction of Greenway Trail, the construction of a replacement for the existing Noble Park parking lot and construction of related appurtenances, the resurfacing of City streets, the acquisition and installation of generators throughout the City, the acquisition and installation of traffic signals, the acquisition of the Executive Inn and related appurtenances and the construction and installation of public improvements on a portion of the site thereof, the acquisition and construction of an air dome pavilion, the acquisition of real property for use as a sports park and the acquisition of such additional improvements in substitution of any of the foregoing as were identified in the budget of the City adopted for the fiscal year ending June 30, 2010 (collectively, the "Project")finance the acquisition, construction and installation of a public works building and riverwall within the City (the "Project"); and

WHEREAS, the Prior Bonds were issued as Build America Bonds ("Build America Bonds"), as permitted by the American Recovery and Reinvestment Act of 2009, pursuant to which the United States Treasury was to pay to the City 35% of the interest payable on the Prior Bonds (the "Credit Payment") contemporaneously with each interest payment date for such Prior Bonds so long as the Prior Bonds complied with all federal tax requirements of the Build America Bonds; and

WHEREAS, subsequent to the date of issuance of the Prior Bonds, provisions were enacted resulting in the Credit Payment being reduced below the 35% threshold; and

WHEREAS, the terms of the Prior Bonds provide that the Prior Bonds may be redeemed at any time at the election of the City, in whole or in part, at a redemption price equal to the face amount of the Prior Bonds to be redeemed, plus accrued interest to the date of redemption, Section 54AA or 6431 of the Internal Revenue Code of 1986, as amended (the "Code") is modified, amended or interpreted in a manner pursuant to which the City's Credit Payments from the United States Treasury are reduced or eliminated (an "Extraordinary Redemption Event"); and

WHEREAS, the City has determined that the present conditions of the municipal market are such that it is advantageous and in the best interests of the City for the City to proceed with the issuance of its General Obligation Refunding Bonds, Series 2014A in the aggregate principal amount of $5,765,000 (the "Bonds"), subject to a permitted adjustment increasing or decreasing the principal amount of the Bonds by up to $575,000 (the "Permitted Adjustment"), to currently

refund the Prior Bonds and enable the City to exercise the Extraordinary Redemption Event with respect to the Prior Bonds; and

WHEREAS, on the 13th day of May, 2014 the City gave first reading to, and on the 20th day of May, 2014 proposes to give second reading to and adopt, an ordinance providing for the issuance of the Bonds in order to provide funds to pay the costs, not otherwise provided for, of the refunding and retirement of the Prior Bonds, which ordinance is titled as follows:

> AN ORDINANCE OF THE CITY OF PADUCAH, KENTUCKY AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2014A IN THE AGGREGATE PRINCIPAL AMOUNT OF $5,765,000 (SUBJECT TO A PERMITTED ADJUSTMENT INCREASING OR DECREASING THE SIZE OF SAID BONDS BY UP TO $575,000) TO CURRENTLY REFUND THE OUTSTANDING CITY OF PADUCAH, KENTUCKY TAXABLE GENERAL OBLIGATION BUILD AMERICA BONDS, SERIES 2010 (BUILD AMERICA BONDS - DIRECT PAYMENT), THE PROCEEDS OF WHICH WERE USED TO FINANCE THE COSTS OF VARIOUS PUBLIC PROJECTS WITHIN THE CITY OF PADUCAH, KENTUCKY; AUTHORIZING DESIGNATED OFFICERS TO EXECUTE AND DELIVER THE BONDS; PROVIDING FOR THE PAYMENT AND SECURITY OF THE BONDS; CREATING A BOND PAYMENT FUND; MAINTAINING THE HERETOFORE CREATED SINKING FUND; AUTHORIZING ACCEPTANCE OF THE BIDS OF THE BOND PURCHASER OR PURCHASERS FOR THE PURCHASE OF THE BONDS; AND REPEALING INCONSISTENT ORDINANCES.

WHEREAS, it is appropriate at this time that the City authorize the advertisement for bid for the purchase of the Bonds.

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

SECTION 1. The City of Paducah, a municipal corporation and political subdivision of the Commonwealth of Kentucky, shall issue its "General Obligation Refunding Bonds, Series 2014A (the "Bonds") in the aggregate principal amount of approximately $5,765,000.

SECTION 2. The City shall comply with the requirements of KRS Chapters 66 and 424 by advertising for bids for the purchase of the Bonds. Actions heretofore taken by the City in connection with the preparation of such instruments and the distribution of such information by the City as shall be necessary to accomplish the foregoing, including the preparation of a Preliminary Official Statement (the "Preliminary Official Statement") which Preliminary Official Statement shall be deemed final by the Mayor of the City in accordance with Rule 15c2-12 of the Securities and Exchange Commission (the "Rule"), are hereby ratified and approved. In order to enable prospective purchasers to submit a bid for the purchase of the Bonds, the City hereby covenants and agrees that it will execute, comply with and carry out all of the provisions of a continuing disclosure undertaking (the "Continuing Disclosure Undertaking") in connection with the issuance of the Bonds. Failure to comply with any such provisions of the Continuing

Disclosure Undertaking shall not constitute a default on the Bonds; however, any holder of the Bonds, including the beneficial owners of the Bonds, may take such action as may be necessary and appropriate, including seeking specific performance, to cause the City to comply with its obligations under the Continuing Disclosure Undertaking.

SECTION 3. Proposals for the purchase of the Bonds shall be opened and reviewed by the Finance Director of the City, and shall be acted upon by the City Manager or Finance Director on that same day, based upon the advice of the City's financial advisor, J.J.B. Hilliard, W.L. Lyons, LLC, without the need for further action by this City Commission. The City hereby ratifies and approves the use of the "Notice of Bond Sale," substantially in the form attached hereto, which shall be published as required by law.

SECTION 4. The City Manager or Finance Director shall, in a certificate of award accepting the successful bid or bids for the Bonds (the "Certificate of Award"), determine the exact principal amount of Bonds to be awarded and the exact rate or rates of interest which said Bonds shall bear, and the interest rate or rates on said Bonds shall be automatically fixed at the rate or rates set out in the successful bid accepted by said Certificate of Award. The proceeds of the sale of said Bonds shall be applied to the costs of refunding the Prior Bonds and the costs of issuing the Bonds and shall be expended as provided in the Ordinance authorizing the Bonds.

SECTION 5. In the event that no bid shall be accepted for the purchase of the Bonds, bids may again be solicited for the purchase of the Bonds at a future date and hour at the discretion of the Mayor, without the necessity of further authorization by the City.

SECTION 6. All motions, orders, resolutions and parts thereof in conflict herewith, are hereby repealed to the extent of such conflict, and this Municipal Order shall be effective immediately.

SECTION 7. This Municipal Order shall be in full force and effect immediately upon its adoption.

INTRODUCED, PUBLICLY READ, AND FINALLY APPROVED on one reading, this 13th day of May, 2014.

_____
Gayle Kaler, Mayor

Attest:

_____
Tammy Sanderson, City Clerk

EXHIBIT A

NOTICE OF BOND SALE

Notice is hereby given that electronic bids will be received by the City of Paducah, Kentucky (the "City"), until 12:00 p.m., C.T. on May 27, 2014 (or at such later time and date announced at least forty-eight hours in advance via the **BiDCOMP™/PARITY™** system) for the purchase of approximately $5,765,000 of the City's General Obligation Refunding Bonds, Series 2014A (the "Bonds"). Alternatively, written sealed or facsimile bids for one or more series of the Bonds by the designated time will be received by the Finance Director, 300 South Fifth Street, Paducah, Kentucky 42002 (FAX: (270) 440-8589).

The Bonds will each be dated their date of initial delivery, will be issued as fully registered bonds in denominations in multiples of $5,000 (within the same maturity), will mature on March 1 of the years 2015 through 2030. Electronic bids may be submitted via BiDCOMP™/PARITY™, in the manner described below.

Additional information, including the Preliminary Official Statement, the Official Terms and Conditions of Bond Sale and the Official Bid Form, may be obtained from the City's Financial Advisor, J.J.B. Hilliard, W.L. Lyons, LLC; 500 West Jefferson Street, Louisville, Kentucky 40202; Telephone: (502) 588-8639 or at http://pos.hilliard.com. Further information regarding BiDCOMP™/PARITY™ may be obtained from BiDCOMP™/PARITY™, 1359 Broadway - 2nd Floor, New York, NY 10018, Telephone: (800) 850-7422.

Sale of Bonds on tax-exempt basis. Issuance of Bonds subject to approving legal opinion of Peck, Shaffer & Williams, a division of Dinsmore & Shohl LLP, Bond Counsel, Covington, Kentucky. The City has designated the Series Bonds as "qualified tax-exempt obligations" pursuant to Section 265 of the Internal Revenue Code of 1986, as amended. Right to reject bids or waive informality reserved.

CITY OF PADUCAH, KENTUCKY

By /s/ Gayle Kaler
Mayor

85255v1
4/17/2014

Agenda Action Form
Paducah City Commission

Meeting Date: 13 May 2014

Short Title: 2014-2015 Edward Byrne Memorial Justice Accountability Grant (JAG) Application

☐ 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 Edward Byrne Memorial Justice Accountability Grant (JAG) is a federal formula grant funded through the U.S. Department of Justice. The city has received a notice of eligibility for the amount of $13,117.

The Paducah Police Department proposes to apply for the allocated funds of $13,117 to purchase five (5) mobile radios for police cruisers to replace obsolete radios that are no longer serviceable. This grant does not require a local cash match; however, the police department will be contributing $1,241 to the total project cost from their FY2015 operating budget.

Although the City of Paducah has a sole and authorized individual allocation, it must remain in partnership with our local disparate jurisdiction which is McCracken County. It is for this reason that the City of Paducah and McCracken County Fiscal Court must enter into an Interlocal Agreement supporting the 2014-2015 JAG application submission and the acceptance by the City of Paducah of the $13,117.

If the Commission chooses to support this grant application, it must authorize and direct the Mayor or Mayor's designee to execute all required grant application documents, including the required Interlocal Agreement with McCracken County Fiscal Court. If an award is offered, it will be brought before the Commission for consideration.

Goal: ☐ Strong Economy ☒ Quality Services ☐ Vital Neighborhoods ☐ Restored Downtowns

Funds Available: Account Name:
Account Number:
Project Number:
CFDA: 16.738

Finance

Staff Recommendation: Approval
Attachments: None

Department Head	City Clerk	City Manager

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER APPROVING THE EXECUTION OF AN ON-LINE GRANT APPLICATION TO OBTAIN A 2014-2015 EDWARD BYRNE MEMORIAL GRANT, THROUGH THE U.S. DEPARTMENT OF JUSTICE, IN THE AMOUNT OF $13,117.00, TO BE USED BY THE PADUCAH POLICE DEPARTMENT

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. The City of Paducah hereby approves the execution of an on-line grant application to obtain a 2014-2015 Edward Byrne Memorial Grant, through the U.S. Department of Justice, in the amount of $13,117.00, to be used by the Paducah Police Department for the purchase of five (5) mobile radios. This grant does not require a local cash match.

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

_____
Mayor

ATTEST:

_____
Tammara S. Sanderson, City Clerk

Adopted by the Board of Commissioners, May 13, 2014
Recorded by Tammara S. Sanderson, City Clerk, May 13, 2014
\mo\grants\police – 2014-2015 Justice Assistance Edward Byrne

Agenda Action Form
Paducah City Commission

Meeting Date: 13 May 2014

Short Title: **2014 Delta Regional Authority (DRA) SEDAP Grant**

☐ Ordinance ☐ Emergency ☒ Municipal Order ☐ Resolution ☐ Motion

Staff Work By: Steve Ervin, Melinda Winchester, Sheryl Chino
Presentation By: Steve Ervin

Background Information: The Delta Regional Authority's (DRA) investment program, known as the States' Economic Development Assistance Program (SEDAP), is the primary investment tool which allows DRA to make significant impacts in creating jobs, building communities, and improving lives in the Delta. The DRA SEDAP program has a variety of initiatives including Innovation and Small Business Development. These types of projects include business and industry prospects committed to job creation and/or retention through the execution of a DRA Participation Agreement; as well as, projects which are implemented based upon the small business and entrepreneurship framework.

The Paducah Planning Department is proposing to apply for $200,000 in DRA funding to provide financial support to small business entrepreneurs who are looking to locate or are located in the downtown historic district. If awarded, DRA funding will allow the city to expand the existing roof stabilization program to include financial assistance in the form of a grant for code enforcement improvements, roof stabilization, façade stabilization, and a variety of other costs related to redevelopment of historic buildings for commercial use. The City is required to provide a 10% match. The Paducah Planning Department has requested $75,000 in FY2015 general budget for the Roof Stabilization Program, which will used as matching funds for the DRA grant.

If an award is offered, it will be brought before the Commission for consideration. If the Commission chooses to support this grant application, it must authorize and direct the Mayor or Mayor's designee to sign all required grant application documents.

Goal: ☒ Strong Economy ☐ Quality Services ☐ Vital Neighborhoods ☒ Restored Downtowns

Funds Available: Account Name:
Account Number:
Project Number:

Finance

Staff Recommendation: Approval
Attachments: None

Steve Ervin Department Head	City Clerk	City Manager

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER AUTHORIZING THE APPLICATION FOR A MATCHING GRANT IN THE AMOUNT OF $200,000, THROUGH THE DELTA REGIONAL AUTHORITY INVESTMENT PROGRAM KNOWN AS THE STATES' ECONOMIC DEVELOPMENT ASSISTANCE PROGRAM TO HELP PROVIDE FUNDING TO SUPPORT SMALL BUSINESS ENTREPRENEURS WHO ARE LOOKING TO LOCATE OR ARE LOCATED IN THE DOWNTOWN HISTORIC DISTRICT

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. The Mayor is hereby authorized to execute an application and all documents relating to same, requesting a matching grant in the amount of $200,000 through the Delta Regional Authority Investment Program known as the States' Economic Development Assistance Program (SEDAP) to help provide funding to support small business entrepreneurs who are looking to located or are located in the Downtown Historic District. This funding will allow the City to expand the existing roof stabilization program to include financial assistance in the form of a grant for code enforcement improvements, roof stabilization, façade stabilization, and a variety of other costs related to redevelopment of historic buildings for commercial use.

SECTION 2. Local matching funds will be in the amount of $10,000.

