



CITY COMMISSION MEETING  
 AGENDA FOR NOVEMBER 11, 2014  
 5:30 P.M.  
 CITY HALL COMMISSION CHAMBERS  
 300 SOUTH FIFTH STREET

**ROLL CALL**

**INVOCATION – Pastor Charles Moore – First Baptist Church of Paducah**

**PLEDGE OF ALLEGIANCE**

**ADDITIONS/DELETIONS**

**PRESENTATIONS: (1) American Red Cross – A. Weyers**

	<b>I. <u>MINUTES</u></b>
	<b>II. <u>MOTION</u></b>
	A. R & F Documents
	<b>III. <u>MUNICIPAL ORDER</u></b>
	A. Personnel Actions
	B. Transfer of 427 North 6 <sup>th</sup> Street – S. ERVIN
	<b>IV. <u>ORDINANCES – INTRODUCTION</u></b>
	A. FY2014 Final Budget Ordinance – J. PERKINS
	B. Amend Alcoholic Beverage Ordinance – CITY MGR
	<b>V. <u>CITY MANAGER REPORT</u></b>
	<b>VI. <u>MAYOR &amp; COMMISSIONER COMMENTS</u></b>
	<b>VII. <u>PUBLIC COMMENTS</u></b>
	<b>VIII. <u>EXECUTIVE SESSION</u></b>

OCTOBER 28, 2014

At a Regular Meeting of the Board of Commissioners, held on Tuesday, October 28, 2014, at 5:30 p.m., in the Commission Chambers of City Hall located at 300 South 5th Street, Mayor Kaler presided, and upon call of the roll by the City Clerk, the following answered to their names: Commissioners Abraham, Gault, Wilson and Mayor Kaler (4). Commissioner Rhodes was absent (1).

### **RECOGNITION**

#### **VETERANS DAY PARADE**

Robert Burgess, on behalf of the Veterans Day Committee, invited everyone to attend the Veterans Day Parade on November 11<sup>th</sup> at 11:00 a.m. Other committee members present were Sheryl Bendick, Cindy Byrd and Robert Warden. The committee also thanked the commission and the city for its support of veterans and the parade.

### **PROCLAMATION**

#### **PANCREATIC CANCER AWARENESS MONTH**

Mayor Kaler presented Patricia Pearson of the Western Kentucky Pancreatic Cancer Action Network Volunteer organization with a proclamation proclaiming the month of November as "Pancreatic Awareness Month".

### **PRESENTATION**

#### **DUCHESS OF PADUCAH**

Mayor Kaler presented Police Officer Gretchen Morgan with a Duchess of Paducah award for her work on the Don't Be In'text'icated Program through the Paducah Police Department.

### **MINUTES**

Commissioner Abraham offered motion, seconded by Commissioner Gault, that the reading of the Minutes for the October 14, 2014 and October 21, 2014 meetings be waived and that the Minutes of said meetings prepared by the City Clerk be approved as written.

Adopted on call of the roll, yeas, Commissioners Abraham, Gault, Wilson and Mayor Kaler (4).

### **APPOINTMENTS**

#### **PADUCAH RIVERFRONT DEVELOPMENT AUTHORITY**

Mayor Kaler made the following appointment: "WHEREAS, subject to the approval of the Board of Commissioners, I hereby appoint Edward Musselman to replace Jackie Smith, who has resigned, as a member of the Paducah Riverfront Development Authority. This term will expire April 9, 2017."

Commissioner Gault offered motion, seconded by Commissioner Abraham, that the Board of Commissioners approve the action of Mayor Kaler in appointing Edward Musselman as a member of the Paducah Riverfront Development Authority.

Adopted on call of the roll, yeas, Commissioners Abraham, Gault, Wilson and Mayor Kaler (4).

#### **PADUCAH-McCRACKEN COUNTY RIVERPORT AUTHORITY**

Mayor Kaler made the following appointment: "WHEREAS, subject to the approval of the Board of Commissioners, I hereby appoint Jeff Holland, to replace R.L. Rushing whose term has expired, to the Paducah-McCracken County Riverport Authority. This term will expire September 26, 2018."

Commissioner Wilson offered motion, seconded by Commissioner Gault, that the Board of Commissioners approve the action of Mayor Kaler in appointing Jeff Holland to the Paducah-McCracken County Riverport Authority.

Adopted on call of the roll, yeas, Commissioners Abraham, Gault, Wilson and Mayor Kaler (4).

OCTOBER 28, 2014

**ELECTRIC PLANT BOARD**

Mayor Kaler made the following appointment: "WHEREAS, subject to the approval of the Board of Commissioners, I hereby appoint Edward Hely to the Electric Plant Board, to replace Raymond McLennan who has resigned. This term will expire February 6, 2016."

Commissioner Abraham offered motion, seconded by Commissioner Gault, that the Board of Commissioners approve the action of Mayor Kaler in appointing Edward Hely to the Electric Plant Board.

Adopted on call of the roll, yeas, Commissioners Abraham, Gault, Wilson and Mayor Kaler (4).

**MOTION**

**R & F DOCUMENTS**

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

**DOCUMENTS**

1. Certificates of Liability Insurance:
  - a. Heflin, Inc.
  - b. Ivitts Plumbing Contractors, Inc.
  - c. Lonnie Wiggins Concrete
  - d. Schmitt Concrete, Inc.
2. Letter of Assistance with Fluor Federal Services, Inc. Deactivation Project for Police Department Services
3. City of Paducah Police and Firefighters Pension Fund:
  - a. Valuation as of July 1, 2014
  - b. Actuarial Report: Statement of Governmental Accounting Standards Numbers 27, 67, and 68
  - c. Review of Actuarial Valuation as of July 1, 2014
4. City of Paducah Appointive Employees' Pension Fund: Statement of Governmental Accounting Standards Numbers 27, 67, and 68
5. Comprehensive Health Benefit Plan Premiums for Calendar Year 2015 including Premiums for Optional Dental and Vision Care for Employees of the City of Paducah (MO # 1794)

Adopted on call of the roll, yeas, Commissioners Abraham, Gault, Wilson and Mayor Kaler (4).

