



CITY COMMISSION MEETING
 AGENDA FOR DECEMBER 9, 2014
 5:30 P.M.
 CITY HALL COMMISSION CHAMBERS
 300 SOUTH FIFTH STREET

ROLL CALL

INVOCATION – Nathan Rogers – Minister of Students at Trace Creek Baptist Church

PLEDGE OF ALLEGIANCE – Meg Hancock

ADDITIONS/DELETIONS

PRESENTATIONS

1. Civic Beautification Board Annual Business Awards
2. Duke of Paducah to Wayne Armbruster
3. Duke of Paducah to William F. Renzulli
4. Student Christmas Ornament Contest Winners – Mayor Kaler
5. Christmas Storefront Display Awards – Melinda Winchester
6. Dickens of a Christmas Small Business Saturday – Melinda Winchester
7. Yeiser Art Center Downtown Holiday Tour of Homes – Ashlea McMillan
8. Christmas Parade Awards – Molly Tomasallo
9. Barkley Regional Airport Audit Report – Richard Roof

	I.	<u>MINUTES</u>
	II.	<u>MOTION</u>
		A. R & F Documents
	III.	<u>APPOINTMENT</u>
		A. Civil Service Commission
	IV.	<u>MUNICIPAL ORDER</u>
		A. Personnel Actions
		B. Amend Municipal Order to Increase Maximum Wellness Credit for City Employees – S. DOOLITTLE
		C. Set Fee Schedule for Oak Grove Cemetery – M. THOMPSON
		D. 2015 National Endowment of the Arts “Our Town Grant” Application for the Columbia Theatre – S. ERVIN

		E. Foundation for a Healthy Kentucky Grant – 14 th Street Park – S. ERVIN
		F. Declaration and Sale of Surplus Property – 1020 Lincoln Avenue – S. ERVIN
		G. Declaration and Sale of Surplus Property – 1010 & 1016 South Fifth Street – S. ERVIN
		H. Re-use of Bond Funds for Whitehall Industries – CITY MGR
	V.	<u>ORDINANCES – ADOPTION</u>
		A. Authorize Change Order #1 for the Noble Park Lake Bank Stabilization Project – R. MURPHY
		B. Contract for GIS Software for the Paducah and McCracken GIS (MAP~GIS) Consortium – B. PETERSON
		C. Creation of Project for Oak Grove Cemetery – J. PERKINS
		D. Approve and Authorize Interlocal Agreement with the City of Murray, Kentucky for Joint Drug Investigations between Police Departments – POLICE CHIEF BARNHILL
		E. Accept Bid for Purchase of Police Uniforms – POLICE CHIEF BARNHILL
	VI.	<u>ORDINANCE – INTRODUCTION</u>
		A. Approve and Authorize Execution of an Interlocal Agreement with Paducah-McCracken County Convention & Visitors Bureau - S. DOOLITTLE
	VII.	<u>CITY MANAGER REPORT</u>
	VIII.	<u>MAYOR & COMMISSIONER COMMENTS</u>
	IX.	<u>PUBLIC COMMENTS</u>
	X.	<u>EXECUTIVE SESSION</u>

DECEMBER 9, 2014

I move that the following documents be received and filed:

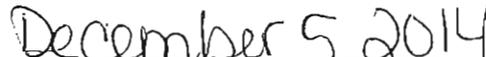
DOCUMENTS

1. Certificate of Liability Insurance for Comcast of Paducah, Inc.
2. Notice of Cancellation for Board of Commissioners Meeting scheduled for December 2, 2014
3. Commissioner's Deed for 1906 Clay Street
4. Contracts/Agreements:
 - a. Grant Agreement Amendment with Department for Local Government for the Jackson House CDBG Project (ORD # 2011-06-7818)
 - b. Contract with Kinsey's Lawn and Landscape for grounds maintenance for 2015 (ORD # 2011-03-7793)
 - c. Agreement with Linwood Motors to purchase vehicles for use by the Police Department and Fire Prevention Division (ORD # 2014-11-8201)
5. Paducah Water Works Financial Highlights for October 2014