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 May 6, 2014
Recorded by Tammara S. Sanderson May 6, 2014
\mo\grants\delta regional authority SEDAP grant - 5-2014

Agenda Action Form
Paducah City Commission

Meeting Date: May 13, 2014

Short Title: Acquisition of Permanent Right of Way and a Public Utility Easement located at 3400 Olivet Church Road for the Olivet Church Road Improvement Project

☐ Ordinance ☐ Emergency ☒ Municipal Order ☐ Resolution ☐ Motion

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

Background Information:

Negotiations have been conducted in good faith with Stephen and Marilee Wilks, the property owners located at 3400 Olivet Church Road regarding the acquisition of a portion of permanent right-of-way and a public utility easement (Parcel #44) as required for the Olivet Church Road Improvement Project. Mr. and Mrs. Wilks has agreed to convey a portion of her property consisting of 0.003 acres (132.96 sq. ft.) and also to grant a public utility easement consisting of 0.055 acres (2,381.92 sq. ft.) to the City of Paducah for the total monetary consideration of $3,400.00.

Goal: ☒ Strong Economy ☒ Quality Services ☒ Vital Neighborhoods ☐ Restored Downtowns

Funds Available: Account Name: Olivet Church Rd Imp Proj
Account Number: 040-3315-532-2307
Project Number: ST0027

TDH 5/9/14
Finance

Staff Recommendation:

To adopt a Municipal Order authorizing the Mayor to execute a Deed of Conveyance and all related documents on behalf of the City of Paducah with Stephen and Marilee Wilks to acquire a portion of real property located at 3400 Olivet Church Road as right-of-way and a public utility easement in consideration of $3,400.00 for the Olivet Church Road Improvement Project.

Attachments: Copy of the Deed of Conveyance

Department Head	City Clerk	City Manager

DEED OF CONVEYANCE
and
PERMANENT PUBLIC UTILITY EASEMENT

THIS DEED made and entered into this the _____ day of _____, 2014, by and between **STEPHEN H. WILKS** and wife, **MARILEE S. WILKS**, of 3400 Olivet Church Road, Paducah, Kentucky, 42001, Grantors, which is also the address to which the revised property tax bill for 2014 may be sent, and the **CITY OF PADUCAH, KENTUCKY**, a Municipal Corporation of the Second Class P. O. Box 2267, Paducah, Kentucky, 42002-2267, Grantee,

WITNESSETH:

That the Grantors, in consideration of THIRTY FOUR HUNDRED & NO/CENTS ($ 3,400 00) cash in hand, the receipt of which is hereby acknowledged, have bargained and sold and do hereby sell, grant, transfer, and convey to the Grantee, its successors and assigns forever, the following property situated in McCracken County, Kentucky, and described as follows:

Being a portion Lot 2 in the Kindred Subdivision as shown by plat of record in Plat Book "G" Page 93, in the McCracken County Clerk's Office, having an address of 3400 Olivet Church Road, Paducah, Kentucky, and being more particularly described as follows:

RIGHT OF WAY PARCEL #44

Beginning at a point located 30.27 feet right of Olivet Church Road station 64+50.54, thence North 22 degrees 43 minutes 16 seconds East a distance of 142.28 feet to a point, said point being located 30.12 feet right of Olivet Church Road station 65+92.82; thence South 67 degrees 34 minutes 12 seconds East a distance of 0.38 feet to a point, said point being located 31.00 feet right of Olivet Church Road station 65+92.83, thence South 22 degrees 46 minutes 49 seconds West a distance of 142.23 feet to a point, said point being located 31.00 feet right of Olivet Church Road station 64+50.59; thence 40.25 feet along a curve to the left, said curve having a radius of 25.00 feet, a chord bearing of South 23 degrees 20 minutes 51 seconds East, and a chord length of 36.04 feet to a point, said point being located 56.98 feet right of Olivet Church Road station 64+25.61, thence 0.75 feet along a curve to the right, said curve having a radius of 878.00 feet, a chord bearing of North 69 degrees 27 minutes 03 seconds West, and a chord length of 0.75 feet to a point, said point being located 56.23 feet right of Olivet Church Road station 64+25.58, thence 40.21 feet along a curve to the right, said curve having a radius of 25.00 feet, a chord bearing of North 23 degrees 21 minutes 10 seconds West, and a chord length of 36.01 feet to the point of beginning.

The above-described parcel contains 0.0031 acres (132.96 sq. ft.), more or less

Being a portion of the same tract of land conveyed to the Grantors by deed dated January 21 1998, which is duly recorded in Deed Book 885 Page 453 and re-recorded in Deed Book 886 Page 467 in the office of the County Clerk of McCracken County Kentucky.

It is understood by the parties hereto and made a covenant herein that the above written parcel described above is conveyed in fee simple.

The acquisition of the herein described right of way is for the purposes of the improvement of the public roadway known as Olivet Church Road Improvement Project for the City of Paducah, Kentucky. The plans for this roadway improvement are on file in the Engineering-Public Works Department, City of Paducah, Kentucky

In consideration of the aforementioned premises, Grantors also do hereby grant, bargain, sell, transfer and convey unto Grantee, its successors and assigns, a Perpetual Public Utility Easement with the right to erect, construct, install, and lay and thereafter use, operate, inspect, repair, maintain, replace, and remove public utility lines with all rights in ingress, egress, and regress over and across real property owned by the Grantors being a portion of the same previously described tract of land aforementioned in this document. Said Perpetual Permanent Public Utility Easement shall be described as follows:

PUBLIC UTILITY EASEMENT PARCEL #44

Beginning at a point located 31 00 feet right of Olivet Church Road station 64+50.59; thence North 22 degrees 46 minutes 49 seconds East a distance of 142.23 feet to a point, said point being located 31 00 feet right of Olivet Church Road station 65+92.83, thence South 67 degrees 34 minutes 12 seconds East a distance of 15 00 feet to a point, said point being located 46.00 feet right of Olivet Church Road station 65+92.92; thence South 22 degrees 46 minutes 49 seconds West a distance of 165.24 feet to a point, said point being located 46.00 feet right of Olivet Church Road station 64+27.68; thence 28.98 feet along a curve to the left, said curve having a radius of 25 00 feet, a chord bearing of North 10 degrees 25 minutes 49 seconds West, and a chord length of 27 39 feet to the point of beginning.

The above described parcel contains 0 055 acres (2.381 922) sq ft.) more or less

The grant of this easement is subject to existing easements for roads and other utilities if any, and Grantee shall, at its expense, repair all damage and surface damage including, but not limited to, settlement, erosion, or washing to Grantors' property occasioned by the road construction and by the construction of the utility lines, mains, and appurtenances and occurring within one year

of completion the construction referred to herein, including, but not limited to grading filling, leveling, sodding, and seeding as may be reasonably required in the sole judgment of the Grantors

TO HAVE AND TO HOLD said property, together with all improvements thereon and all rights and appurtenances thereunto, unto the Grantee, its successors and assigns forever and in fee, with all the rights and privileges thereunto belonging with covenants of General Warranty

IN TESTIMONY WHEREOF the Grantors and Grantee, by signing this document on the above given date, hereby acknowledge that the consideration stated hereinabove is the full actual consideration for the transfer of the subject property. The Grantee signs this deed for the sole purpose of certifying the consideration.

IN WITNESS WHEREOF, all of the parties to this deed of conveyance have hereunto set their hands on this the date first above written.

GRANTORS:

Stephen H. Wilks

Stephen H Wilks

Marilee S Wilks

Marilee S Wilks

GRANTEE:

CITY OF PADUCAH, KENTUCKY

By _____
Gayle Kaler, Mayor

STATE OF KENTUCKY)

COUNTY OF McCRACKEN)

The foregoing instrument and consideration certificate were sworn to and acknowledged before me this 5th day of May. 2014, by Stephen H. Wilks and wife, Marilee S. Wilks, Grantors.

My Commission expires: 6-23-14

Notary Public, State at Large

SEAL

STATE OF KENTUCKY)

COUNTY OF McCRACKEN)

The foregoing consideration certificate was sworn to and acknowledged before me this _____ day of _____, 2014, by Gayle Kaler, Mayor of the City of Paducah, Kentucky, Grantee

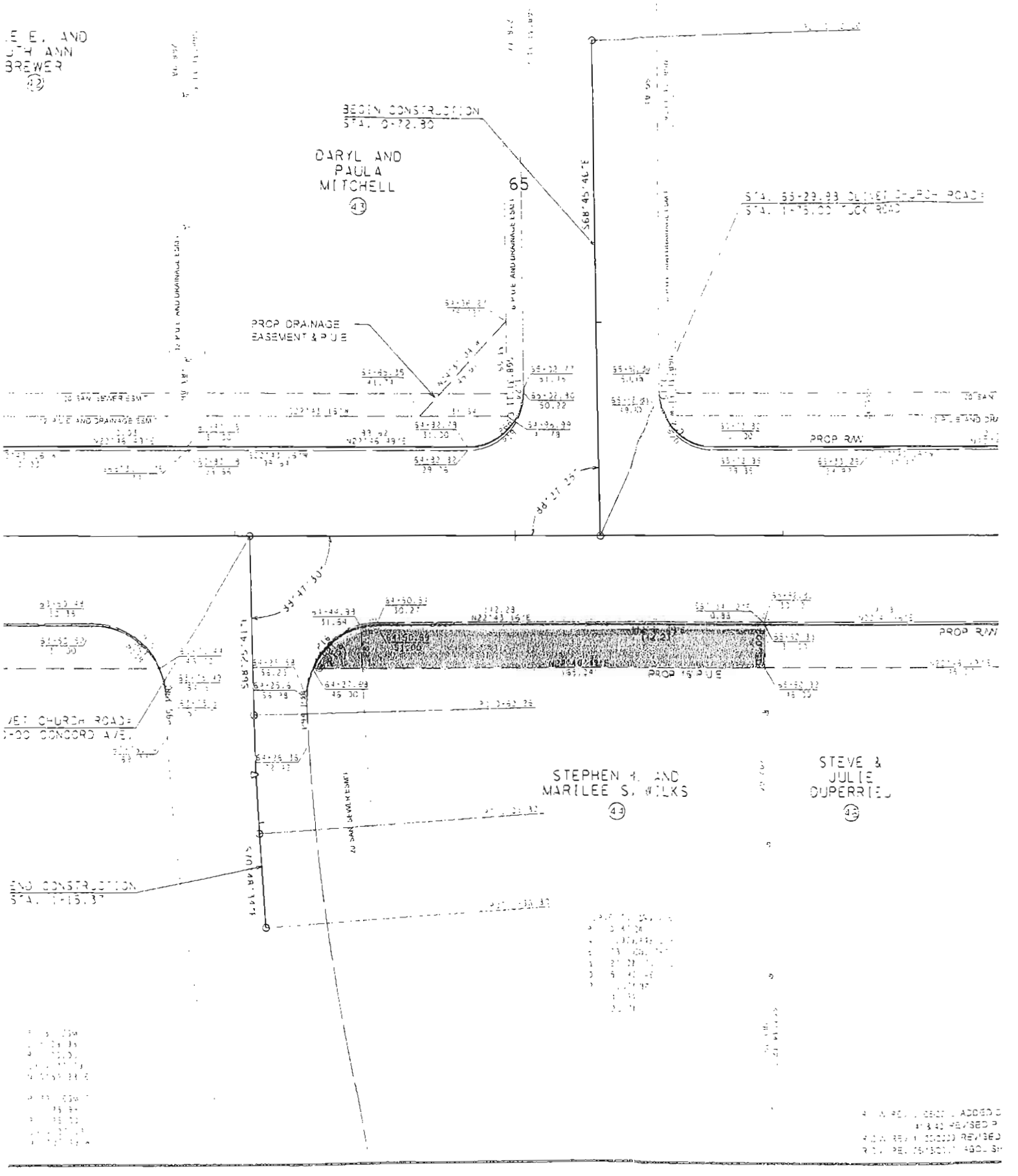
My Commission expires: _____.

Notary Public, State at Large

SEAL

This instrument prepared by

Dan Key, Assistant Corporation Counsel
City of Paducah
P. O. Box 2267
Paducah, Kentucky 42002-2267


BREWER
42
BEGIN CONSTRUCTION
DARYL AND
PAULA
MITCHELL
43
65
PROP DRAINAGE
EASEMENT & P.U.E.
PROP R/W
PROP 15' P.U.E.
STEPHEN H. AND
MARILEE S. WILKS
43
STEVE &
JULIE
DUPERRIEU
42
END CONSTRUCTION

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE A DEED OF CONVEYANCE AND ALL DOCUMENTS RELATING TO SAME FOR ACQUISITION OF PERMANENT RIGHT OF WAY AND A PUBLIC UTILITY EASEMENT LOCATED AT 3400 OLIVET CHURCH ROAD FOR THE OLIVET CHURCH ROAD IMPROVEMENT PROJECT. FOR AND IN CONSIDERATION OF $3,400.00

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. The Mayor is hereby authorized to execute a Deed of Conveyance and all documents relating to same, with Stephen and Marilee Wilks, for acquisition of permanent right of way and a public utility easement located at 3400 Olivet Church Road for the Olivet Church Road Improvement Project, for and in consideration of $3,400.00, and more particularly described as follows:

Being a portion Lot 2 in the Kindred Subdivision as shown by plat of record in Plat Book "G", Page 93, in the McCracken County Clerk's Office, having an address of 3400 Olivet Church Road, Paducah, Kentucky, and being more particularly described as follows:

RIGHT OF WAY PARCEL #44

Beginning at a point located 30.27 feet right of Olivet Church Road station 64+50.54; thence North 22 degrees 43 minutes 16 seconds East a distance of 142.28 feet to a point, said point being located 30.12 feet right of Olivet Church Road station 65+92.82; thence South 67 degrees 34 minutes 12 seconds East a distance of 0.88 feet to a point, said point being located 31.00 feet right of Olivet Church Road station 65+92.83; thence South 22 degrees 46 minutes 49 seconds West a distance of 142.23 feet to a point, said point being located 31.00 feet right of Olivet Church Road station 64+50.59; thence 40.25 feet along a curve to the left, said curve having a radius of 25.00 feet, a chord bearing of South 23 degrees 20 minutes 51 seconds East, and a chord length of 36.04 feet to a point, said point being located 56.98 feet right of Olivet Church Road station 64+25.61; thence 0.75 feet along a curve to the right, said curve having a radius of 878.00 feet, a chord bearing of North 69 degrees 27 minutes 03 seconds West, and a chord length of 0.75 feet to a point, said point being located 56.23 feet right of Olivet Church Road station 64+25.58; thence 40.21 feet along a curve to the right, said curve having a radius of 25.00 feet, a chord bearing of North 23 degrees 21 minutes 10 seconds West, and a chord length of 36.01 feet to the point of beginning.

The above-described parcel contains 0.0031 acres (132.96 sq. ft.), more or less.

Being a portion of the same tract of land conveyed to the Grantors by deed dated January 21, 1998, which is duly recorded in Deed Book 885 Page 453 and re-recorded in Deed Book 886 Page 467 in the office of the County Clerk of McCracken County, Kentucky.

SECTION 2. This expenditure shall be charged through Project Account No. ST0027.