**RESOLUTION**

**SUPPORT EXPANSION OF DIPPIN' DOTS**

Mayor Kaler offered motion, seconded by Commissioner Abraham, that a Resolution entitled, "A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF PADUCAH, KENTUCKY, SUPPORTING THE EXPANSION OF DIPPIN' DOTS BY REBATING THE 1% PAYROLL TAX ON CERTAIN KEDFA PROGRAM ELIGIBLE POSITIONS," be adopted.

Adopted on call of the roll, yeas, Commissioners Abraham, Gault, Wilson and Mayor Kaler (4).

**MUNICIPAL ORDERS**

**PERSONNEL ACTIONS**

Commissioner Wilson offered motion, seconded by Commissioner Gault, that 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.

(SEE MUNICIPAL ORDER BOOK)

Adopted on call of the roll, yeas, Commissioners Abraham, Gault, Wilson and Mayor Kaler (4).

OCTOBER 28, 2014

**2015 LITTER ABATEMENT GRANT**

Commissioner Abraham offered motion, seconded by Commissioner Gault, that a Municipal Order entitled, "A MUNICIPAL ORDER AUTHORIZING THE APPLICATION FOR A 2015 KENTUCKY LITTER ABATEMENT GRANT THROUGH THE KENTUCKY DIVISION OF WASTE MANAGEMENT FOR THE ENGINEERING/PUBLIC WORKS DEPARTMENT'S STREET LITTER ABATEMENT PROGRAM," be adopted.

Adopted on call of the roll, yeas, Commissioners Abraham, Gault, Wilson and Mayor Kaler (4). M.O.#1796; BK 9

**AMEND MUNICIPAL ORDER ESTABLISHING SPENDING CREDITS TOWARD HEALTH INSURANCE COSTS**

Commissioner Gault offered motion, seconded by Commissioner Abraham, that a Municipal Order entitled, "A MUNICIPAL ORDER AMENDING MUNICIPAL ORDER NO. 1795 ENTITLED, 'A MUNICIPAL ORDER ESTABLISHING A POLICY FOR USE OF SPENDING CREDITS TOWARDS THE PURCHASE OF CERTAIN BENEFITS SUCH AS HEALTH, DENTAL OR VISION PURSUANT TO THE CITY'S GROUP HEALTH INSURANCE PLAN FOR THE 2015 PLAN YEAR' TO CHANGE THE EMPLOYER CONTRIBUTION AMOUNT FROM \$2,350 TO \$2,850," be adopted.

Adopted on call of the roll, yeas, Commissioners Abraham, Gault, Wilson and Mayor Kaler (4). M.O.#1797; BK 9

**CERTIFICATION TO KYTC FOR SOUTH 24<sup>TH</sup> STREET BRIDGE CAPACITY POSTING**

Commissioner Wilson offered motion, seconded by Commissioner Gault, that a Municipal Order entitled, "A MUNICIPAL ORDER APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE STATEMENT OF COMPLIANCE WITH NATIONAL BRIDGE INSPECTION STANDARDS/BRIDGE POSTING REQUIREMENTS FOR PADUCAH, KENTUCKY CERTIFYING BRIDGES WITHIN THE CITY LIMITS OF PADUCAH ARE POSTED WITH SAFE LOAD CAPACITIES," be adopted.

Adopted on call of the roll, yeas, Commissioners Abraham, Gault, Wilson and Mayor Kaler (4). M.O.#1798; BK 9

**ORDINANCE – ADOPTION**

**AUTHORIZE A CONTRACT FOR THE POLICE STATION & FIRE STATION #2 ROOF REPLACEMENT PROJECT**

Commissioner Abraham offered motion, seconded by Commissioner Gault, that the Board of Commissioners adopt an ordinance, "AN ORDINANCE ACCEPTING THE BID OF SWIFT ROOFING INC., FOR ROOF REPLACEMENT FOR THE PADUCAH POLICE DEPARTMENT AND FIRE STATION #2, AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR SAME." This ordinance is summarized as follows: That the City of Paducah accepts the bid of Swift Roofing, Inc., in the amount of \$227,775.00 for roof replacement for the Paducah Police Department and Fire Station #2, and authorizes the Mayor to execute a contract for same.

Adopted on call of the roll, yeas, Commissioners Abraham, Gault, Wilson and Mayor Kaler (4). ORD.#2014-10-8196; BK 34

**STOP LOSS INSURANCE AGREEMENT WITH ANTHEM BLUE CROSS BLUE SHIELD**

Commissioner Gault offered motion, seconded by Commissioner Abraham, that the Board of Commissioners adopt an ordinance entitled, "AN ORDINANCE ACCEPTING THE RATES FOR STOP LOSS INSURANCE COVERAGE WITH ANTHEM BLUE CROSS BLUE SHIELD FOR THE GROUP HEALTH INSURANCE PLAN FOR THE CITY OF PADUCAH, KENTUCKY FOR THE 2015 CALENDAR YEAR AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR SAME." This ordinance is summarized as follows: That the City of Paducah accepts the rates offered through Anthem Blue Cross Blue Shield for Stop Loss Insurance Coverage for the group

OCTOBER 28, 2014

health insurance plan for the City of Paducah, Kentucky. Effective January 1, 2015 the stop loss rates are as follows:

- 1) Individual Stop Loss - \$175,000 maximum City liability per person with a monthly cost of \$92.98 per member; and
- 2) Aggregate Stop Loss - \$2,029,679.00 maximum City liability of total claims combined with a monthly cost of \$6.29 per member.

Further, the Mayor is hereby authorized to execute a contract with Anthem Blue Cross Blue Shield for the stop loss coverage.

Adopted on call of the roll, yeas, Commissioners Abraham, Gault, Wilson and Mayor Kaler (4). ORD.#2014-10-8197; BK 34

**AUTHORIZE CONTRACT WITH ANTHEM BLUE CROSS BLUE SHIELD FOR THIRD PARTY ADMINISTRATIVE SERVICES**

Commissioner Wilson offered motion, seconded by Commissioner Gault, that the Board of Commissioners adopt an ordinance entitled, "AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF PADUCAH AND ANTHEM BLUE CROSS BLUE SHIELD." This ordinance is summarized as follows: The Mayor is hereby authorized to execute an Agreement between the City of Paducah and Anthem Blue Cross Blue Shield as the City's Third Party Administrator to provide claims administrative services related to the City's health insurance plan. The effective date of this Agreement is January 1, 2015 and ending December 31, 2015.