CITY OF PADUCAH
December 9, 2014

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


City Manager's Signature


Date

CITY OF PADUCAH
PERSONNEL ACTIONS
December 9, 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 PREVENTION</u>					
Fowler, Joseph B	Deputy Fire Marshal \$20.12/Hr	Deputy Fire Marshal II \$21.13/Hr	NCS	Non-Ex	November 27, 2014
<u>FIRE SUPPRESSION</u>					
Reeves, Gabriel B	Fire Captain \$17.73/Hr	Assistant Fire Chief \$22.08/Hr	NCS	Non-Ex	December 11, 2014
Hatton, Michael W	Fire Lieutenant \$15.96/Hr	Fire Captain \$17.03/Hr	NCS	Non-Ex	December 11, 2014
Hines, Ronnie L	Relief Driver \$14.58/Hr	Acting Fire Lieutenant \$15.82/Hr	NCS	Non-Ex	September 26, 2014
Hines, Ronnie L	Acting Fire Lieutenant \$15.82/Hr	Relief Driver \$14.58/Hr	NCS	Non-Ex	November 4, 2014
Hines, Ronnie L	Relief Driver \$14.58/Hr	Fire Lieutenant \$15.82/Hr	NCS	Non-Ex	December 11, 2014
Hall, Rodney D	Fire Fighter (Appointee) \$12.13/Hr	Fire Fighter \$12.13/Hr	NCS	Non-Ex	December 11, 2014
Hansen, Kurt B	Fire Fighter (Appointee) \$12.13/Hr	Fire Fighter \$12.13/Hr	NCS	Non-Ex	December 11, 2014
Jarvis, Ward T	Fire Fighter (Appointee) \$12.13/Hr	Fire Fighter \$12.13/Hr	NCS	Non-Ex	December 11, 2014
Murphy, William C	Fire Fighter (Appointee) \$12.13/Hr	Fire Fighter \$12.13/Hr	NCS	Non-Ex	December 11, 2014
Owen, Christopher T	Fire Fighter (Appointee) \$12.13/Hr	Fire Fighter \$12.13/Hr	NCS	Non-Ex	December 11, 2014

PARKS SERVICES

Kulik, Ryan J	Parks Laborer \$16.26/Hr	Parks Laborer / Crew Leader \$16.76/Hr	NCS	Non-Ex	November 27, 2014
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TERMINATIONS - FULL-TIME (F/T)

	<u>POSITION</u>	<u>REASON</u>	<u>EFFECTIVE DATE</u>
<u>EPW - MAINTENANCE</u>			
Harris, Constance L	Maintenance Laborer	Resignation	December 1, 2014

POLICE - SUPPORT SVCS

Eirod-Baltz, Malinda A	Investigative Assistant	Resignation	December 3, 2014
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TERMINATIONS - PART-TIME (P/T)/TEMPORARY/SEASONAL

	<u>POSITION</u>	<u>REASON</u>	<u>EFFECTIVE DATE</u>
<u>POLICE - ADMIN SVCS</u>			
Doke, Ken R.	School Crossing Guard	Resignation	November 20, 2014

Agenda Action Form Paducah City Commission

Meeting Date: December 9, 2014

Short Title: Establish a policy for eligible employees for use of spending credits pursuant to the City's group health insurance plan for the 2015 plan year

Ordinance Emergency Municipal Order Resolution Motion

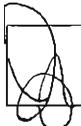
Staff Work By: Steve Doolittle, Greg Carlton
Presentation By: Steve Doolittle

Background Information:

The City makes financial contributions to subsidize the cost of the premium charges in the approved health and wellness plan. Allocation of spending credits towards the purchase of certain benefits such as health, dental or vision pursuant to the City's group health insurance plan shall be \$8,724 per employee. For those employees who opt out of the City's group health insurance but can show proof of coverage under a another sponsored group health insurance plan are recommended to receive an employer contribution of \$2,850. The maximum wellness credit that can be earned is \$2,250 for an employee and \$1,000 for an employee's spouse. This is an increase of \$250 to the amount an employee can receive that was previously submitted and approved by the Commission on October 28, 2014 (MO1797); the additional dollar amount is awarded to those employees who are non-nicotine users. In 2014, plan members could earn \$900 for not using nicotine; the 2015 plan shift to an improved biometrically based design eliminated that single dollar award. In review, there is no reason any employee should not easily be able to earn at least \$1000 in wellness credit by not using nicotine (\$250), getting a physical and turning in lab work (\$250) and participating in four free events (\$500) like walking a 5k or taking a health class.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: Account Name: Health Ins. Fund
Account Number: 073

 12/05/2014
Finance

Staff Recommendation: Approve

Attachments:

 Department Head	 City Clerk	 City Manager
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A MUNICIPAL ORDER AMENDING THE 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 MAXIMUM WELLNESS CREDIT THAT EMPLOYEES CAN EARN FROM \$2,000 TO 2,250

WHEREAS, the City of Paducah adopted Municipal Order No. 1795 on October 14, 2014, to establish a policy for the 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; and

WHEREAS, the City amended the policy by adopting Municipal Order No. 1797 on October 28, 2014, to change the employer contribution amount from \$2,350 to \$2,850; and

WHEREAS, the City desires to amend the policy to increase the maximum wellness credit that employees can earn from \$2,000 to \$2,250.

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

Section 1. To be eligible for the benefits provided in Section 2, employees must timely enroll in that portion of the City's group health insurance plan referred to as medical and prescription drug coverage. The City shares the cost of medical, prescription drug, dental and vision coverage with the City employees by contributing for the plan year 2015, \$8,724 per employee ("base credit") to be used under the Plan and other applicable credits which may be earned pursuant to the applicable City policy.