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, May 13, 2014
Recorded by Tammara S. Sanderson, City Clerk, May 13, 2014
\mo\prop pur – 3400 Olivet Ch Rd

Agenda Action Form
Paducah City Commission

Meeting Date: 22 April 2014

Short Title: **Office of Highway Safety — "Heads Up Don't Be In'text'icated" Mini-Grant Program**

☒ Ordinance ☐ Emergency ☐ Municipal Order ☐ Resolution ☐ Motion

Staff Work By: Donald Hodgson; Sheryl Chino
Presentation By: Chief Brandon Barnhill; Steve Ervin

Background Information: In 2007 Hillary Coltharp was involved in a collision caused by her texting and driving. Hillary sustained a traumatic brain injury which she suffers from today. In early 2012, the Coltharp family and the Paducah Police Department developed a program that tells the journey of Hillary's life from before the collision, the day of her collision, and her ongoing recovery. The program debuted at Paducah Tilghman High School to over 900 students. Several school systems, civic groups, and churches have requested the presentation since. We have been able to present the program at least 12 times to approximately 4,000 people. The program is successful as those who see the program pledge to change their driving behavior.

The Paducah Police Department has been approved for funding up to $21,000 from the KY Office of Highway Safety: This would be in the form of a mini-grant used to present the "Heads Up Don't Be In'text'icated" program. There is not a match requirement for this grant application.

The application was originally approved by municipal order 1754.

The grant requires authorization by the Paducah City Commission to allow the Mayor to execute all grant related documents.

Goal: ☐ Strong Economy ☐ Quality Services ☒ Vital Neighborhoods ☐ Restored Downtowns

Funds Available: Project Name: Hwy Sfty – Intext
Project #: PO0080
File #: 6.257
Acct. #: 001-1602-521.12-01
Budget: $21,000
Source of Funds: Grant, No local match required.

Finance

Staff Recommendation: Approval
Attachments: None

Department Head	City Clerk	City Manager

Agenda Action Form
Paducah City Commission

Meeting Date: April 22, 2014

Short Title: Approval of Event Banners

Ordinance ☒ Emergency ☐ Municipal Order ☐ Resolution ☐

Staff Work By: Stephen Ervin; Joshua P. Sommer

Presentation By: Stephen Ervin

Background Information:

The intent of the Zoning Text Amendment is to change approval of event banners over Broadway, Broadway pole banners, Jefferson Street pole banners and Lowertown pole banners from the Public Works Department to the Parks Services Department.

The City of Paducah recently hired an events coordinator in the Parks Services Department. This position oversees the festivals and other events in Paducah. Many times, banners are used to promote the event. It is prudent that approvals of banners relating to the events be handled by the department that permits the events, instead of other departments.

The Planning Commission held a public hearing on April 7th, 2014 and made a positive recommendation with a vote of 4-0 to the City Commission.

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

Finance

Motion:

Attachments: Planning Commission Resolution

Department Head	City Clerk	City Manager

Agenda Action Form
Paducah City Commission

Meeting Date: April 22, 2014

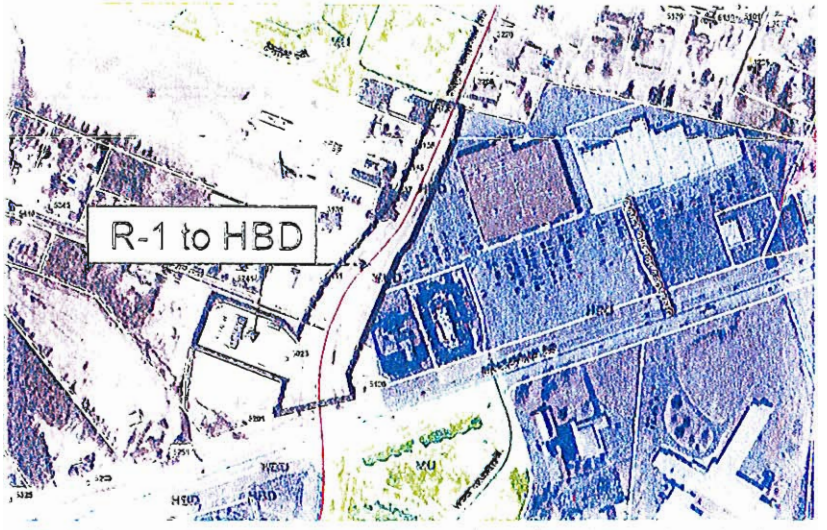
Short Title: Annexation of property owned Martin Bayley, Inc. (Hucks)

Ordinance ☒ Emergency ☐ Municipal Order ☐ Resolution ☐

Staff Work By: Stephen Ervin

Presentation By: Stephen Ervin

Background Information:



The intent of this agenda item is to adopt an intent to annex ordinance for property located at 3025 Olivet Church Road. This is a consensual annexation. The property owner (Mark Bayley) has requested the annexation. The property is contiguous to the City limits of Paducah. Huck's convenience store is currently located on the site. After the intent to annex ordinance is approved, a public hearing will be held with the Planning Commission to assign zoning. An annexation ordinance and zone change ordinance will be introduced by the City Commission on May 27th.

Goal: ☒ Strong Economy ☐ Quality Services ☐ Vital Neighborhoods ☐ Restored Downtown

Funds Available: Account Name:
Account Number:

Finance

Staff Recommendation:

Approve intent to annex ordinance

Attachments:

Annexation Plat

Request for Annexation Letter

Department Head	City Clerk	City Manager

Agenda Action Form
Paducah City Commission

Meeting Date: 4-22-2014

Short Title: Request to repeal Ordinance 2006-4-7104 Section 42-46 of Property Maintenance Code known as the Enhanced Standards for the Fountain Avenue Revitalization Project.

☒ Ordinance ☐ Emergency ☐ Municipal Order ☐ Resolution ☐ Motion

Staff Work By: Charles Doherty
Presentation By: Steve Ervin-Charles Doherty

Background Information: The City approved the Fountain Avenue Revitalization Plan on April 17th, 2007 and since the adoption of the plan, 62 homes have undergone rehabilitations exceeding $50K and 22 new homes have been constructed within the neighborhood resulting in a private/public investment of over $8.2 million dollars. "The Enhanced Standards for the Fountain Avenue Revitalization Project" (Ordinance 2006-4-7104 Section 42-46 of the City's Property Maintenance Code) was adopted by the City Commission in April 2006 as a set of standards designed to "bolster the Fountain Avenue Revitalization Project". The ten year plan is currently in its' eighth year and staff is requesting that the Commission lift the enhanced regulations in Fountain Avenue in the hope that easing the restrictions will encourage even more investment by existing property owners and developers proposing to rehab one of the remaining 18 homes that the URCDA owns. The perception of the Enhanced Standards has discouraged developers from investing in Fountain Avenue because of the anticipated increased development costs.

With the repeal of the Enhanced Standards Ordinance, all one and two-family dwellings and normally accepted accessory structures in Fountain Avenue will fall under the same Kentucky Residential Code currently adopted by the City which is enforced by the Fire Prevention Department in all other neighborhoods within the City. The Historical and Architectural Review Commission will continue to enforce the Fountain Avenue Design Guidelines including the acceptable building materials allowed for properties that propose any exterior changes or modifications to properties within the designated Fountain Avenue Neighborhood NSZ Zone.

Goal: ☐ Strong Economy ☐ Quality Services ☒ Vital Neighborhoods ☐ Restored Downtowns

Funds Available: Account Name:
Account Number:

Finance

Staff Recommendation: Staff recommends repealing Ordinance No. 2016-4-7104 Section 42-46 of the Property Maintenance Code.

Attachments: Copy of Ordinance No. 2006-4-7104.

Department Head	City Clerk	City Manager

Agenda Action Form
Paducah City Commission

Meeting Date: April 22, 2014

Short Title: Abolish the Main Street Department and the Paducah Renaissance Alliance Advisory Board and create the Main Street Board of Directors.

Ordinance ☒ Emergency ☐ Municipal Order ☐ Resolution ☐

Staff Work By: Stephen Ervin

Presentation By: Jeff Pederson/Stephen Ervin

Background Information:

The intent of this agenda item is to abolish the Main Street Department and the Paducah Renaissance Alliance Advisory Board and create the Main Street Board of Directors. This action reflects the reorganization of the Department of Main Street that placed programming and associated functions, activities and resources with other City Departments. The Board will:

- Assist with the Main Street accreditation process.
- Coordinate with Downtown Development Specialist in promoting the mission of Main Street and the four point approach (Design, Organization, Promotion and Economic Restructuring).
- Participate as requested in visionary planning and assist with greater public awareness and participation by community members and stakeholders.
- Form citizen/volunteer committees as reasonable and necessary to assist it in its role and function.

Recommendation:

Abolish the Main Street Department and the Paducah Renaissance Alliance Advisory Board and create the Main Street Board of Directors.

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

Finance

Motion:

Attachments:

Department Head	City Clerk	City Manager

Agenda Action Form
Paducah City Commission

Meeting Date: April 22, 2014

Short Title: Amend Ordinance #2002-10-6589 (Annexation Agreements)

Ordinance ☒Emergency ☐ Municipal Order ☐ Resolution ☐

Staff Work By: Stephen Ervin

Presentation By: Stephen Ervin

Background Information:

The intent of this agenda item is to amend the ordinance by adding a set time of 10 years that the City will reimburse the developer for the actual costs incurred in connection with the construction of qualified "municipal facilities" (streets, gutters, and other public infrastructure) within the property to be developed. The amount being reimbursed will not exceed the total cost of facilities or the total sum of all ad valorem real property taxes collected by the City from the developed property, whichever is less, over a 10 year period. (The real property taxes collected by the City will be paid to the developer and it shall not exceed the costs of the construction of municipal facilities.)

Since the adoption of the Annexation ordinance in 2002, four agreements have been adopted.

Annexation Agreement	Date	Years	Years Remaining	Amount paid
Grove Phase 1	2003	6 years	0	$99,511
Plantation Subdivision	2004	6 years	0	$43,007
Olivet Village Subdivision	2006	8 years	2	$51,426
Grove Phase II	2007	8 years	3	$12,130

Recommendation:

Development agreements have ranged from 6 years to 8 years in length. Staff is requesting to amend the ordinance to set 10 years as the amount of time the city will reimburse the developer.

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

Finance

Motion:

Attachments

Department Head	City Clerk	City Manager

Agenda Action Form
Paducah City Commission

Meeting Date: April 22, 2014

Short Title: Amend Ordinance #2005-1-6921 (Infill Development Agreements)

Ordinance ☒ Emergency ☐ Municipal Order ☐ Resolution ☐

Staff Work By: Stephen Ervin

Presentation By: Stephen Ervin

Background Information:

The intent of this agenda item is to amend the ordinance by adding a set time of 10 years that the City will reimburse the developer for the actual costs incurred in connection with the construction of qualified "municipal facilities" (streets, gutters, and other public infrastructure) within the property to be developed. The amount being reimbursed will not exceed the total cost of facilities or the total sum of all ad valorem real property taxes collected by the City from the developed property, whichever is less, over a 10 year period. (The real property taxes collected by the City will be paid to the developer and it shall not exceed the costs of the construction of municipal facilities.)

Since the adoption of the Infill Development ordinance in 2005, three infill development agreements have been adopted.

Infill Agreement	Date	Years	Years Remaining	Amount Paid
Lakewood Villas	2005	5 years	0	$69,283
Westwood Hills	2010	10 years	6	$17,500
Greenway Village	2013	10 years	10	$0.00

Recommendation:

Development agreements have ranged from 5 years to 10 years in length. Staff is requesting to amend the ordinance to set 10 years as the amount of time the city will reimburse the developer.

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

Finance

Motion:

Attachments:

Department Head	City Clerk	City Manager

Agenda Action Form
Paducah City Commission

Meeting Date: May 6th, 2014

Short Title: Extension - Banterra Bank Construction Line of Credit/HOME

Ordinance ☒ Emergency ☐ Municipal Order ☐ Resolution ☐

Staff Work By: Stephen Ervin

Presentation By: Stephen Ervin

Background Information:

The intent of this agenda item is to adopt an ordinance authorizing the mayor to execute a six month construction line of credit extension with Banterra Bank in the amount of $350,000.00.

The City of Paducah in cooperation with the PADD received a $309,500.00 HOME grant to build six(6) new single family structures in Fountain Avenue. The Funding Agreement with the KHC was approved by the City Commission on July 10, 2012.

The sixth house is under construction @ 1403 Monroe and one additional home is being constructed @ 717 Harrison Street. Both homes are 75% complete.

As each structure is sold, the borrowed money plus interest will be paid back to Banterra Bank by the new homeowner. The City of Paducah will not have any liability as homeowners are required by the Kentucky Housing Corporation to be pre-qualified by a local bank before construction begins.

Funds Available: Account Name: CD-0081 2012 Home Grant
Account Number: 008-1216-513-2307

Finance

Motion:

Attachments:

Department Head	City Clerk	City Manager

Agenda Action Form
Paducah City Commission

Meeting Date: May 13, 2014

Short Title: 2010 Taxable Build America Bonds (BABs) General Obligation Bonds (GOB), Refinancing Bonds authorization – Tax Exempt Series 2014

☒ Ordinance ☐ Emergency ☐ Municipal Order ☐ Resolution ☐ Motion

Staff Work By: Jonathan Perkins, Audra Herndon
Presentation By: Jonathan Perkins

Background Information:

The 2010 Build America Bonds (BABs) taxable general obligation bonds (GOB) were originally issued in March of 2010. It is our intention to refinance the 2010 BAB GOBs with proceeds from another bond sale scheduled for May 27, 2014. A Second reading of this ordinance is scheduled for May 20, 2014.

Bond proceeds from the May 27, 2014 *tax-exempt* bond sale will be used to pay off the outstanding 2010 BAB GOB *taxable* issue. The 20-year taxable GOB issue was scheduled to be paid in full in 2030.

By refinancing the 2010 BAB taxable GOB issue, it is our intention to remove the City's dependency on the federal government for interest subsidy payments. When the issue was first put in place in 2010, the federal government promised to provide a reimbursement of 35% of all interest expenses for the life of the bond issue (20 years). Several years ago, with 'sequestration', the federal government broke its promise to Paducah and reduced the amount of interest expense subsidy. As a part of the BAB program, the original BAB GOB issue was required to be sold as a 'taxable GOB', thus at a higher interest rate to lock-in the 35% interest subsidy payment.

The bond market appears to be favorable to refinance the entire bond issue over the remaining life of the issue (to 2030) at an interest savings estimated to exceed $210,000. The savings is driven by two factors: (1) elimination of the BAB program requirement removes our obligation to a taxable GOB: and, (2) the market is such that interest rates in general may be more attractive now than in the past.