Adopted on call of the roll, yeas, Commissioners Abraham, Gault, Wilson and Mayor Kaler (4). ORD.#2014-10-8198; BK 34

**CITY MANAGER REPORT**

- E-911 Board has submitted more questions to the Kentucky State Police Post #1 in regards to its proposal to provide 911 services to Paducah and McCracken County.
- Requested an executive session for discussion of economic development issues and personnel.

**MAYOR AND COMMISSIONER COMMENTS**

No comments.

**PUBLIC COMMENTS**

No comments.

**EXECUTIVE SESSION**

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

- Issues which might lead to the appointment, dismissal, or disciplining of an employee, as permitted by KRS 61.810(1)(f).
- A specific proposal by a business entity where public discussion of the subject matter would jeopardize the location, retention, expansion or upgrading of a business entity, as permitted by KRS 61.810(1)(g).

Adopted on call of the roll, yeas, Commissioners Abraham, Gault, Wilson and Mayor Kaler (4).

Upon motion the meeting adjourned.

**ADOPTED:** November 11, 2014

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City Clerk

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Mayor

NOVEMBER 11, 2014

I move that the following documents be received and filed:

**DOCUMENTS**

1. Certificates of Liability Insurance:
  - a. Tri-State Fire Protection, Inc.
  - b. Premier Fire Protection, Inc.
  - c. Luther Snow Concrete, Inc.
2. Right of Way Bond for Luther Snow Concrete, Inc.
3. Commissioner's Deeds:
  - a. 1242 North 12<sup>th</sup> Street
  - b. 1120 North 13<sup>th</sup> Street & 1110 North 13<sup>th</sup> Street
4. Deed of Conveyance with Elizabeth Crumbaugh for 1036 Madison Street
5. Notice of Cancellation for the Board of Commissioners of the City of Paducah for Tuesday, November 4, 2014
6. Contracts/Agreements:
  - a. Contract with Anthem BlueCross BlueShield for Strategic Health Risk Advisor & Strategic Benefit Placement Services (ORD # 2014-10-8198)
  - b. Aggregate Stop Loss Insurance Agreement with Anthem BlueCross BlueShield (ORD # 2014-10-8197)
7. Memorandum of City of Paducah Investments for First Quarter of Fiscal Year 2015
8. Transit Authority of the City of Paducah Financial Statements With Independent Auditor's Report for the Year Ended June 30, 2014
9. Paducah Water Works Financial Highlights for September 2014

CITY OF PADUCAH  
November 11, 2014

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

  
\_\_\_\_\_  
City Manager's Signature

  
\_\_\_\_\_  
Date

CITY OF PADUCAH  
PERSONNEL ACTIONS  
November 11, 2014

NEW HIRE - FULL-TIME (F/T)

<u>EPW - STREET</u>	<u>POSITION</u>	<u>RATE</u>	<u>NCS/CS</u>	<u>FLSA</u>	<u>EFFECTIVE DATE</u>
Romaine, Wesley M.	ROW Maintenance Person	\$15.72/Hr	NCS	Non-Ex	November 13, 2014
Peterson, Chad S.	ROW Maintenance Person	\$15.72/Hr	NCS	Non-Ex	November 13, 2014
<u>EPW - SOLID WASTE</u>					
Simmons, Derek	ROW Maintenance Person	\$15.72/Hr	NCS	Non-Ex	November 13, 2014
<u>HUMAN RESOURCES</u>					
Loverkamp, Levi A.	Human Resources Director	\$42.31/Hr	NCS	Ex	December 15, 2014

PAYROLL ADJUSTMENTS/TRANSFERS/PROMOTIONS/TEMPORARY ASSIGNMENTS

	<u>PREVIOUS POSITION AND BASE RATE OF PAY</u>	<u>CURRENT POSITION AND BASE RATE OF PAY</u>	<u>NCS/CS</u>	<u>FLSA</u>	<u>EFFECTIVE DATE</u>
<u>FIRE SUPPRESSION</u>					
Rosario, Eugenio	Relief Driver \$14.72/Hr	Acting Fire Lieutenant \$15.98/Hr	NCS	Non-Ex	September 27, 2014
Rosario, Eugenio	Acting Fire Lieutenant \$15.98/Hr	Relief Driver \$14.72/Hr	NCS	Non-Ex	October 31, 2014

# Agenda Action Form Paducah City Commission

Meeting Date: June 24, 2014

**Short Title: Declaration and Sale of Surplus Property at 427 North 6<sup>th</sup> Street**

Ordinance  Emergency  Municipal Order  Resolution  Motion

Staff Work By: Steve Ervin  
Presentation By: Steve Ervin

### Background Information:

This action would declare 427 North 6th Street surplus property owned by the City of Paducah and authorize the transfer to the property to the best evaluated bidder. The property was advertised in the Paducah Sun on Wednesday, October 15, 2014 requesting interested parties to submit a bid on or before 9 AM on October 30, 2014. Only one bid was received.

Robert Hopper and Brenda Hollis propose to purchase the lot for \$200. They further propose to construct a 1450 square foot single family home to be used as their primary residence and will include a music teaching studio for individual and small group lessons. They have met the proposal requirement as adopted by the Urban Renewal and Community Development Agency

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

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

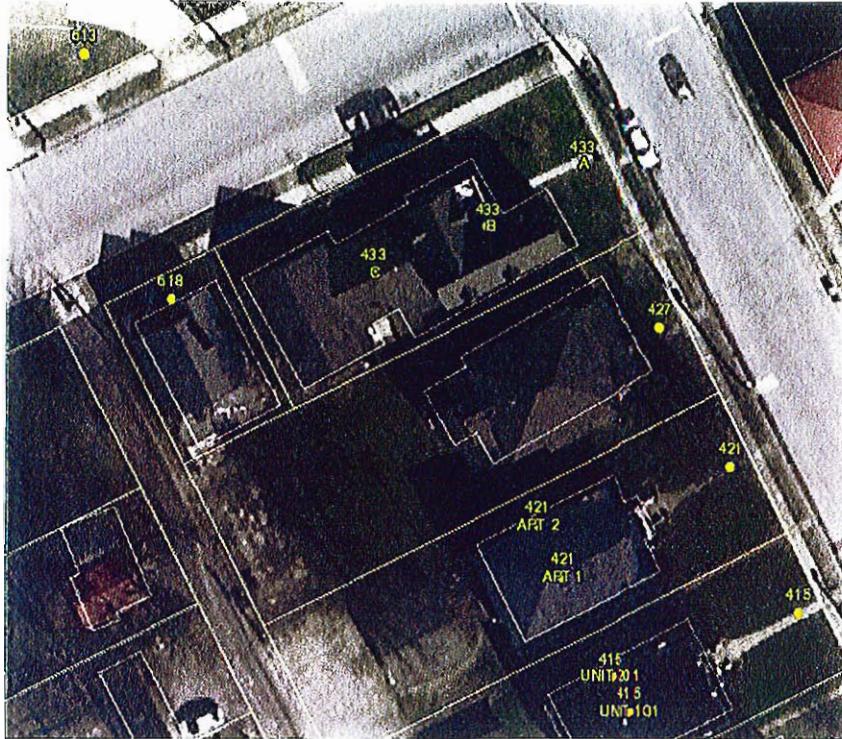
Finance
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**Attachments:** Additional supporting documentation to meet requirements to meet Sec. 2-668 of the Paducah Code of Ordinances.

<i>Steve Ervin by Nancy Upchurch</i> Department Head	City Clerk	City Manager
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**Sec. 2-668. Disposition of surplus or excess property.**

**1. Description of property:**



**2. Its intended use at the time of acquisition:**

This lot was acquired by the City of Paducah by Deed recorded in Deed Book 1238 Page 334 on September 21, 2012. The City has marketed the property in an attempt to find an interested buyer to invest due to the location of the property. The property is located in the Lower Town Historic District. The building on this lot was recently demolished and the lot is now vacant.

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

The disposal of this lot will bring new investment into the neighborhood.

**4. The method of disposition to be used:**

The property was advertised per the City's code regarding the disposition of surplus property. Only one bid was received. Should the Commission approve the proposal the property will be transferred to Robert Hopper and Brenda Hollis.

*Steve Ervin by Nancy Hochwuch*  
Steve Ervin,  
Director Planning Department

\_\_\_\_\_  
Jeff Pederson,  
City Manager

MUNICIPAL ORDER NO. \_\_\_\_\_

A MUNICIPAL ORDER APPROVING THE SALE OF REAL PROPERTY LOCATED AT 427 NORTH SIXTH STREET IN THE AMOUNT OF \$200 TO ROBERT HOPPER AND BRENDA HOLLIS

WHEREAS, pursuant to 2-668 of the Code of Ordinances of the City of Paducah, Kentucky, a written determination has been made by the City Manager that the City does not have any use at this time or in the future for property located at 427 North Sixth Street, which constitutes surplus real estate.

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. The City of Paducah hereby approves the sale of real property located at 427 North Sixth Street for and in consideration of \$200 to Robert Hopper and Brenda Hollis.

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

SECTION 3. This Order shall be in full force and effect from and after the date of its adoption.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Tammara S. Sanderson, City Clerk

Adopted by the Board of Commissioners, November 11, 2014  
Recorded by Tammara S. Sanderson, City Clerk, November 11, 2014  
\\mo\prop sale-427 N 6<sup>th</sup>

# Agenda Action Form Paducah City Commission

Meeting Date: November 11, 2014

Short Title: **Final Revised 2013-2014 (FY2014) Budget Ordinance**

Ordinance  Emergency  Municipal Order  Resolution  Motion

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

### Background Information:

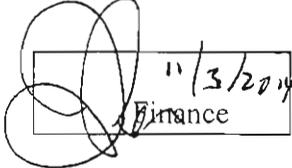
This ordinance represents the *final* revised budget ordinance for the year 2013-2014 (FY2014).

The FY2014 budget must be adjusted to reflect all adjustments made throughout the fiscal year and any adjustments required by the independent financial auditors (year-end audit adjustments). The revised budget represents year-end housekeeping & clean up following the close of the fiscal year.

The City's CAFR (audit report) discloses the City's original adopted budget, revised final budget and actual expenditures for the fiscal year audited all in one place for full disclosure to the reader.

Goal:  Strong Economy  Quality Services  Vital Neighborhoods  Restored Downtowns

Funds Available: Account Name: NA  
Account Number: NA

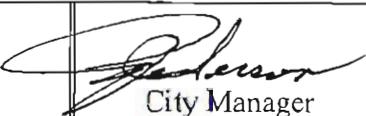
  
11/3/2014  
Finance

### Staff Recommendation:

Approve the final revised 2013-2014 (FY2014) Budget Ordinance

### Attachments:

FY2014 Budget Ordinance (final)

Department Head	City Clerk	 City Manager
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<u>FUNDS</u>	<u>APPROPRIATIONS</u>
GENERAL	\$ 31,869,360
SMALL GRANTS	21,500
MAP	1,521,210
INVESTMENT	5,306,230
CDBG	878,815
HOME	468,020
E911	1,651,525
COURT AWARDS	84,650
DEBT	2,892,110
CIP	12,263,605
BOND	9,584,715
SOLID WASTE	4,536,390
CIVIC CENTER	82,070
RENTAL	144,105
RADIO DEPR	148,480
FLEET	556,100
FLEET TRUST	799,245
SELF INSURANCE	1,028,255
HEALTH INS	3,568,835
AEPF/PFPF/TRSTS	<u>1,662,235</u>
	<u>\$ 79,067,455</u>

ORDINANCE NO. 2013-6-\_\_\_\_\_

AN ORDINANCE REPEALING ORDINANCE NO. 2013-6-8042 AND ADOPTING THE CITY OF PADUCAH, KENTUCKY, REVISED ANNUAL BUDGET FOR THE FISCAL YEAR JULY 1, 2013, THROUGH JUNE 30, 2014, BY ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS FOR THE OPERATION OF CITY GOVERNMENT.

WHEREAS, an annual budget proposal has been prepared and delivered to the City Commission; and

WHEREAS, the City Commission has reviewed such proposed budget and made the necessary modifications.