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

Funds Available: Account Name: Bond Issue - 2013
Account Number: Bond Fund

5/9/2014
Finance

Staff Recommendation: That the Commission approve ordinance and all appropriate related agreements to refinance the 2010 BAB GOBs and reduce the amount of interest expense over the life of the remaining debt issue through 2030.

Attachments: Draft of Ordinance

Department Head	City Clerk	City Manager

ORDINANCE NO. 2014-__-___

AN ORDINANCE OF THE CITY OF PADUCAH, KENTUCKY AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2014A IN THE AGGREGATE PRINCIPAL AMOUNT OF $5,765,000 (SUBJECT TO A PERMITTED ADJUSTMENT INCREASING OR DECREASING THE SIZE OF SAID BONDS BY UP TO $575,000) TO CURRENTLY REFUND THE OUTSTANDING CITY OF PADUCAH, KENTUCKY TAXABLE GENERAL OBLIGATION BUILD AMERICA BONDS, SERIES 2010 (BUILD AMERICA BONDS - DIRECT PAYMENT), THE PROCEEDS OF WHICH WERE USED TO FINANCE THE COSTS OF VARIOUS PUBLIC PROJECTS WITHIN THE CITY OF PADUCAH, KENTUCKY; AUTHORIZING DESIGNATED OFFICERS TO EXECUTE AND DELIVER THE BONDS; PROVIDING FOR THE PAYMENT AND SECURITY OF THE BONDS; CREATING A BOND PAYMENT FUND; MAINTAINING THE HERETOFORE CREATED SINKING FUND; AUTHORIZING ACCEPTANCE OF THE BIDS OF THE BOND PURCHASER OR PURCHASERS FOR THE PURCHASE OF THE BONDS; AND REPEALING INCONSISTENT ORDINANCES.

WHEREAS, the City of Paducah, Kentucky (the "City"), heretofore issued its $6,645,000 City of Paducah, Kentucky Taxable General Obligation Build America Bonds, Series 2010 (Build America Bonds - Direct Payment) (the "Prior Bonds"), the proceeds of which were used to finance various public projects within the City, including the construction of Greenway Trail, the construction of a replacement for the existing Noble Park parking lot and construction of related appurtenances, the resurfacing of City streets, the acquisition and installation of generators throughout the City, the acquisition and installation of traffic signals, the acquisition of the Executive Inn and related appurtenances and the construction and installation of public improvements on a portion of the site thereof, the acquisition and construction of an air dome pavilion, the acquisition of real property for use as a sports park and the acquisition of such additional improvements in substitution of any of the foregoing as were identified in the budget of the City adopted for the fiscal year ending June 30, 2010 (collectively, the "Project"); and

WHEREAS, the Prior Bonds were issued as Build America Bonds ("Build America Bonds"), as permitted by the American Recovery and Reinvestment Act of 2009, pursuant to which the United States Treasury was to pay to the City 35% of the interest payable on the Prior

Bonds (the "Credit Payment") contemporaneously with each interest payment date for such Prior Bonds so long as the Prior Bonds complied with all federal tax requirements of the Build America Bonds; and

WHEREAS, subsequent to the date of issuance of the Prior Bonds, provisions were enacted resulting in the Credit Payment being reduced below the 35% threshold; and

WHEREAS, the terms of the Prior Bonds provide that the Prior Bonds may be redeemed at any time at the election of the City, in whole or in part, at a redemption price equal to the face amount of the Prior Bonds to be redeemed, plus accrued interest to the date of redemption. Section 54AA or 6431 of the Internal Revenue Code of 1986, as amended (the "Code") is modified, amended or interpreted in a manner pursuant to which the City's Credit Payments from the United States Treasury are reduced or eliminated (an "Extraordinary Redemption Event"); and

WHEREAS, the City has determined that the present conditions of the municipal market are such that it is advantageous and in the best interests of the City for the City to proceed with the issuance of its General Obligation Refunding Bonds, Series 2014A in in the approximate principal amount of $5,765,000 (which amount may be increased or decreased by up to $575,000) (the "Bonds") to currently refund the Prior Bonds and enable the City to exercise the Extraordinary Redemption Event with respect to the Prior Bonds; and

WHEREAS, pursuant to the Constitution and Laws of the Commonwealth of Kentucky, and particularly Sections 66.011 et. seq of the Kentucky Revised Statutes, as amended (the "General Obligation Act") and Sections 58.010 et. seq. of the Kentucky Revised Statutes, as amended (the "Public Project Act"), a city may issue bonds or refunding bonds, subject to the requirements of the General Obligation Act and/or Public Project Act, to pay all or any portion

of the costs of financing or refinancing any public project that such city is authorized to acquire, improve or construct;

WHEREAS, the City desires to refund the Prior Bonds through the issuance of the Bonds to be sold and awarded to the successful bidder (the "Purchaser") at public, competitive sale in accordance with the provisions of Chapter 424 of the Kentucky Revised Statutes, as amended.

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

Section 1 -- Necessity, Authorization and Purpose. The City hereby declares that it is necessary to issue and authorizes the issuance of its General Obligation Refunding Bonds in the aggregate principal amount of $5,765,000, subject to a permitted adjustment (the "Permitted Adjustment") increasing or decreasing the principal amount of Bonds awarded to the Purchaser thereof by up to $575,000, for the purpose of: (i) currently refunding the Prior Bonds; and (ii) paying the costs of issuance of the Bonds. The exact principal amount of Bonds to be issued shall be established in the Certificate of Award (as hereinafter defined).

The Bonds shall be offered for sale in accordance with the provisions hereof, and the determination of the best bids for the Bonds shall be made on the basis of all bids submitted for exactly $5,765,000 principal amount of Bonds; provided however, the Permitted Adjustment is reserved in the City hereunder, with such increase or decrease to be made in any principal maturity so that the total principal amount of Bonds sold and awarded to the best bidder may be a maximum of $6,340,000 or a minimum of $5,190,000. In the event of any such Permitted Adjustment, no rebidding or recalculation of a submitted bid will be required or permitted; the price at which such adjusted principal amount of Bonds will be sold shall be at the same price per $1,000 of Bonds as the price per $1,000 of the $4,085,000 of Bonds bid.

Section 2 -- Form of Bonds. The Bonds shall be issued as fully registered Bonds, shall be designated "General Obligation Refunding Bonds, Series 2014A ", and shall each express upon their face the purpose for which they are issued, that they are issued under the General Obligation Act and shall be substantially in the form set forth in Annex A.

The Bonds shall be in denominations as requested by the Purchaser or Purchasers, which shall be in integral multiples of five thousand dollars ($5,000). The Bonds shall each be dated their date of initial issuance and delivery, or such other date as is determined in a certificate of award to be executed by the Mayor, City Manager or Finance Director of the City (the "Certificate of Award") awarding the Bonds to the Purchaser.

Interest on the Bonds shall be payable semi-annually on March 1 and September 1 of each year (an "Interest Payment Date"), commencing with the first March 1 or September 1 that is not less than three months following the date of initial issuance and delivery of the Bonds, at the stated interest rate or rates on the principal amount thereof, calculated on the basis of a 360 day year with 30 day months. The Bonds shall be serial or term Bonds maturing, on the basis of substantially level debt service, on the dates and in the amounts to be established in the Certificate of Award after advertised competitive sale of the Bonds based on the interest rates bid in the successful bids (the "Bid") and the provisions of this Section 2, provided that the final maturity date of the Bonds shall be as set forth in the Certificate of Award but shall be no later than March 1, 2030. The interest rate or rates on the Bonds shall be determined in the Certificate of Award based on the Bid; provided that the aggregate net interest cost of the Bonds shall not exceed six percent (6.00%).

The Bonds shall be subject to optional redemption prior to their maturity, on or after the date established in the Certificate of Award, in whole or in part, in such order of maturity as shall be designated in writing by the City, and by lot within a maturity, at the election of the City upon

35 days' written notice to the Paying Agent and Registrar (hereinafter defined) at a redemption price equal to the par amount thereof, plus accrued interest to the date of redemption.

Bonds issued as term Bonds shall be subject to mandatory sinking fund redemption on the dates, in the years and in the amounts as set forth in the Certificate of Award.

At least thirty (30) days before the redemption date of any Bonds, U.S. Bank National Association, Louisville, Kentucky (the "Paying Agent and Registrar") shall cause a notice of such redemption either in whole or in part, signed by the Paying Agent and Registrar, to be mailed, first class, postage prepaid, to all registered owners of the Bonds to be redeemed in whole or in part at their addresses as they appear on the registration books kept by the Paying Agent and Registrar, but failure to mail any such notice shall not affect the validity of the proceedings for such redemption of Bonds for which such notice has been sent. Each such notice shall set forth the date fixed for redemption, the redemption price to be paid and, if less than all of the Bonds being payable by their terms on a single date then outstanding shall be called for redemption, the distinctive number or letters, if any, of such Bonds to be redeemed.

On the date so designated for redemption, notice having been mailed in the manner under the conditions hereinabove provided and moneys for payment of the redemption price being held in the Bond Payment Fund by the Paying Agent and Registrar for the registered owners of the Bonds to be redeemed, the Bonds so called for redemption shall become and be due and payable at the redemption price provided for redemption of such Bonds on such date, interest on the Bonds so called for redemption shall cease to accrue, and the registered owners of such Bonds shall have no right in respect thereof except to receive payment of the redemption price thereof.

The Bonds may be issued in book-entry-only form through the services of the Depository Trust Company ("DTC"). If the City determines to issue the Bonds in book-entry-only form the

Designated Officers (hereinafter defined) are authorized to execute all documents necessary to accomplish such form of issuance.

Section 3 -- Execution and Delivery. The Bonds shall be executed by the manual or facsimile signature of the Mayor and duly attested by the manual or facsimile signature of the City Clerk (which, together with any other person as may be authorized by resolution are referred to as "Designated Officers"), and shall bear the manual authenticating signature of an authorized representative of the Paying Agent and Registrar. The Designated Officers are further authorized and directed to deliver the Bonds to the Purchaser, upon the terms and conditions provided herein, in the Certificate of Award and in the Bids, receive the proceeds therefor, execute and deliver such certificates and other closing documents and take such other action as may be necessary or appropriate in order to effectuate the proper issuance, sale and delivery of the Bonds.

The City authorizes and directs the Paying Agent and Registrar to authenticate the Bonds and to deliver the Bonds to the Purchaser following execution of the Certificate of Award and payment of the purchase price thereof.

Section 4 -- Payment. Payment of or on account of the interest on and principal of the Bonds shall be made directly to the Paying Agent and Registrar for the account of the registered owner. Interest on the Bonds shall be payable by check, mailed to the person whose name appears on the fifteenth day of the month preceding an Interest Payment Date on the bond registration records as the registered owner, on each Interest Payment Date or by other transfer of funds acceptable to such registered owner and the Paying Agent and Registrar. Principal shall be payable in such coin or currency of the United States of America as shall be legal tender for the payment of public and private debts at the time and place of payment upon delivery of the Bonds to the Paying Agent and Registrar or by other transfer of funds acceptable to the Paying Agent

and Registrar and such registered owner. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bonds to the extent of the sum or sums so paid.

Section 5 – Filing and Approvals. The Designated Officers are hereby authorized to undertake and cause all filings of notices or information which may be required by law to be filed by the City, including, but not limited to, the filing with the State Local Debt Officer required by law.

Section 6 -- Bond Payment Fund, Payment of Bonds. There is hereby established with the Paying Agent and Registrar a bond payment fund in the name of the City to be known as General Obligation Refunding Bonds, Series 2014A Bond Payment Fund (the "Bond Payment Fund"), into which the City covenants to deposit, and into which the Designated Officers are hereby authorized and directed to deposit from the Sinking Fund (hereinafter identified), on or before the twenty-fifth day of each month which precedes an Interest Payment Date on the Bonds, the amount required to pay principal of and interest due on the Bonds on such Interest Payment Date. The Paying Agent and Registrar shall, without further authorization from the City, withdraw from the Bond Payment Fund, on such Interest Payment Date of the Bonds, the amounts necessary to pay principal of, and interest on, the Bonds to the registered owners of the same.

The Paying Agent and Registrar is hereby appointed depository of the Bond Payment Fund with respect to the Bonds.

If the City shall fail or refuse to make any required deposit in the Bond Payment Fund from the Sinking Fund, the Paying Agent and Registrar shall (i) notify any agency of the Commonwealth of Kentucky or any political subdivision thereof which may collect and distribute taxes or revenues for the City to seek any available necessary or proper remedial action; and (ii) upon being indemnified against cost and expense, exercise any remedy provided

in the Act or at law or in equity for the benefit of the owner of the Bonds or its assignee, and shall disburse all funds so collected to the owners of the Bonds as payment of the Bonds.

Section 7 -- General Obligation. The Bonds shall be full general obligations of the City and, for the payment of said Bonds and the interest thereon, the full faith, credit and revenue of the City are hereby pledged for the prompt payment thereof. During the period the Bonds are outstanding, there shall be and there hereby is levied on all the taxable property in the City, in addition to all other taxes, without limitation as to rate, a direct tax annually in an amount sufficient to pay the principal of and interest on the Bonds when and as due, it being hereby found and determined that current tax rates are within all applicable limitations. Said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof provided, however, that in each year to the extent that the other lawfully available funds of the City are available for the payment of the Bonds and are appropriated for such purpose, the amount of such direct tax upon all of the taxable property in the City shall be reduced by the amount of such other funds so available and appropriated.

Section 8 -- Maintenance of Sinking Fund. Pursuant to Ordinance No. 2001-5-6353 adopted by the City, there has heretofore been established with the City a sinking fund (the "Sinking Fund"), which is hereby ordered to be maintained and continued as long as any of the Series 2010 Bonds shall remain outstanding and unpaid. The funds derived from said tax levy hereby required or other lawfully available funds shall be placed in the Sinking Fund and, together with interest collected on the same, are irrevocably pledged for the payment of the interest on and principal of all bonds issued under the General Obligation Act and Tax-Supported

Leases, as defined in the General Obligation Act, when and as the same fall due. Amounts shall be transferred from the Sinking Fund to the Bond Payment Fund at the times and in the amounts required by Section 6 hereof.

Section 9 -- Sale of Bonds; Certificate of Award. The Designated Officers are hereby directed to sell the Bonds to the Purchasers at advertised competitive sale, the final principal amount of, the principal amortization of and the interest rate or rates on the Bonds to be established in accordance with the requirements of Sections 1 and 2 hereof and the Certificate of Award. Each of the Mayor, city Manager or Finance Director is hereby authorized to execute the Certificate of Award without further action of the City Commission setting forth the terms of the Bonds and any other provisions required by and not inconsistent with this Bond Ordinance.