BE IT ORDAINED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. The following estimate of revenues and resources is adopted as the City of Paducah, Kentucky Revenue Budget for Fiscal Year 2013-2014.

FY2014	GENERAL FUND (01)	SMALL GRANTS FUND (2)	MUNICIPAL AID PROGRAM FUND (03)	INVESTMENT FUND (04)	CDBG FUND (06)	HOME FUND (08)
<b>SOURCES:</b>						
CASH FROM FUND RESERVE			397,180	830,175	15	39,665
<i>REVENUES</i>						
PROPERTY TAXES	6,297,050					
LISC, PERMITS, OTHER TAXES	22,517,230		597,075	4,469,855		
GRANTS, CONTRIBUTIONS	980,100	21,500			802,900	158,000
FINES & FORFEITURES	105,135					
PROP RENTAL & SALES	411,440					270,355
CHARGES FOR SERVICES	668,015					
INTEREST INCOME	160,185		13,955			
RECREATION, OTHER FEES	108,605					
MISCELLANEOUS	32,030			3,700	75,900	
TOTAL REVENUES	31,279,790	21,500	611,030	4,473,555	878,800	428,355
FUND TRANSFERS IN	589,570		513,000	2,500		
TOTAL SOURCES	31,869,360	21,500	1,521,210	5,306,230	878,815	468,020

FY2014	E911 FUND (12)	COURT AWARDS FUND (13)	GENERAL DEBT SERVICE FUND (30)	CIP FUND (40)	BOND FUND (42)
<b>SOURCES:</b>					
CASH FROM FUND RESERVE	100,150				
<i>REVENUES</i>					
PROPERTY TAXES					
LISC, PERMITS, OTHER TAXES	680,805		581,695		
GRANTS, CONTRIBUTIONS	395,310			5,406,125	3,476,905
FINES & FORFEITURES		82,700			
PROP RENTAL & SALES			202,895	167,455	
CHARGES FOR SERVICES			95,555	21,905	
INTEREST INCOME	2,340	1,950			13,945
RECREATION, OTHER FEES					5,798,770
MISCELLANEOUS	130			1,128,675	
TOTAL REVENUES	1,078,385	84,650	880,145	6,714,160	9,289,620
FUND TRANSFERS IN	472,790		2,011,965	5,548,445	295,095
TOTAL SOURCES	1,651,525	84,650	2,892,110	12,262,605	9,584,715

FY2014	SOLID WASTE FUND (50)	CIVIC CENTER FUND (62)	RENTAL FUND (63)	RADIO FUND (64)
<b>SOURCES:</b>				
CASH FROM FUND RESERVE		12,935	655	
<i>REVENUES</i>				
PROPERTY TAXES LISC. PERMITS, OTHER TAXES				
GRANTS, CONTRIBUTIONS FINES & FORFEITURES	55,105			
PROP RENTAL & SALES	13,420	41,265	129,900	141,290
CHARGES FOR SERVICES	4,410,040			
INTEREST INCOME	48,185			7,190
RECREATION, OTHER FEES MISCELLANEOUS	9,640			
TOTAL REVENUES	4,536,390	41,265	129,900	148,480
FUND TRANSFERS IN		27,870	13,550	
TOTAL SOURCES	4,536,390	82,070	144,105	148,480

FY2014	FLEET SERVICE FUND (70)	FLEET TRUST FUND (71)	INSUR FUND (72)	HEALTH INS TRUST FUND (73)	AEFF/PPPF PENSION FUND (76),(77),(84)
<b>SOURCES:</b>					
CASH FROM FUND RESERVE	37,320				
<i>REVENUES</i>					
PROPERTY TAXES LISC. PERMITS, OTHER TAXES					
GRANTS, CONTRIBUTIONS FINES & FORFEITURES		758,155			1,036,450
PROP RENTAL & SALES					10,800
CHARGES FOR SERVICES	354,705	32,590	929,600	3,568,835	199,610
INTEREST INCOME					
RECREATION, OTHER FEES MISCELLANEOUS	250				3,530
TOTAL REVENUES	354,955	790,745	929,600	3,568,835	1,250,390
FUND TRANSFERS IN	163,825	8,500	98,655		411,845
TOTAL SOURCES	556,100	799,245	1,028,255	3,568,835	1,662,235

**SECTION 2.** The following sums of money are hereby appropriated for Fiscal Year 2013-2014

FY2014	GENERAL FUND (01)	SMALL GRANTS FUND (2)	MUNICIPAL AID PROGRAM FUND (03)	INVESTMENT FUND (04)	CDBG FUND (06)	HOME FUND (08)
<b>APPROPRIATIONS:</b>						
GENERAL GOVERNMENT	1,288,170					
FINANCE	950,985					
PRDA	119,840					
INFORMATION SYSTEMS	605,695					
PLANNING	771,820	21,500			878,815	468,020
POLICE	9,183,930					
FIRE	7,620,180					
ENG. PUBLIC WORKS	3,625,285		1,521,210			
PARKS SERVICES	2,764,335					
CABLE AUTHORITY	84,050					
HUMAN RIGHTS	37,460					
ENGINEERING	1,177,825					
HUMAN RESOURCES	294,940					
MAIN STREET (LOWERTOWN)	168,615					
INVESTMENT FUND				718,200		
DEBT SERVICE / E911						
SOLID WASTE OPERATION						
FLEET MAINTENANCE						
PENSIONS						
OTHER (PJC, LEAVE ACCRUAL)	387,875					
CASH CARRY FORWRD.RESRV	273,855					
FUND TRANSFERS OUT	2,514,500			4,588,030		
<b>TOTAL APPROPRIATIONS</b>	<b>31,869,360</b>	<b>21,500</b>	<b>1,521,210</b>	<b>5,306,230</b>	<b>878,815</b>	<b>468,020</b>

FY2014	E911 FUND (12)	COURT AWARDS FUND (13)	GENERAL DEBT SERVICE FUND (30)	CIP FUND (40)	BOND FUND (42)
<b>APPROPRIATIONS:</b>					
GENERAL GOVERNMENT				3,335,130	
FINANCE					
PRDA					
INFORMATION SYSTEMS				592,380	
PLANNING				261,790	
POLICE		21,570		181,370	
FIRE				6,811,558	
ENG. PUBLIC WORKS				577,921	
PARKS SERVICES					
CABLE AUTHORITY					
HUMAN RIGHTS					
ENGINEERING					
HUMAN RESOURCES					
MAIN STREET (LOWERTOWN)				166,311	
INVESTMENT FUND					
DEBT SERVICE / E911	1,651,525		2,742,165		5,798,785
SOLID WASTE OPERATION					
FLEET MAINTENANCE					
PENSIONS					
OTHER (PJC, LEAVE ACCRUAL)					
CASH CARRY FORWRD.RESRV		63,080	149,945	151,090	1,263,930
FUND TRANSFERS OUT				186,055	2,522,000
<b>TOTAL APPROPRIATIONS</b>	<b>1,651,525</b>	<b>84,650</b>	<b>2,892,110</b>	<b>12,263,605</b>	<b>9,584,715</b>

FY2014	SOLID WASTE FUND (50)	CIVIC CENTER FUND (62)	RENTAL FUND (63)	RADIO FUND (64)
<b>APPROPRIATIONS:</b>				
GENERAL GOVERNMENT				
FINANCE				43,475
PRDA				
INFORMATION SYSTEMS				
PLANNING				
POLICE				
FIRE				
ENG PUBLIC WORKS			44,530	
PARKS SERVICES		82,070		
CABLE AUTHORITY				
HUMAN RIGHTS				
ENGINEERING				
HUMAN RESOURCES				
MAIN STREET (LOWERTOWN)				
INVESTMENT FUND				
DEBT SERVICE / E911				
SOLID WASTE OPERATION	3,985,640			
FLEET MAINTENANCE				
PENSIONS				
OTHER (PJC, LEAVE ACCRUAL)				
CASH CARRY FORWRD/RESRV	310,750			105,005
FUND TRANSFERS OUT	240,000		99,575	
<b>TOTAL APPROPRIATIONS</b>	<b>4,536,390</b>	<b>82,070</b>	<b>144,105</b>	<b>148,480</b>

FY2014	FLEET SERVICE FUND (70)	FLEET TRUST FUND (71)	INSUR FUND (72)	HEALTH INS TRUST FUND (73)	AEPF/PPPF PENSION FUND (76),(77),(84)
<b>APPROPRIATIONS:</b>					
GENERAL GOVERNMENT					
FINANCE		637,960			62,175
PRDA					
INFORMATION SYSTEMS					
PLANNING					
POLICE					
FIRE					
ENG PUBLIC WORKS					
PARKS SERVICES					
CABLE AUTHORITY					
HUMAN RIGHTS					
ENGINEERING					
HUMAN RESOURCES			950,970	2,697,985	
MAIN STREET (LOWERTOWN)					
INVESTMENT FUND					
DEBT SERVICE / E911					
SOLID WASTE OPERATION					
FLEET MAINTENANCE	556,100				
PENSIONS					1,522,235
OTHER (PJC, LEAVE ACCRUAL)					
CASH CARRY FORWRD/RESRV		161,285	68,785	870,850	77,825
FUND TRANSFERS OUT			8,500		
<b>TOTAL APPROPRIATIONS</b>	<b>556,100</b>	<b>799,245</b>	<b>1,028,255</b>	<b>3,568,835</b>	<b>1,662,235</b>

**SECTION 3.** The City Manager and Finance Director will publish a budget document which reflects the funding priorities set by the City Commission during their budget workshops and which will be used to interpret the above appropriations on the City's website.

**SECTION 4.** The City does hereby adopt the following financial management policies

- A The General Fund's minimum undesignated cash balance shall be 10% of the General Fund's budgeted expenditures. The Investment Fund's minimum undesignated cash balance shall be 10% of the Investment Fund's budgeted expenditures. The Solid Waste Fund's minimum unreserved cash balance shall be 10% of the Solid Waste's budgeted operating expenses. The Debt Service Fund's designated fund balance shall not be less than \$248,000.
- B The City Manager is authorized to transfer budgeted amounts between funds, departmental budget line items, projects and between divisions of departments and between departments as shown in Section 2.
- C Funds designated as Commission contingency shall be obligated upon approval by the City Commission by municipal order.
- D Funds designated as Administrative contingency shall be obligated at the discretion of the City Manager, however, the Commission shall be notified five calendar days prior to approval of expenditure. If any individual member of the Board of Commissioners requests Commission review of a proposed expenditure, the City Manager must bring expenditure before the Commission for approval by municipal order.
- E City Manager shall assure that recurring revenues and resources are greater than or equal to recurring expenditures.

F. The City Manager has the authority to enact a budget allocation program or to transfer funds to or from any departmental line item to insurance or reserve accounts

G. As new vehicles are purchased the City will fully fund the Fleet Trust Fund in order to replace rolling stock owned by the General Fund as it achieves obsolescence. The Fleet Trust Fund shall be funded with monthly lease charges assigned to rolling stock as determined by the Finance Director or his designee. Additionally, General Fund transfers shall be made to offset the cost of initial rolling stock acquisition costs

H. The City will maintain a self insurance fund called Health Insurance Trust Fund through the use of user fees as set by administrative policy

I. The City will continue to maintain the Appointive Employees Pension Fund (AEPF) in a fully funded status through sound financial management and/or annual General Fund transfers as designated in the budget document. In fiscal year 2006, the City issued a General Obligation Bond for the Police and Firefighters' Pension Fund (PPFF) bringing the fund up to an actuarially sound basis; however, the multi-year recession starting in fiscal year 2009 reduced the fund's corpus leaving a new unfunded liability. Funding is provided in the General Fund of this ordinance to further address the PPFF unfunded liability.

J. The City will provide to all eligible employees a \$727.00 per month credit (for the months of July - December 2013) to be applied to the Comprehensive Health Insurance Benefit Plan (Cafeteria Plan) as directed by the employee. In January 2014, this monthly credit may be adjusted by the City Commission as they see fit

K. The City will maintain a special fund called Investment Fund. The Investment Fund will be funded with 1/2 cent of the City's occupational license fee (employee payroll withholding tax). This fund is dedicated to the following expenditures: economic development, neighborhood re-development, infrastructure capital investment and property tax relief.