Section 10 -- Registered Owner; Transfer; Exchange. As long as the Bonds executed and delivered hereunder shall remain outstanding, the Paying Agent and Registrar shall maintain an office for the registration of such Bonds and shall also keep at such office books for such registration and transfers. The registered owner of the Bonds, as set forth in the registration books maintained by the Paying Agent and Registrar on the fifteenth day preceding an Interest Payment Date, or its assignees, for purposes of this Bond Ordinance, to the extent of its interest, shall be treated as the owner of the Bonds and shall be entitled to all rights and security of the owner of the Bonds hereunder.

Upon surrender for registration of transfer of the Bonds at the office of the Paying Agent and Registrar with a written instrument of transfer satisfactory to the Paying Agent and Registrar, duly executed by the registered owner or the registered owner's duly authorized attorney, the Paying Agent and Registrar shall execute and deliver, in the name of the designated transferee or transferees, one or more Bonds of the same series of any authorized denomination and of a like tenor and effect.

All Bonds, upon surrender thereof at the office of the Paying Agent and Registrar, may, at the option of the registered owner thereof be exchanged for an equal aggregate principal amount of Bonds of the same series of any authorized denomination.

In all cases in which the privilege of exchanging or transferring Bonds is exercised, the Paying Agent and Registrar shall execute and deliver Bonds in accordance with the provisions of this Section. Every such exchange or transfer of Bonds, whether temporary or definitive, shall be without charge; provided that the Paying Agent and Registrar may impose a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer.

Section 11 -- Disposition of Proceeds. The proceeds of the sale of the Bonds shall be deposited, together with other available funds of the City, as follows: (a) an amount sufficient, together with any other available funds of the City, to retire and redeem the Prior Bonds within ninety days of the issuance of the Bonds shall be deposited in the General Obligation Public Project Bonds, Series 2010 Bond Payment Fund established for the Prior Bonds (the "Prior Bonds Bond Payment Fund"), and (b) the amount necessary to pay the costs of issuing the Bonds shall be deposited to a special cost of issuance fund (the "City of Paducah, 2014 Cost of Issuance Fund") to be held by the Paying Agent and Registrar (the "Cost of Issuance Fund Depository") and used to pay the costs of issuance of the Bonds.

Section 12 -- Designation of Bonds. The City designates the Bonds as "qualified tax-exempt obligations" for the purposes set forth in § 265(b)(3) of the Internal Revenue Code of 1986, as amended. The City does not anticipate issuing more than $10,000,000 of "qualified tax-exempt obligations" during calendar years 2014.

Section 13 -- Discharge of Bond Ordinance. If the City shall pay or cause to be paid, or there shall otherwise be paid, to the owners of the Bonds the total principal and interest due or to become due thereon through maturity, in the manner stipulated therein and in this Bond Ordinance, then the pledges made under this Bond Ordinance, and all covenants, agreements and other obligations of the City hereunder, shall thereupon cease, terminate and become void and be discharged and satisfied.

Section 14 -- Severability. If any one or more of the provisions of this Bond Ordinance should be determined by a court of competent jurisdiction to be contrary to law, then such provisions shall be deemed to be severable from all remaining provisions and shall not affect the validity of such other provisions.

Section 15 -- Inconsistent Actions. All prior ordinances, resolutions or parts thereof inconsistent herewith are hereby repealed.

Section 16 -- Open Meetings Compliance. All meetings of the City Commission and of its committees and any other public bodies, at which the formal actions in connection with the issuance of the Bonds were taken, or at which deliberations that resulted in such formal actions were held, were open meetings, and such formal actions were taken and any such deliberations took place while such meetings, after proper notice, were open to the public, in compliance with all legal requirements including KRS Sections 61.810, 61.815, 61.820 and 61.823.

Section 17 -- Effective Date. This Ordinance shall become effective immediately upon adoption and publication of a summary thereof, as provided by law.

INTRODUCED AND PUBLICLY READ ON FIRST READING on the 13th day of May, 2014

PUBLICLY READ, ADOPTED AND APPROVED ON SECOND READING, this the 20th day of May, 2014.

CITY OF PADUCAH, KENTUCKY

By: _____
Mayor

Attest:

By: _____
City Clerk

CERTIFICATION

I, the undersigned, do hereby certify that I am the duly qualified and City Clerk of the City of Paducah, Kentucky, and as such City Clerk, I further certify that the foregoing is a true, correct and complete copy of an Ordinance duly enacted by the City Commission of the City at a duly convened meeting held on the 20th day of May, 2014, on the same occasion signed by the Mayor as evidence of his approval, and now in full force and effect, all as appears from the official records of the City in my possession and under my control.

Witness my hand as City Clerk of said City as of the ___ day of _____, 2014.

_____
City Clerk

ANNEX A

CITY OF PADUCAH, KENTUCKY
GENERAL OBLIGATION REFUNDING BOND, SERIES 2014A

R-___ $_____

INTEREST RATE	DATE OF ORIGINAL ISSUE	MATURITY DATE	CUSIP

REGISTERED HOLDER:

PRINCIPAL AMOUNT:

KNOW ALL PERSONS BY THESE PRESENTS: That the City of Paducah, Kentucky (the "City"), for value received, hereby acknowledges itself obligated to, and promises to pay to the registered holder identified above, or registered assigns, the principal sum identified above (or, if any part thereof has been paid, the balance thereof remaining unpaid), on the maturity date specified above, and to pay interest on said principal sum (or, if any part thereof has been paid, the balance thereof remaining unpaid) from the date hereof, payable each March 1 and September 1, commencing September 1, 2014, at the Interest Rate per annum identified above, calculated on the basis of a 360 day year with 30 day months, except as the provisions hereinafter set forth with respect to prior redemption may be and become applicable hereto. The principal and interest of this bond are payable, without deduction for exchange, collection, or service charges, in lawful money of the United States of America. Principal is payable at the principal office of U.S. Bank National Association, Louisville, Kentucky, or any successor (the "Paying Agent and Registrar") or by other transfer of funds acceptable to the Paying Agent and Registrar and such owner. All interest on this bond and principal payable prior to the final maturity date shall be payable by check or draft mailed to the record date registered owner hereof at the address shown on the registration records kept by the Paying Agent and Registrar or by other transfer of funds acceptable to the Paying Agent and Registrar and such owner. The record date shall be the fifteenth day of the month preceding each interest payment date.

This Bond is one of an issue of Bonds of like tenor and effect, except as to denomination and maturity, numbered from R-1 upward, inclusive, of the denomination of $5,000 or any integral multiple thereof originally aggregating _____ dollars ($_____) in principal amount, issued for the purpose of: (i) paying the costs of currently refunding the outstanding City of Paducah, Kentucky Taxable General Obligation Build America Bonds, Series 2010 (Build America Bonds - Direct Payment) and (ii) paying the costs of issuance of the Bonds, all pursuant to and in full compliance with the general laws of the Commonwealth of Kentucky and particularly Chapter 66 of the Kentucky Revised Statutes, and pursuant to an ordinance duly adopted by the City Commission of the City on the 20th day of May, 2014 (the "Bond Ordinance") upon the affirmative vote of at least a majority of the members of its City Commission at a public meeting duly and regularly held, and after filing of notice of the issuance of the Bonds with the State Local Debt Officer of the Commonwealth of Kentucky required under Section 66.310 of the Kentucky Revised Statutes.

This Bond and the issue of which it forms a part is a general obligation of the City and the full faith, credit and revenue of the City are pledged to the payments due hereunder. THIS BOND IS CONTINUALLY SECURED BY THE FAITH, CREDIT AND REVENUE OF THE CITY.

The Bonds mature on March 1 of the following years, in the respective principal amounts and bear per annum interest at the following rates:

Year	Amount	Interest Rate

[INSERT ANY MANDATORY SINKING FUND REDEMPTION REQUIREMENTS]

The Bonds maturing on and after March 1, 2025 shall be subject to optional redemption prior to their maturity on any date on or after March 1, 2024, in whole or in part, in such order of maturity as shall be designated in writing by the City, and by lot within a maturity, at the election of the City upon 45 days' written notice to the Paying Agent and Registrar (hereinafter defined) at a redemption price equal to the par amount thereof, plus accrued interest to the date of redemption.

At least thirty (30) days before the redemption date of any Bonds subject to redemption the Paying Agent and Registrar shall cause a notice of such redemption either in whole or in part signed by the Paying Agent and Registrar, to be mailed, first class, postage prepaid, to all registered owners of the Bonds to be redeemed in whole or in part at their addresses as they appear on the registration books kept by the Paying Agent and Registrar, but failure to mail any such notice shall not affect the validity of the proceedings for such redemption of Bonds for which such notice has been sent. Each such notice shall set forth the date fixed for redemption, the redemption price to be paid and, if less than all of the Bonds being payable by their terms on a single date then outstanding shall be called for redemption, the distinctive number or letters, if any, of such Bonds to be redeemed.

On the date so designated for redemption, notice having been published in the manner under the conditions hereinabove provided and moneys for payment of the redemption price being held in the Bond Payment Fund by the Paying Agent and Registrar for the registered owners of the Bonds to be redeemed, the Bonds so called for redemption shall become and be due and payable at the redemption price provided for redemption of such Bonds on such date, interest on the Bonds so called for redemption shall cease to accrue, and the registered owners of such Bonds shall have no right in respect thereof except to receive payment of the redemption price thereof.

No recourse shall be had for the payment of the principal of or the interest on this Bond, or for any claim based hereon, against any officer, agent or employee, past, present or future, of the City, as such, either directly or through the City, whether by virtue of any constitutional provision, statute or rule of law, or by the enforcement of any assessment or penalty, or otherwise; all such liability of such officers, agents or employees is hereby renounced, waived

and released as a condition of and as consideration for the issuance, execution and acceptance of this Bond.

It is hereby certified that all acts, conditions and things required to be done, to occur or be performed precedent to and in the issuance of this Bond, or in the creation of the obligations of which this Bond is evidence, have been done, have occurred and have been performed in regular and due form and manner as required by law; that the faith, credit and revenue of the City are hereby irrevocably pledged for the prompt payment of the principal hereof and interest hereon; that the repayment obligation represented by this Bond is not in excess of any constitutional or statutory limitation; and that due provision has been made for the levy and collection of a tax sufficient in amount to pay the interest on this Bond as it falls due and to provide for the redemption of this Bond at maturity or upon earlier redemption.

IN WITNESS WHEREOF, the City has caused this Bond to be signed either manually or by facsimile in its name by its Mayor and duly attested either manually or by facsimile by its City Clerk and an impression or facsimile of the City's seal to be imprinted hereon, as of the date set forth above.

CITY OF PADUCAH, KENTUCKY

_____
Mayor

Attest:

_____
City Clerk

CERTIFICATE

This is to certify that this Bond is one of the Bonds described hereinabove.

Dated:_____

U.S. Bank National Association, Paying Agent
and Registrar

By:_____
Authorized Signature

CERTIFICATE

It is hereby certified that the following is a correct and complete copy of the text of the legal opinion of Peck, Shaffer & Williams LLP, Attorneys, Covington, Kentucky, regarding the issue of which the within bond is one, the original of which opinion was manually executed, dated and issued as of the date of delivery of and payment for said issue and a copy of which is on file with the undersigned.

City Clerk

[FORM OF APPROVING OPINION]

ASSIGNMENT

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM -	as tenants in common	UNIF GIFT MIN ACT _____ Custodian _____
TEN ENT -	as tenants by the entireties	(Cust) (Minor)
		under Uniform Gift to Minors
JT TEN -	as joint tenants with right of survivorship and not as tenants Act in common	_____ (State)

Additional Abbreviations may also be used though not in the above list.

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto:

_____

(Please print or typewrite name and address of transferee)

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints: _____ attorney to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____ _____

Signature

In the presence of:

_____

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

85253v1
4 17 2014

HILLIARD LYONS 500 West Jefferson Street | Louisville, KY 40202
502-588-8400 , toll free 800-444-1854

FINANCIAL ADVISOR ENGAGEMENT CONTRACT

April 18, 2014

Honorable Gayle Kaler
Mayor, City of Paducah
P.O. Box 2267
Paducah, Kentucky 42002-2267

Dear Mayor Kaler:

We understand that the City of Paducah (the "City") plans to issue three general obligation bond issues (the "Projects"). We submit for your consideration, the following proposal to act as Financial Advisor for the City in connection with the Projects.

In our capacity as Financial Advisor, we will do the following:

(a) We will immediately make available to you the experience and facilities of our firm to work with a nationally recognized Bond Counsel, retained at your expense, in cooperation with you in the development of a plan for the financing of the Projects. We will coordinate with your attorneys to prepare all minutes, resolutions, notices, leases, ordinances, and other necessary documents incident to the authorization, sale, issuance and delivery of the Bonds. The expense of Bond Counsel may be paid from proceeds of the bond sale.

(b) At our expense, we will assist and advise you as to maturities, call prices and all other important Bond features, and the timing of your sale.

(c) We will assist and advise you in the necessary advertising of the Notice of Sale Bonds in *The Courier Journal* and *The Bond Buyer*, if necessary, when you are ready to offer the Bonds at public sale. The above advertising will be at the City's expense and payable from bond proceeds.

(d) We will prepare, distribute, and provide at our expense a Preliminary Official Statement to all interested bidders well in advance of the sale of your Bonds in an effort to attract the widest interest possible when and as they are put up for sale at public bidding.

It is further agreed that you will furnish, without expense to us, upon our request, or upon the request of your Bond Counsel, all data and information required to properly and legally issue the Bonds and cooperate with the Financial Advisor toward the sale of the Bonds. The final determination to issue the Bonds will, of course, be your decision.

(e) We will provide, at our expense, the necessary computer hardware, software, and the technical experience to structure the proposed bond issue in such a way that all of the legal and technical requirements are met, allowing the bonds to be legally issued.

(f) We and your attorneys will assist, advise and work with you for the purpose of developing the best plan possible for a sound and marketable issue of Bonds. We shall use our best efforts to prepare the issue so as to obtain for you the lowest interest cost obtainable in the light of market conditions as they exist at the time the issue is offered for sale. However, that with respect to advance and/or current refundings the necessary calculations and technical advice by an outside certified public accountant will be paid by you.

(g) We will recommend as to the advisability of submitting the issue to the bond rating services for a rating and will assist in obtaining the best possible rating for the bonds if deemed necessary. Any charge or fee for rating the Bonds will be billed directly to the City and may be paid from the proceeds of the Bond sale.

(h) All expenses in connection with the retention of a paying agent bank will be borne by the City.

In consideration of the services rendered and the risk of the expense to be assumed by us, it is agreed that we shall be paid out of Bond proceeds a fee equal to $15,000 for each of the Series of Bonds issued. This fee shall be paid to us upon the sale and delivery of the Bonds:

Information

The City recognizes and confirms that Hilliard Lyons, in acting pursuant to this engagement, will be using information in reports and other information provided by others, including, without limitation, information provided by or on behalf of the City and that Hilliard Lyons does not assume responsibility for and may rely, without independent verification, on the accuracy and completeness of any such reports and information. Hilliard Lyons hereby warrants that information relating to the City that is furnished to Hilliard Lyons by or on behalf of the City will be fair, accurate and complete and will not contain any material omission or misstatements of fact.