SECTION 5. Finance Director is responsible for maintaining current table of Estimated Revenues in Section 1 and Appropriation of Funds in Section 2 and to provide a copy to the City Clerk.

If during the course of the year the City Commission adopts Ordinances to anticipate new revenues or to make new appropriations, the Finance Director will update these Tables and provide a copy to the City Clerk.

SECTION 6. This ordinance shall be read on two separate days and will become effective upon publication in full pursuant to KRS Chapter 424

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Tammara Brock, City Clerk

Introduced by the Board of Commissioners, November 11, 2014  
Adopted by the Board of Commissioners, November \_\_\_\_, 2014  
Recorded by Tammara Brock, City Clerk, November \_\_\_\_, 2014  
Published by The Paducah Sun.

# Agenda Action Form Paducah City Commission

Meeting Date: Nov. 11, 2014

Short Title: Amend Alcoholic Beverage to Be Compliant with Ky Alcoholic Beverage Statutes

Ordinance  Emergency  Municipal Order  Resolution  Motion

Staff Work By: Tammy Sanderson, Glenn Denton & Lesley Stone

Presentation By: Tammy Sanderson, City Clerk

## Background Information:

State alcoholic beverage laws were recently amended by the Kentucky General Assembly. The City's alcoholic beverage office requests that the City make the same changes to its local ordinances so the City and state statutes will mirror each other. The following changes are necessary.

A) Sunday – On-Premises Consumption. Ch. 6 Article 1, Section 6-4 (e) is being replaced with the following. The sale of distilled spirits, wine, and malt beverages by the drink shall be permitted on Sundays from 1:00 p.m. until 10:00 p.m. for hotels, motels, and restaurants holding a Nonquota 2 license, as defined herein, for the retail sale of distilled spirits, wine and/or malt beverages by the drink; provided such hotel, motel, and restaurant satisfy the following conditions:

- (1) The dining facility of the hotel, motel, and restaurant has a minimum seating capacity of 50 people at tables;
- (2) At least 50 percent or more of the gross annual receipts from the dining facilities are received from the sale of food;

B) Underage persons prohibited on premises licensed for on-premises consumption; exceptions. Chapter 6, Article I, Section 6-5(c)(1) shall be stricken in its entirety and replaced with the following:

- (c) The prohibition set out in subsections (a) and (b) above shall not apply to licensed premises:
  - (1) Which receive 50 percent or more of their gross annual receipts from sale of food and have a minimum seating capacity of 50 people at tables; or

C) Issuance; standards. Chapter 6, Article II, Section 6-33 shall be amended to include and additional requirement which shall read as follows:

- (8) The applicant has read and executed the form entitled "City of Paducah - Acknowledgement by ABC Applicant."

**D) License Types and Fees.** Chapter 6, Article II, Section 6-40(1)(a) shall be stricken in its entirety and replaced with the following:

- a. Distiller's license
  - 1. Class A, per annum: \$1,000.00
    - i. Distillers that produce more than fifty thousand (50,000) gallons of distilled spirits per calendar year at the premises shall obtain a distiller's license, Class A.
  - 2. Class B, per annum: \$500.00
    - i. Distillers that produce fifty thousands (50,000) gallons or less of distilled spirits per calendar year at the premises shall obtain a distiller's license, Class B (craft distillery).

Sections of the ordinance that are currently in effect are attached to the ordinance for comparison.

Goal:  Strong Economy  Quality Services  Vital Neighborhoods  Restored Downtowns

Staff Recommendation: For commission to adopt recommended changes.

Attachments: Current ABC ordinance which is affected by state law.

Department Head	City Clerk	 City Manager
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Sec. 6-4. - Operating hours for retail premises.

(a) Except as otherwise provided under this section, the lawful operating hours for licensed retail premises under this article for retail package sales and on-premises consumption of distilled spirits, wine and malt beverages shall only be permitted for each day of Monday through Saturday, and shall be limited to the following periods of time:

License	Opening Hour	Closing Hour
Package sales:		
Malt beverages/beer	6:00 a.m.	12:00 midnight
Distilled spirits	6:00 a.m.	12:00 midnight
On-premises consumption:		
Malt beverages/beer	6:00 a.m.	3:00 a.m. following day
Distilled spirits	6:00 a.m.	3:00 a.m. following day

(b) Package sales are prohibited on Sundays.

(c) The sale of distilled spirits, wine, and malt beverages by the drink shall be permitted on Sundays from 1:00 p.m. until 10:00 p.m. for hotels, motels, and restaurants holding a Nonquota 2 license, as defined herein, for the retail sale of distilled spirits, wine and/or malt beverages by the drink; provided such hotel, motel, and restaurant satisfy the following conditions:

- (1) The dining facility of the hotel, motel, and restaurant has a minimum seating capacity of 100 people at tables;
- (2) At least 50 percent or more of the gross annual income from the dining facilities are received from the sale of food; and
- (3) The licensee shall apply for and receive a Sunday sales license and pay the applicable Sunday sales license fee.

(d) In the event that New Year's Eve falls on a Sunday, licensees holding a Nonquota 1, Nonquota 2, Nonquota 3, and/or Nonquota 4 license shall have the right to sell distilled spirits, wine, and/or malt beverages by the drink, for which they hold a license, on such Sundays from 1:00 p.m. until 3:00 a.m. the following day.

(e) Reserved.

(f) The licensee shall ensure that at the closing hour all patrons shall have vacated the premises. Operators and their employees engaged in regular and ordinary post-closing activities may be on the premises during the closed hours, provided that the licensee has complied with subsection (g) below.

(g) If a licensee provides a separate department within his licensed premises capable of being locked and closed off, within which is kept all stocks of distilled spirits and wine, and all fixtures and

apparatus connected with his business as a licensee, and said department is kept locked during the times mentioned above, he shall be deemed to have complied with this section.

(Ord. No. 2013-11-8)35. 11-5-13; Ord. No. 2013-12-8)105. 12-10-13)

Sec. 6-5. - Underage persons prohibited on premises licensed for on-premises consumption; exceptions.

- (a) No person holding any license for on-premises consumption of distilled spirits, wine, malt beverages or beer shall permit any person under the age of 21 years on the licensed premises except a person who is working on the premises either as an employee or an independent contractor.
- (b) No person under the age of 21 years shall enter premises licensed for on-premises consumption of distilled spirits, wine, malt beverages or beer, nor shall a person under the age of 21 years attempt to enter or use a fraudulent I.D. for the purposes of entering licensed premises for on-premises consumption of distilled spirits, wine, malt beverages or beer, except that a person who is working on the premises, either as an employee or an independent contractor, may enter and remain on said premises while they are working, and at no other time.
- (c) The prohibition set out in subsections (a) and (b) above shall not apply to licensed premises:
  - (1) Which receive 50 percent or more of their gross annual income from sale of food and have a minimum seating capacity of 100 people at tables; or
  - (2) Which are licensed for the sale of malt beverages or beer, and the licensee on said premises does not allow any on-premises consumption of alcoholic beverages.
- (d) Violation of this section shall subject the licensee, the manager of the licensed premises, and the person under 21 years of age to the penalties provided in section 6-6

(Ord. No. 2013-11-S095, 11-5-13)

Sec. 6-33. - Issuance; standards.

All licenses required by this chapter shall be issued by the City Treasurer at the order and direction of the City Manager or his designee. If, in the judgment of the City Manager, the applicant for a license under this chapter has complied with all requirements of the state alcoholic beverage control laws, as well as the regulatory provisions and standards of this chapter, the license shall be issued. In such case, the City Manager or his designee shall direct the City Treasurer to prepare and issue the license to the applicant upon payment to the Treasurer of the fee required by this chapter.

The standards for the issuance and renewal of all licenses required by this chapter shall be as follows:

- (1) The applicant has complied with all requirements of the state alcoholic control laws.
- (2) The applicant has complied with all regulatory provisions and standards of this chapter.
- (3) The applicant has been issued an occupational business license and has paid all fees and taxes as required by same.
- (4) The applicant has paid all fees and taxes as required under chapter 106 of this Code.
- (5) The applicant has paid all city ad valorem taxes which are due and payable against the real property where the applicant's business is to be conducted and where alcoholic beverages are to be sold or dispensed.
- (6) The applicant has paid all fees as required under this chapter.
- (7) The applicant has paid all city property maintenance liens due and payable against the real property upon which the applicant's business is to be located and where alcoholic beverages are to be sold or dispensed.

(Ord. No. 2013-11-3095 11-5-13)

Sec. 6-40. - License types and fees.

All fees due to the city will be collected at the time the application is approved by the state Alcoholic Beverage Control Board.

- (1) Distilled spirit licenses as set forth in KRS 243.030:
  - a. Distiller's license, per annum: .....\$500.00
  - b. Rectifier's license, per annum: .....\$3,000.00
  - c. Wholesaler's distilled spirits and wine license, per annum: .....\$3,000.00
  - d. Quota retail package license, per annum: .....\$1,000.00
- (2) Quota retail drink license, per annum: .....\$1,000.00
- (3) Special temporary license, per event: .....\$165.00
- (4) Nonquota type 1 retail drink license, per annum: .....\$2,000.00
  - a. Nonquota type 1 (also known as "NQ-1") retail drink licenses are combination licenses.
  - b. The holder of a combination license may sell distilled spirits, wine, and malt beverages by the drink. A second retail malt beverage license is not required.
  - c. NQ-1 licenses incorporate the following former license types:
    1. Convention center license.
    2. Horse track license.
    3. Automobile race track license.
    4. Air/rail system license.
- (5) Nonquota type 2 retail drink license, per annum: .....\$1,000.00
  - a. Nonquota type 2 (also known as "NQ-2") retail drink licenses are combination licenses.
  - b. The holder of a combination license may sell distilled spirits, wine, and malt beverages by the drink. A second retail malt beverage license is not required.
  - c. NQ-2 licenses incorporate the following former license types:
    1. Restaurant drink license.
    2. Motel drink license.
    3. Restaurant wine license.
    4. Airport drink license.
    5. Riverboat license.
- (6) Nonquota type 3 retail drink license, per annum: .....\$300.00
  - a. Nonquota type 3 (also known as "NQ-3") retail drink licenses are combination licenses.
  - b. The holder of a combination license may sell distilled spirits, wine, and malt beverages by the drink. A second retail malt beverage license is not required.
  - c. NQ-3 licenses incorporate the following former license type:
    1. Special private club license.
  - d. A NQ-3 qualifying as a special private club may not hold a nonquota retail malt beverage package license.
- (7) Distilled spirits and wine special temporary auction license, per event: .....\$200.00

- (8) Special Sunday retail drink license, per annum: .....\$300.00
- (9) Caterer's license, per annum: .....\$800.00
- (10) Bottling house or bottling house storage license, per annum: .....\$1,000.00
- (11) Malt beverage licenses as follows:
  - a. Brewer's license, per annum: .....\$500.00
  - b. Microbrewery license, per annum: .....\$500.00
  - c. Malt beverage distributor's license, per annum: .....\$400.00
  - d. Nonquota retail malt beverage package license, per annum: .....\$200.00
    - 1. A nonquota retail malt beverage package license permits malt beverage package sales only for consumption off the premises.
  - e. Nonquota type 4 retail malt beverage drink license, per annum: .....\$200.00
    - 1. A nonquota type 4 (also known as "NQ-4") permits malt beverage drink sales only on the premises.
  - f. Malt beverage brew-on-premises, per annum: .....\$100.00
- (12) The fee for each of the first five supplemental bar licenses shall be same as the fee for the primary drink license. There shall be no charge for each supplemental license issued in excess of five to the same licensee at the same premises.
  - a. A supplemental bar license authorizes the licensee to sell and serve distilled spirits and wine by the drink at retail from an additional bar location other than the main bar.
- (13) The holder of a nonquota retail malt beverage package license may obtain a nonquota type 4 malt beverage drink license for a fee of \$50.00. The holder of a nonquota type 4 malt beverage drink license may obtain a nonquota retail malt beverage package license for a fee of \$50.00.
- (14) The activities permitted by the above licenses are defined in KRS ch. 243, which is incorporated herein as [if] set out in full. Nonprofit organizations are exempted from license fees required by a special temporary license above.

(Ord. No. 2013-11-8095 11-5-13)