Conflicts

The City acknowledges that Hilliard Lyons by virtue of its activities as a full-service financial institution, may presently have or may enter into relationships, contractual or otherwise, with certain parties who may participate in the transactions contemplated by this engagement.

Governing Law

This letter agreement is governed by the laws of the Commonwealth of Kentucky without regard to conflicts of law principles.

Hilliard Lyons and the City agree to waive trial by jury in any action, proceeding or counterclaim brought by or on behalf of either party with respect to any matter whatsoever relating to or arising out of any actual or proposed transaction or the engagement of or performance by Hilliard Lyons hereunder.

Termination

This letter agreement may be terminated by the City at any time or by Hilliard Lyons at any time upon 30 days written notice. The "Fees," "Expenses," "Indemnification," and "Governing Law" provisions contained herein shall survive any termination of this letter agreement.

Other

This letter agreement contains the entire agreement between us and supersedes all prior understanding, whether written or oral. This letter agreement may be executed in counterparts. This letter agreement may not be amended except in writing signed by all parties hereto.

The City may not assign or delegate any of its rights or obligations hereunder without our prior written consent.

The City hereby affirms that there are no other outstanding commitments relating to the above proposal which would be binding on the City and which would in any way impair the validity of this agreement.

In regard to continuing Disclosure Requirements, the City agrees to comply with all the requirements of Securities and Exchange commission rule 15(c)2-12, as amended, relating to financial statement disclosures and certain event disclosures relating to the Bonds on an ongoing basis until the Bonds are paid in full.

Respectfully submitted,

By: _____

Greg Phillips, Managing Director
J.J.B. Hilliard, W.L. Lyons, LLC

The foregoing proposal is hereby accepted on _____, 2014

By: _____

Honorable Gayle Kaler, Mayor-City of Paducah

Dinsmore

Legal Counsel.

DINSMORE & SHOHL LLP
50 East RiverCenter Boulevard ^ Suite 1150
Covington, KY 41011
www.dinsmore.com

Dirk M. Bedarff
859-431-7000 ^ 859-431-0673 (fax)
Dirk.Bedarff@DINSMORE.COM

April 16, 2014

City of Paducah, Kentucky
Municipal Building
300 South Fifth Street
Paducah, Kentucky 42002
Attn: Hon. Gayle Kaler

Re: Engagement as Bond Counsel for approximately $5,765,000 City of Paducah, Kentucky General Obligation Refunding Bonds, Series 2014A (Build America Bonds Refunding)

Ladies and Gentlemen:

(1) We have been asked to act as Bond Counsel with respect to the above-captioned issuance of municipal securities (the "Bonds") by the City of Paducah, Kentucky (the "City"). Proceeds of the Bonds are expected to be used to refund an earlier series of Build America Bonds that in turn financed various public improvements within the City (the "Project"). It is contemplated that the Bonds will be secured by the full faith and credit of the City and will be issued as tax-exempt bonds. The Bonds would be sold at a public sale. This letter is to describe our services, responsibilities and fees.

Scope of Engagement and Duties to Be Performed

(2) As Bond Counsel, our chief function is to render an objective legal opinion with respect to the authorization and issuance of the Bonds. Assuming that no legal impediments to the issuance of the Bonds become apparent, we would contemplate furnishing to the City our approving opinion ("Bond Opinion") as to the validity and binding effect of the Bonds, the source of payment and security for the Bonds and the exclusion of the interest on Bonds issued as tax-exempt bonds from gross income for Federal and Kentucky income tax purposes, which opinion will be executed and delivered by us to the City in written form on the date the Bonds are exchanged for their purchase price (the "Closing"). Upon delivery of the opinion with respect to the original issuance of the Bonds, our responsibilities as Bond Counsel will be concluded with respect to this financing.

(3) The Bond Opinion will be based on facts and law existing as of its date. In rendering our Bond Opinion, we will rely upon the certified proceedings and other certifications of public officials and other persons furnished to us without undertaking to verify the same by independent investigation, and we will assume continuing compliance by the City with applicable laws relating to the Bonds. During the course of this engagement, we will rely on you to provide us with complete and timely information on all developments pertaining to any aspect of the Bonds and their security. We understand that you will direct members of your staff, your officers and other employees of the City to cooperate with us in this regard. In rendering our Bond Opinion, we may expressly rely upon other counsel as to certain matters where appropriate.

(4) In addition to rendering our Bond Opinion upon the issuance of the Bonds, we expect to perform the following duties:

(a) Draft or review the basic legal documents required for authorization, securing, issuance and sale of the Bonds; these include the bond legislation to be adopted by the City and all related City proceedings and resolutions or ordinances which might be required.

(b) Prepare or furnish the incidental closing papers (excepting those customarily prepared or furnished by the underwriter or purchaser or their respective counsel), including various certificates to be signed by the City.

(c) Review legal issues relating to the structure of the Bond issue.

(d) Assist the City in presenting information to bond rating organizations and providers of credit enhancement relating to legal issues affecting the issuance of the Bonds.

(e) Prepare and review the notice of sale pertaining to the competitive sale of the Bonds.

(f) Draft the continuing disclosure undertaking of the City (if applicable).

(g) Assist the City in seeking from other governmental authorities such approvals, permissions and exemptions as we determine are necessary or appropriate in connection with the authorization, issuance and delivery of the Bonds, except that we will not be responsible for any required Blue Sky filings unless it is customary for the City to undertake such filings with respect to a particular offering of Bonds.

(5) Our duties in this engagement are limited to those expressly set forth above. Among other things, our duties as Bond Counsel do not include:

(a) Except as described in paragraph (7) herein, assisting in the preparation or review of an official statement or any other disclosure document with respect to the

Bonds, or performing an independent investigation to determine the accuracy, completeness or sufficiency of any such document or rendering advice that the official statement or other disclosure document does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements contained therein, in light of the circumstances under which they were made, not misleading.

(b) Preparing requests for tax rulings from the Internal Revenue Service, or no action letters from the Securities and Exchange Commission.

(c) Preparing blue sky or investment surveys with respect to the Bonds.

(d) Except as described in paragraph (4) above, drafting state constitutional or legislative amendments.

(e) Except as described in paragraph (4) above, pursuing test cases or other litigation, such as contested validation proceedings.

(f) Making an investigation or expressing any view as to the creditworthiness of the City.

(g) Except as described in paragraph (4) above or otherwise agreed, assisting in the preparation of, or opinion on, a continuing disclosure undertaking pertaining to the Bonds or, after Closing, providing advice concerning any actions necessary to assure compliance with any continuing disclosure undertaking.

(h) Representing the City in Internal Revenue Service examinations or inquiries, or Securities and Exchange Commission investigations.

(i) After Closing, providing continuing advice to the City or any other party concerning any actions necessary to assure that interest paid on the Bonds will continue to be excludable from gross income for federal income tax purposes (*e.g.*, our engagement does not include rebate calculations for the Bonds).

(j) Addressing any other matter not specifically set forth above that is not required to render our Bond Opinion.

(6) Although we ordinarily draft suggested forms for these and other customary closing papers, we do not assume responsibility for verifying the truth of facts certified as true by others, nor, except as necessary to our opinion, do we assume responsibility for examining legal questions on which other participating lawyers are asked to opine. We do not review the financial condition of the City, the feasibility of the project for which the Bonds were issued, or the adequacy of the security provided to the Bondholders. We will assume no responsibility with respect to real estate or personal property title matters. All matters of title with respect to real estate will be the responsibility of the City's general counsel or a title insurer. We will rely upon

such opinions, the title policy or commitment and such certificates in delivering our Bond Opinion.

(7) In our role as Bond Counsel, we may or may not undertake responsibility for the preparation of an Official Statement or other disclosure document with respect to the Bonds depending on the approach used by your financial advisor. Regardless, we are not responsible for performing an independent investigation to determine the accuracy, completeness or sufficiency of any such document. In any public offering of the Bonds, we would expect the financial advisor, the underwriter and the City to evidence compliance with the current standards for full disclosure by delivery at closing of appropriate certificates and opinions of counsel relating to both the undertakings of the City and the accuracy and completeness of the information included in the Official Statement. Moreover, if a disclosure document will be adopted or approved by the City, our responsibility, in our role as Bond Counsel, will include the preparation or review of any description or summary therein of: (i) Kentucky and federal law pertinent to the validity of the Bonds and the tax treatment of interest paid thereon, (ii) the Bonds, (iii) security for the Bonds, and (iv) our opinion.

(8) We assume that we will have the full cooperation of the financial advisor, underwriter and appropriate officials of the City and any others necessary to successfully complete this financing, including counsel to the other parties. We cannot, of course, guarantee the timing or outcome of legislative or judicial processes or other actions necessary to complete a financing.

(9) Under present law and regulations, we anticipate that the Bonds will be exempt from registration pursuant to the Securities Act of 1933, as amended; thus, no filings with the Securities and Exchange Commission will be necessary. However, the Bonds may be subject to registration or qualification in certain states. Our Bond Opinion will not make reference to any state law registration or qualification requirements for any jurisdiction in which the Bonds are to be sold, and we will undertake no Blue Sky survey or investment survey with respect to the Bonds in issuing our Bond Opinion and other opinions which may be required at Closing, except as may be hereafter specifically requested by the underwriter to a particular Bond issue and agreed to by us.

Compensation and Reimbursement

(10) Based upon (i) our current understanding of the terms, the structure, size and schedule of the financings which may be represented by the Bonds, (ii) the duties we will undertake pursuant to this engagement letter, (iii) the time we anticipate devoting to the financings and (iv) the responsibilities we will assume in connection therewith, we estimate that our fee as Bond Counsel would be $15,000. The fee is inclusive of travel costs, photocopying, deliveries, long distance telephone charges, fax charges, transcript preparation charges, filing fees, computer-assisted research and other necessary office disbursements, but the fee quoted will vary: (i) if the manner in which the Bonds are marketed (private placement, public offering, etc.)

changes, (ii) if unusual approaches in the structure of the financing occur beyond those contemplated herein, or (iii) if unusual or unforeseen circumstances arise which require a significant increase in our time or responsibility. If at any time we believe that circumstances require an adjustment of our original fee estimate we will consult with you prior to any such adjustment. In addition to the fee stated above, we will expect to be reimbursed for all out-of-pocket expenses related to legal advertisements. Our fee is normally paid at the closing and we customarily do not submit any statement until the Closing unless there is a substantial delay in completing the financing. If the issue of Bonds is delayed beyond three or four months, we reserve the right to present for payment an interim statement. We may submit an additional statement for charges following the Closing.

(11) When the City has obtained a purchase commitment for the Bonds, we will contact you regarding the agreed structure of the financing and its implications, if any, with respect to our fees.

(12) If for any reason the financing is not consummated or is completed without the rendition of our Bond Opinion, we will be paid the sum to be agreed upon with the City, plus out-of-pocket expenses, as described above.

Miscellaneous

(13) Our willingness to undertake the functions described herein with respect to any particular Bonds will be based upon the facts available to us at that time. We will commence our function with respect to each issue of Bonds after determining that nothing has come to our attention at that time which would lead us to conclude that there are any legal obstacles to delivery of the Bonds. We will proceed with the understanding that should anything come to our attention prior to the issuance of the Bonds, which would, in our opinion, cast doubt upon the legality of transaction, we will not be obligated to render our Bond Opinion.

(14) We understand that until we have been paid any fees for time and expenses owed to us under the terms of this engagement letter, you will not seek to engage any firm other than Peck, Shaffer & Williams, a division of Dinsmore & Shohl LLP to serve as Bond Counsel in connection with the issuance of any Bonds for which Peck, Shaffer & Williams, a division of Dinsmore & Shohl LLP has served as Bond Counsel. The engagement described in this letter may be terminated for any reason by the City or by us upon 30 days written notice. Fees for time and expense to the date of termination, if any, will be payable as of the date of termination.

(15) At your request, papers and property furnished by you for the Bond issue will be returned promptly upon receipt of payment for outstanding fees and client charges relating to that transaction. All documents customarily included in the record relating to the Bonds will be provided to the City, together with any other public records in our possession that are required to be maintained by the City. Our own files, including lawyer work product, pertaining to any particular transaction will be retained by us. For various reasons, including the minimization of

unnecessary storage expenses, we reserve the right to dispose of any documents or other materials retained by us after the termination of any particular transaction covered by this engagement letter.

(16) Upon execution of this engagement letter, the City will be our client and an attorney-client relationship will exist among us. We assume that all other parties will retain such counsel as they deem necessary and appropriate to represent their interests in any particular bond issue covered by this engagement letter. We further assume that all other parties understand that in a transaction covered by this engagement letter we represent only the City, we are not counsel to any other party, and we are not acting as an intermediary among the parties. Our services as Bond Counsel are limited to those contracted for in this engagement letter; the City's execution of this engagement letter will constitute an acknowledgment of those limitations. Our representation of the City will not affect, however, our responsibility to render an objective Bond Opinion.

(17) Subsequent to Closing, we will mail the appropriate Internal Revenue Service Form 8038 and prepare and distribute to the participants in the transaction a transcript of the proceedings pertaining to the Bonds.

If the foregoing terms are satisfactory to you, please indicate by returning the enclosed copy of this letter signed by an authorized person, retaining the original for your files.

Very truly yours,

PECK, SHAFFER & WILLIAMS, A
DIVISION OF DINSMORE & SHOHL LLP

By:

_____
Dirk M. Bedarff

Accepted and Agreed to this
_____ day of _____, 2014

City of Paducah, Kentucky

By: _____
Gayle Kaler, Mayor

Agenda Action Form
Paducah City Commission

Meeting Date: May 13, 2014

Short Title: Reimbursement Agreement with Paducah Power System for the Olivet Church Roadway Electrical Construction Expenses

☒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 order to construct the Olivet Church Roadway Project, the electrical lines and power poles within the Roadway Project area will require relocation, extension and/or new construction, the "Electrical Construction." In order to reduce the costs associated with the Roadway Project, the Electric Plant Board of the City of Paducah, Kentucky, d/b/a Paducah Power System, "PPS," has agreed to complete the "Electrical Construction" at its own expense.

Upon completion of the "Electrical Construction" work by PPS, the City will reimburse PPS for all costs involving the Electrical Construction, which is estimated at $225,000. This amount is an estimate only. In the event the actual costs to complete the "Electrical Construction" exceed this estimate, payment for all materials actually installed and the labor required for the "Electrical Construction" work shall be made by the City to PPS. The Kentucky Transportation Cabinet has agreed to reimburse the City for all expenses associated with utility relocation related to the Olivet Church Road Improvement Project.

Goal: ☒Strong Economy ☒Quality Services ☒Vital Neighborhoods ☐Restored Downtowns

Funds Available: Account Name: Olivet Church Roadway Proj
Account Number: 040-3315-532-2307
Project Number: ST0027

5/9/2014
Finance

Staff Recommendation:

To adopt an Ordinance authorizing the Mayor to execute a Reimbursement Agreement with the Electric Plant Board of the City of Paducah, Kentucky, d/b/a Paducah Power System "PPS," for Electrical Construction work related to the Olivet Church Road and to authorize the Finance Director to issue payment to PPS for the actual total costs upon completion of the Electrical Construction work, which is estimated to be $225,000.00.

Attachments:

Reimbursement Agreement.

Department Head	City Clerk	City Manager

ORDINANCE NO. 2014-5-_____

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A REIMBURSEMENT AGREEMENT WITH THE ELECTRIC PLANT BOARD OF THE CITY OF PADUCAH, KENTUCKY D/B/A PADUCAH POWER SYSTEM FOR THE ELECTRICAL CONSTRUCTION RELATED TO THE OLIVET CHURCH ROAD ROADWAY IMPROVEMENT PROJECT

BE IT ORDAINED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. That the City of Paducah hereby authorizes the Mayor to execute a reimbursement agreement between the Electric Plant Board of the City of Paducah, Kentucky d/b/a Paducah Power System and the City of Paducah, Kentucky, for reimbursement for actual labor and materials necessary for electrical construction to complete the Olivet Church Road Roadway Improvement Project at the estimated cost of $225,000.00. In the event the total invoice amount exceeds the estimated amount required to complete said project, the City hereby authorizes the Finance Director to issue payment for the actual total costs to Paducah Power System.

SECTION 2. Funds will be expended from Project Account ST0027.

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

_____
Mayor

ATTEST:

_____
Tammara S. Sanderson, City Clerk

Introduced by the Board of Commissioners May 13, 2014
Adopted by the Board of Commissioners, May _____, 2014
Recorded by Tammara S. Sanderson, City Clerk, May _____, 2014
Published by The Paducah Sun, _____
\ord\eng\reim-PPS(Olivet Church Rd Improv)

REIMBURSEMENT AGREEMENT
OLIVET CHURCH ROADWAY IMPROVEMENT PROJECT

THIS REIMBURSEMENT AGREEMENT is made and executed on this 8th day of MAY, 2014, by and between **CITY OF PADUCAH, KENTUCKY**, a Municipal Corporation of the Second Class, with a mailing address of P.O. Box 2267, Paducah, Kentucky 42002-2267, hereinafter referred to as "City," and **ELECTRIC PLANT BOARD OF THE CITY OF PADUCAH, KENTUCKY, d/b/a PADUCAH POWER SYSTEM**, P.O. Box 180, Paducah, Kentucky 42002-0180, hereinafter referred to as "PPS;"

W I T N E S S E T H:

WHEREAS, the City is in the process of constructing the Olivet Church Roadway Improvement Project, hereinafter referred to as "Roadway Project"; and

WHEREAS, PPS currently owns, operates and maintains the electrical lines within the Roadway Project area, which are entirely located within public right of ways and public utility easements; and

WHEREAS, the Roadway Project necessitates the relocation, extension and/or construction of the electrical lines, hereinafter referred to as "Electrical Construction;" and

WHEREAS, in order to reduce the costs associated with the Roadway Project, PPS agrees to purchase and install the materials required for the "Electrical Construction" separately at its own expense; and

WHEREAS, the City will reimburse PPS for the actual materials installed and labor provided for the "Electrical Construction" during this Roadway Project.

NOW, THEREFORE, in consideration of the foregoing, the legal adequacy and sufficiency of which is hereby acknowledged by both parties hereto, the parties do covenant and agree as follows:

1. Purchase of Materials. PPS agrees to purchase the materials required for the "Electrical Construction" separately at its own expense.

2. Installation. PPS agrees to install the materials required for the "Electrical Construction" as a part of the Roadway Project.

3. Reimbursement. The City agrees to reimburse PPS for the actual materials installed and the labor provided during this Roadway Project, which is estimated at $225,000.00. This amount is an estimate only. In the event the actual costs to

complete the "Electrical Construction" exceed this estimate, payment for all materials actually installed and the labor required for the "Electrical Construction" Work shall be made by the City to PPS.

4. Purpose. The City intends reimburse PPS for all actual material costs and labor expense required for the "Electrical Construction" to reduce costs associated with the Roadway Project.

5. Release of All Claims. Upon final payment to PPS for materials and labor costs required for the "Electrical Construction", the City shall have been deemed to release PPS from any and all claims, demands, and causes of action regarding any costs and expenses incurred by the City.

6. Miscellaneous Provisions. This Agreement represents the entire understanding by and between the parties regarding the reimbursement of the costs and expenses incurred by PPS and all prior statements, promises, and agreements are merged herein by reference. This Agreement shall be binding upon the parties hereto, their heirs, successors, and assigns.

ELECTRIC PLAN BOARD OF THE
CITY OF PADUCAH, KENTUCKY, D/B/A
PADUCAH POWER SYSTEM

By: _____

Title: Director of E&O

CITY OF PADUCAH, KENTUCKY

By: _____

Title: _____

Agenda Action Form
Paducah City Commission

Meeting Date: May 13, 2014

Short Title: Reimbursement Agreement with JSA for the Olivet Church Roadway Sanitary Sewer Construction Expenses

☐ 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 order to construct the Olivet Church Roadway Project, the sanitary sewer mains and services lines within the Roadway Project area will require relocation, extension and/or construction. In order to reduce the costs associated with the Roadway Project, the Paducah McCracken Joint Sewer Authority "JSA" has agreed to procure bids, administer and oversee a sanitary sewer project separately at its own expense. Upon completion of the JSA's sanitary sewer project, the City will reimburse JSA for the actual costs estimated to be $304,240. In the event the costs exceed this estimated amount, the City agrees to reimburse JSA for the total costs required to complete the Sanitary Sewer Construction. Applicable costs and expenditures shall include, but not be limited to, the following: engineering and design, permitting, materials, construction, labor, equipment, inspection, certification, as-builts, advertisement and copy expenditures/fees. The Kentucky Transportation Cabinet has agreed to reimburse the City for all expenses associated with utility relocation related to the Olivet Church Road Improvement Project.

Goal: ☒ Strong Economy ☒ Quality Services ☒ Vital Neighborhoods ☐ Restored Downtowns

Funds Available: Account Name: Olivet Church Roadway Proj
Account Number: 040-3315-532-2307
Project Number: ST0027

5/9/2014
Finance

Staff Recommendation:

To adopt an Ordinance authorizing the Mayor to execute a Reimbursement Agreement with the Paducah McCracken Joint Sewer Authority for sanitary sewer construction work related to the Olivet Church Road and to authorize the Finance Director to issue payment to Paducah McCracken Joint Sewer Authority for the actual total costs upon completion of the sanitary sewer work, which is estimated to be $304,240.

Attachments:

Reimbursement Agreement.

Department Head	City Clerk	City Manager

ORDINANCE NO. 2014-5-_____

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A REIMBURSEMENT AGREEMENT WITH PADUCAH-McCRACKEN COUNTY JOINT SEWER AGENCY FOR SANITARY SEWER CONSTRUCTION RELATED TO THE OLIVET CHURCH ROADWAY IMPROVEMENT PROJECT

BE IT ORDAINED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. That the City of Paducah hereby authorizes the Mayor to execute a reimbursement agreement between Paducah-McCracken County Joint Sewer Agency and the City of Paducah, Kentucky, for reimbursement for sanitary sewer construction work related to the Olivet Church Road Roadway Improvement Project, estimated at $304,240.00. In the event the total invoice amount exceeds the estimated amount required to complete said project, the City hereby authorizes the Finance Director to issue payment for the actual total costs to Paducah-McCracken County Joint Sewer Agency.

SECTION 2. Funds will be expended from Project Account ST0027.

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

_____
Mayor

ATTEST:

_____
Tammara S. Sanderson, City Clerk

Introduced by the Board of Commissioners, May 13, 2014
Adopted by the Board of Commissioners, May _____, 2014
Recorded by Tammara S. Sanderson, City Clerk, May _____, 2014
Published by The Paducah Sun, _____
\ord\eng\reim JSA(Olivet Ch Rd Improve)

REIMBURSEMENT AGREEMENT
OLIVET CHURCH ROADWAY IMPROVEMENT PROJECT

THIS REIMBURSEMENT AGREEMENT is made and executed on this _____ day of _____, 2014, by and between the **CITY OF PADUCAH, KENTUCKY** a Municipal Corporation of the Second Class, with a mailing address of P.O. Box 2267, Paducah, Kentucky 42002-2267, hereinafter referred to as "City," and the **PADUCAH-McCRACKEN COUNTY JOINT SEWER AGENCY**, a Kentucky Joint Sewer Agency, with a mailing address of 621 Northview Street, Paducah, Kentucky 42001, hereinafter referred to as "JSA,"

W I T N E S S E T H:

WHEREAS, the City is in the process of constructing the Olivet Church Roadway Improvement Project, hereinafter referred to as "Roadway Project"; and

WHEREAS, JSA currently owns, operates and maintains the sanitary sewer mains and service lines within the Roadway Project area, which are entirely located within public right of ways and public utility easements; and

WHEREAS, the Roadway Project necessitates the relocation, extension and/or construction of a portion of the sanitary sewer mains and service lines within the Roadway Project area, hereinafter to be known as the "Sanitary Sewer Construction;" and

WHEREAS, in order to reduce the costs associated with the Roadway Project, JSA hereby agrees to Procure Bids, Administer and Oversee the necessary work associated with the Sanitary Sewer Construction separately at its own expense; and

WHEREAS, the City will reimburse JSA for all actual costs and expenditures associated with the Sanitary Sewer Construction upon completion of the work. Applicable costs and expenditures shall include, but not be limited to, the following: engineering and design, permitting, materials, construction, labor, equipment, inspection, certification, as-builts, advertisement and copy expenditures/fees.

NOW, THEREFORE, in consideration of the foregoing, the legal adequacy and sufficiency of which is hereby acknowledged by both parties hereto, the parties do covenant and agree as follows:

1. Sanitary Sewer Construction. JSA agrees to Procure Bids, Administer and Oversee the Sanitary Sewer Construction separately at its own expense.

2. Reimbursement. The City agrees to reimburse JSA for the actual costs associated with the Sanitary Sewer Construction upon completion, which is estimated at $304,240.00. This amount is an estimate only. In the event the

costs exceed this estimated amount, the City agrees to reimburse JSA for the total costs required to complete the Sanitary Sewer Construction.

3. Purpose. The City intends to reimburse JSA for costs associated with the Sanitary Sewer Construction to reduce costs associated with the Roadway Project.

4. Release of All Claims. Upon final payment to JSA for the Sanitary Sewer Construction costs, the City shall have been deemed to release JSA from any and all claims, demands, and causes of action regarding any costs and expenses incurred by the City.

5. Miscellaneous Provisions. This Agreement represents the entire understanding by and between the parties regarding the reimbursement of the costs and expenses incurred by JSA and all prior statements, promises, and agreements are merged herein by reference. This Agreement shall be binding upon the parties hereto, their heirs, successors, and assigns.

PADUCAH-McCRACKEN CO JOINT SEWER AGENCY

By: _____

Title: EXECUTIVE DIRECTOR

CITY OF PADUCAH, KENTUCKY

By: _____

Title: _____

Agenda Action Form
Paducah City Commission

Meeting Date: May 14, 2013

Short Title: Authorize Payment to AES Environmental, LLC for Household Hazardous Waste Collected during 2014 Clean-Up Day

☒Ordinance ☐ Emergency ☐ Municipal Order ☐ Resolution ☐ Motion

Staff Work By: Chris Yarber, EPW Operations Manager
Angela Weeks, EPW Project Manager
Presentation By: Rick Murphy, P.E., City Engineer-Public Works Director

Background Information:

On April 12, 2014, the City of Paducah co-sponsored along with the county a free Clean-Up Day to assist all property owners with disposal of various waste. Household hazardous waste was one item collected on this day. In accordance with Kentucky requirements, a Kentucky certified hazardous waste service is required to dispose of all hazardous waste. AES Environmental LLC, with an office in Calvert City, KY, is the only certified hazardous collector who is a vendor with the Commonwealth of Kentucky within this area.

Therefore, the service of AES Environmental LLC was requested to collect and dispose of household hazardous waste during the free Clean-Up Day. This year, the collection of household hazardous waste totaled $23,065.40. Last year's collection totaled $21,156.60. The partial funding of the free Clean-Up Day is provided by a grant from the Kentucky Division of Waste Management in the amount of $27,000.

Goal: ☐Strong Economy ☒Quality Services ☒Vital Neighborhoods ☐Restored Downtowns

Funds Available: Account Name: Haz Waste
Project Number: MR0050060
Account Number: 050-2209-531-2004

AJLi 5/5/14
Finance

Staff Recommendation:

To adopt an Ordinance authorizing the payment of $23,065.40 to AES Environmental LLC, for collection and disposal of household hazardous waste collected during the free Clean-Up Day on April 12, 2014.

Attachments:

Invoice

Department Head	City Clerk	City Manager

ORDINANCE NO. 2014-5-_____

AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR TO PAY AMERICAN ENVIRONMENTAL SERVICES, INC., FOR THE DISPOSAL OF HOUSEHOLD HAZARDOUS WASTE COLLECTED DURING THE CITY/COUNTY FREE CLEAN-UP DAY

WHEREAS, the City of Paducah and McCracken County co-sponsored a free Clean-Up Day on April 12, 2014, to assist McCracken County property owners with disposal of various waste; and

WHEREAS, the City will receive partial funding for the free Clean-Up Day from the Kentucky Division of Waste Management; and

WHEREAS, in accordance with State of Kentucky requirements, a Kentucky certified hazardous waste service is required to dispose of all hazardous waste; and

WHEREAS, American Environmental Services, Inc., located in Calvert City, Kentucky, is the only local, certified hazardous collector and therefore was requested to collect and dispose of the household hazardous waste during the free Clean-Up Day; and

WHEREAS, this year's collection of hazardous waste cost exceeded $20,000 and therefore, requires Procurement Code procedures to be implemented.

BE IT ORDAINED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. That the Finance Director is hereby authorized to pay American Environmental Services, Inc., in the amount of $23,065.40, for the disposal of household hazardous waste collected during the City/County free Clean-Up Day.

SECTION 2. This expenditure shall be charged to Project Account No. MR0060.

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

_____
Mayor

ATTEST:

_____
Tammara S. Sanderson, City Clerk

Introduced by the Board of Commissioners, May 13, 2014
Adopted by the Board of Commissioners, May _____, 2014
Recorded by Tammara S. Sanderson, City Clerk, May _____, 2014
Published by The Paducah Sun, _____
ord\pw\household haz waste-Amer Env Serv 2014

050-2209-531 2004

Proj.

8/18

AES Environmental LLC
2100 Georgetowne Drive
Suite 303
Sewickley, PA 15143
(724) 933-4100

Invoice Number: AES-154689
Invoice Date: 04/30/2014
Purchase Order #:

Work Orders:
112628

Bill To:
Paducah Public Works
Attn:Mike Orenduff
1120 North 10th Street
Paducah, KY 42001

Generator:

Paducah and McCracken County Residents
850 Burnett Street

Paducah, KY 42001

Thank you for using AES Environmental LLC for your disposal needs.

Total: $23,065.40

Remit To: AES Environmental LLC
2100 Georgetowne Drive
Suite 303
Sewickley, PA 15143
(724) 933-4100

AES Environmental LLC
2100 Georgetowne Drive
Suite 303
Sewickley, PA 15143
(724) 933-4100

Invoice Number: AES-154689
Invoice Date: 04/30/2014
Purchase Order #:

Generator: Paducah and McCracken County Residents
850 Burnett Street

Paducah, KY 42001

Work Order # 112628 T&D CC

Disposal

Date	Description	Quantity	Unit	Unit Price	Line Price
4/14/2014	112628-1 / MGT-7664 / HOUSEHOLD HAZ WASTE - AEROSOLS / Tri-Wall/Supersack	320.00	Pound	$1.10	$352.00
4/14/2014	112628-2 / MGT-7660 / HOUSEHOLD HAZ WASTE - FLAM LIQUIDS / Tri-Wall/Supersack	6,085.00	Pound	$1.10	$6,693.50
4/14/2014	112628-3 / MGT-7661 / HOUSEHOLD HAZ WST LIQUID PESTICIDES / Tri-Wall/Supersack	600.00	Pound	$1.10	$660.00
4/14/2014	112628-4 / MGT-7663 / HOUSEHOLD HAZ WST CORROSIVE LIQUID / 55G	80.00	Pound	$1.10	$88.00
4/14/2014	112628-5 / MGT-7663 / HOUSEHOLD HAZ WST CORROSIVE LIQUID / 55G	125.00	Pound	$1.10	$137.50
4/14/2014	112628-6 / MGT-7663 / HOUSEHOLD HAZ WST CORROSIVE LIQUID / 5G	5.00	Pound	$1.10	$5.50
4/14/2014	112628-7 / MGT-17609 / MERCURY & MERCURY MANUF. ARTICLES / 5G	1.00	Container	$560.00	$560.00
4/14/2014	112628-8 / MGT-7660 / HOUSEHOLD HAZ WASTE - FLAM LIQUIDS / 55G	135.00	Pound	$1.10	$148.50
4/14/2014	112628-9 / MGT-13182 / LAB PACKS / 55G	80.00	Pound	$1.10	$88.00
4/14/2014	112628-10 / MGT-21846 / FIRE EXTINGUISHERS / 55G	55.00	Pound	$1.10	$60.50
4/14/2014	112628-11 / MGT-7788 / HHW - PROPANE CYLINDERS / Cylinder	170.00	Pound	$1.10	$187.00
4/14/2014	112628-12 / MGT-21491 / NICKEL CADMIUM BATTERIES / 5G	15.00	Pound	$1.10	$16.50
4/14/2014	112628-14 / MGT-21492 / DRY ALKALINE BATTERIES / 10G/15G	190.00	Pound	$1.10	$209.00

AES Environmental LLC
2100 Georgetowne Drive
Suite 303
Sewickley, PA 15143
(724) 933-4100

Invoice Number: AES-154689
Invoice Date: 04/30/2014
Purchase Order #:

Generator: Paducah and McCracken County Residents
850 Burnett Street

Paducah, KY 42001

Date	Description	Quantity	Unit	Unit Price	Line Price
4/14/2014	112628-15 / MGT-21489 / STANDARD FLUORESCENT BULBS / Lamp Box	959.98	Lamp (ft.)	$0.10	$95.00
4/14/2014	112628-16 / MGT-32037 / COMPACT FLUORESCENT BULBS / 10G/15G	84.00	Lamp (ea.)	$0.50	$42.00
4/14/2014	112628-17 / MGT-7662 / USED OIL / 55G	2,130.00	Pound	$1.10	$2,343.00
4/14/2014	112628-18 / MGT-7662 / USED OIL / 55G	540.00	Pound	$1.10	$594.00
4/14/2014	112628-19 / MGT-7664 / HOUSEHOLD HAZ WASTE - AEROSOLS / 5G	2.00	Pound	$1.10	$2.20
4/14/2014	112628-20 / MGT-7788 / HHW - PROPANE CYLINDERS / 5G	10.00	Pound	$1.10	$11.00
4/14/2014	112628-21 / MGT-7789 / FREON CYLINDERS / Cylinder	10.00	Pound	$1.10	$11.00
4/14/2014	112628-22 / MGT-7789 / FREON CYLINDERS / Cylinder	5.00	Pound	$1.10	$5.50
4/14/2014	112628-23 / MGT-32038 / LITHIUM BATTERIES / 5G	2.00	Pound	$1.10	$2.20
4/14/2014	112628-24 / MGT-7660 / HOUSEHOLD HAZ WASTE - FLAM LIQUIDS / 10G/15G	50.00	Pound	$1.10	$55.00
4/14/2014	112628-25 / MGT-13182 / LAB PACKS / 5G	5.00	Pound	$1.10	$5.50
4/14/2014	112628(1)-1 / MGT-7659 / HOUSEHOLD HAZ WST NON REG LIQUIDS / Rolloff/Dump	9,720.00	Pound	$1.10	$10,692.00

Work Order Subtotal	**$23,065.40**

Invoice Total	**$23,065.40**

Remit To: AES Environmental LLC
2100 Georgetowne Drive
Suite 303
Sewickley, PA 15143
(724) 933-4100

Agenda Action Form
Paducah City Commission

Meeting Date: May 13, 2014

Short Title: Closure of a Portion of Ridgewood Street between Topeka Avenue and Olympia Avenue

☒Ordinance ☐ Emergency ☐ Municipal Order ☐ Resolution ☐ Motion

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

Background Information:

The following adjacent property owners have submitted an executed application requesting that a portion of Ridgewood Street between Topeka Avenue and Olympia Avenue closed:

Higdon Development, Inc.	David and Kristie Stuber
Ronald and Shirley Hagan	Charles and Linda Hayden

Update: Charles and Linda Hayden has acquired the adjacent triangle portion of property on April 22, 2014 by Quitclaim Deed 1275-607 which was mistakenly left out of the Hayden's original property deed.

On February 17, 2014, the Planning Commission held a Public Hearing and made a positive recommendation to the City Commission for this closure. All of the utility companies have agreed to this closure with utility easements not being required.

Goal: ☐Strong Economy ☐Quality Services ☒Vital Neighborhoods ☐Restored Downtowns

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

Finance

Staff Recommendation:

To adopt an ordinance authorizing the closing of a portion of Ridgewood Street between Topeka Avenue and Olympia Avenue be closed and authorizing the Mayor to execute the plat and all necessary documents to complete the transfer of property to the adjacent property owners.

Attachments:

Original Street Closure Application, Proposed Closure Plat, Public Hearing Notice, Planning Commission Resolution

Department Head	City Clerk	City Manager

ORDINANCE NO. 2014-5-_____

AN ORDINANCE PROVIDING FOR THE CLOSING OF A PORTION OF RIDGEWOOD STREET BETWEEN TOPEKA AVENUE AND OLYMPIA AVENUE, AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATING TO SAME

BE IT ORDAINED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. That the City of Paducah does hereby authorize the closing of a portion of Ridgewood Street between Topeka Avenue and Olympia Avenue, and being more particularly described as follows:

PROPERTY DESCRIPTION

A PORTION OF A PUBLIC RIGHT OF WAY – RIDGEWOOD STREET

Being a portion of a public right of way located in Paducah, McCracken County Kentucky, dedicated to the City of Paducah as part of THOMSPON HEIGHTS SUBDIVISION lodged in the McCracken County Clerk's office in plat book "G" page 104, and being more particularly described as follows:

BEGINNING AT A POINT IN THE NORTH RIGHT OF WAY LINE OF RIDGEWOOD STREET (UNIMPROVED), SAID POINT ALSO BEING THE SOUTH WEST CORNER OF LOT 6 OF THE THOMPSON HEIGHTS SUBDIVISION (PLAT BOOK "G" PAGE 104), STUBER (DB 879, PG 383, AND THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE WITH THE NORTH LINE OF RIDGEWOOD STREET AND THE SOUTH LINE OF LOT 6 , SOUTH 67 DEGREES 34 MINUTES 47 SECONDS EAST, 87.05 FEET TO A ½" X 24" REBAR WITH ALUMINUM CAP STAMPED "SITEWORX KY PLS 3790" SET THIS SURVEY; THENCE, ALONG THE EAST LINE OF LOT 6, NORTH 31 DEGREES 8 MINUTES 7 SECONDS EAST, 152.44 FEET TO AN EXISTING 1" DIAMETER IRON PIPE FOUND THIS SURVEY, THENCE ALONG THE SOUTH LINE OF LOT 5 (HAGAN DB 847 PG 819), SOUTH 80 DEGREES 41 MINUTES 20 SECONDS EAST, 74.13 FEET TO AN EXISTING 4" X 4" CONCRETE MONUMENT, CORNER TO HAGAN AND HAYDEN (DB 939 PG 211), FOUND THIS SURVEY, THENCE, WITH THE SOUTH LINE OF HAYDEN SOUTH 80 DEGREES 41 MINUTES 20 SECONDS EAST, 204.09 FEET TO A ½" X 24" REBAR WITH ALUMINUM CAP STAMPED "SITEWORX KY PLS 3790" SET THIS SURVEY IN THE WESTERLY RIGHT OF WAY LINE OF TOPEKA AVENUE, THENCE, ALONG A NEW LINE AND IN SOUTHERLY DIRECTION WITH THE WEST RIGHT OF WAY LINE OF TOPEKA AVENUE, SOUTH 25 DEGREES 37 MINUTES 12 SECONDS WEST, 53.66 FEET TO A ½" X 24" REBAR WITH ALUMINUM CAP STAMPED "SITEWORX KY PLS 3790" SET THIS SURVEY AT THE INTERSECTION OF THE WEST LINE OF TOPEKA AVENUE WHERE IT INTERSECTS THE SOUTH LINE OF RIDGEWOOD STREET; THENCE ALONG THE NORTH LINE OF HIGDON DEVELOPMENT INC. (DB 1059 PG 407), NORTH 80 DEGREES 41 MINUTES 20 SECONDS WEST, 240.68 FEET TO AN IRON ROD WITH CAP STAMPED PLS #1842 FOUND THIS SURVEY, THENCE ALONG THE WEST LINE OF HIGDON, SOUTH 31 DEGREES 8 MINUTES 7 SECONDS WEST, 152.37 FEET TO AND EXISTING IRON PIN FOUND THIS SURVEY, THENCE, CONTINUING WITH THE NORTH LINE OF HIGDON, NORTH 67 DEGREES 34 MINUTES 47 SECONDS WEST, 129.77 FEET TO AND EXISTING IRON PIN WITH CAP STAMPED PLS #2105 FOUND THIS SURVEY, THENCE WITH THE EAST LINE OF DAVIS (DB 773 PG 619), NORTH 53 DEGREES 37 MINUTES 5 SECONDS EAST, 5.85 FEET TO AND EXISTING IRON PIN WITH CAP STAMPED PLS #1842 FOUND THIS SURVEY, THENCE ALONG A NEW LINE CUTTING ACROSS THE RIGHT OF WAY OF RIDGEWOOD STREET, NORTH 31 DEGREES 7 MINUTES 21 SECONDS EAST, 40.46 FEET TOTHE POINT OF BEGINNING

The property described above contains 24,291 square feet or 0.56 acres. Additionally, this property may be subject to public or private easements, rights of way, or restrictions not disclosed to this surveyor as this survey was performed without the benefit of a title opinion. This surveyor makes no claims as to the true and rightful owners of the property described hereon or any portion thereof.

The bearings cited are based the Kentucky State Plane Coordinate System – South Zone.

This description was drafted by Michael Todd McBee, KY PLS #3790, of the firm Siteworx Survey and Design, 1640 McCracken Boulevard, Suite 200, Paducah, KY 42001, from a plat of survey made of the subject property completed on or about February 11th, 2014 and recorded in the McCracken County Clerk's office.

SECTION 2. In support of its decision to close the aforesaid public way, the Board of Commissioners hereby makes the following findings of fact.

a. Higdon Development, Inc., David and Kristie Stuber; Ronald and Shirley Hagan; and Charles and Linda Hayden, are the owners of property abutting the public way which the Board of Commissioners has authorized to be closed as is evidenced by the application for street and/or alley closing which is attached hereto and made part hereof.

b. On the 17th day of February, 2014, the Paducah Planning Commission of the City of Paducah adopted a resolution recommending to the Mayor and Board of Commissioners of the City of Paducah closure of the aforesaid public way.

c. Written notice of the proposed closing was given to all property owners in or abutting the public way or the portion thereof being closed as is evidenced by the application for street and/or alley closing which is attached hereto and made a part hereof.

d. All property owners in or abutting the public way or the portion thereof being closed have given their written notarized consent to the closing as is evidenced by the application for street and/or alley closing which is attached hereto and made a part hereof.

SECTION 3. All requirements of KRS 82.405(1) and (2) having been met, the Board of Commissioners of the City of Paducah hereby concludes that the aforesaid public way, as described above, should be closed in accordance with the provisions of KRS 82.405.

SECTION 4. The Mayor is hereby authorized, empowered, and directed to execute a quitclaim deed from the City of Paducah to each of the property owners in or abutting the public way to be closed with each to acquire title to that portion of the public way contiguous to the property now owned by said property owners up to center line of the said public way. Provided, however, that the City shall reserve such easements upon the above described real property as it deems necessary. Said deed shall provide the reservation by the City of Paducah any easements affecting the herein described real property as described in Section 1 above.

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

_____
Mayor

ATTEST:

_____
Tammara S. Sanderson, City Clerk

Introduced by the Board of Commissioners, May 13, 2014
Adopted by the Board of Commissioners, May _____, 2014
Recorded by Tammara S. Sanderson, City Clerk, May _____, 2014
Published by The Paducah Sun, _____
'ord\eng\st close\ridgewood between topeka & olympia

CERTIFICATION

I, Tammara S. Sanderson, hereby certify that I am the duly qualified and acting Clerk of the City of Paducah, Kentucky and that the foregoing is a full, true and correct copy of Ordinance No. 2014-5-_____ adopted by the Board of Commissioners of the City of Paducah at a meeting held on May _____, 2014.

_____
City Clerk