Section 2. All eligible employees who timely apply for coverage under the City's group health insurance plan (medical and prescription drug coverage) shall be permitted to redirect any unspent employer contribution toward the applicable pre-tax vehicle (HSA, FSA, HRA) subject to all applicable federal and state laws and regulations and as may be amended from time to time by order of the Board of Commissioners. Any changes requested by the employee due to change in family status shall be considered on a pro-rata basis from the effective date of timely enrollment pursuant to the plan documents of any affected benefit plan.

Section 3.

A. For the plan year 2015, all eligible employees who opt out of the City's group health insurance plan (medical and prescription drug coverage) but can show proof of coverage under a spouse's employer-sponsored group health insurance or other group sponsored health insurance plan acceptable to the City in its sole discretion, shall be permitted to an employer contribution of any unspent health insurance credits limited to \$2,850 which can be applied to an HRA, deposited on an as accrued basis, as established by the City and which can be amended from time to time by order of the Board of Commissioners. In the event the City in its sole discretion does not accept the creditability of the spouse's employer-sponsored group health insurance plan, other group sponsored health insurance plan, or non-group sponsored health insurance plan, and the employee chooses to remain covered under such spouse's group health insurance plan, then such employee shall be governed under the procedures established in Section 4.

B. For the plan year 2015, all eligible employees who opt out of the City's group health insurance plan to enroll in a health insurance plan that is not under a spouse's employer-sponsored group health insurance or other group sponsored health insurance plan shall not be permitted to an employer contribution of any unspent health insurance credits.

Section 4. For the plan year 2015, all eligible employees who opt out of the City's group

health insurance plan (medical and prescription drug coverage) for any reason other than those stated in Section 3 above, shall not be entitled to an employer contribution of unspent credits.

Section 5. For the plan year 2015, all eligible employees and their spouse may receive the maximum wellness credit that can be earned and that is ~~\$2,000~~ \$2,250 for an employee and \$1,000 for a spouse.

Section 6. For all employees who subsequently become eligible for coverage under the City's group health insurance plan because of initial employment or a qualifying event (i.e., change in family status), and is timely enrolled under the Plan or opts out of the Plan, shall be governed under the same procedures described in Sections 1-4 above, except any benefits shall be applied on a pro-rata basis.

Section 7. Except as provided under the applicable plan document covering any benefit plan, or HIPAA's special enrollment rights or the United States Internal Revenue Code, or any other applicable federal or state law or regulation, or any participant in the City's group health plan as described in Section 2 or any employee who has opted out of the plan as described in Sections 3 or 4 above, shall be precluded from making any changes to pre-tax elections (HSA, FSA, HRA) once the 2015 plan year starts except as otherwise permitted by this Municipal Order.

Section 8. 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, December 9, 2014
Recorded by Tammara S. Sanderson, City Clerk, December 9, 2014
\\mo\ins policy credits 2015-amend2

Agenda Action Form Paducah City Commission

Meeting Date: December 9, 2014

Short Title: Oak Grove Cemetery and Mausoleum Fee Adjustment

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Mark Thompson, Lessa Wilson
Presentation By: Mark Thompson

Background Information: The current Oak Groves fees have been in place since they were approved prior to 1994. We have just completed the task of closing the trust which will allow for those funds to be expended on improvements to the cemetery and equipment for the mausoleum. In turn, the City will be able to provide burials and interments in a new section of the cemetery and open the mausoleum and collect fees on those facilities.

Listed below are the fees from prior to 1994 and the recommended fees:

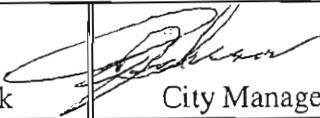
Mausoleum Crypt Fees	Pre 1994 Fee	Recommended Fee
Ground Tier	\$ 1,500.00	\$ 4,000.00
2nd Tier	\$ 1,500.00	\$ 4,500.00
3rd Tier	\$ 1,500.00	\$ 4,500.00
4th Tier	\$ 1,400.00	\$ 4,000.00
5th Tier	\$ 1,300.00	\$ 4,000.00
Alcove	\$ 2,000.00	\$ 5,000.00
Service Fees		
Opening/Closing	N/A	\$ 1,000.00
Weekend O/C	N/A	\$ 1,500.00
Mausoleum Memorial Service	N/A	\$ 200.00
Weekend Memorial Service	N/A	\$ 300.00
Burial Fees		
Rushing 9		
Plot	N/A	\$ 400.00
Infant Plot	N/A	\$ 200.00
Mausoleum Addition		
Plot	\$ 375.00	\$ 500.00
Old Additions		
Plot	\$ 225.00	\$ 300.00
Infant Plot	\$ 125.00	\$ 200.00
Cremaains Burial Fees		
Opening/Closing	\$ 125.00	\$ 175.00
Weekend O/C	\$ 150.00	\$ 225.00
Opening/closing of plots and vault installation are coordinated by the funeral homes and contracted directly with Wilbert Vault.		

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: Account Name: Oak Grove Cemetery
Account Number: PF 0048

Finance

Staff Recommendation: Approval

<i>MHT</i> Department Head	City Clerk	 City Manager
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A MUNICIPAL ORDER ADOPTING A SCHEDULE OF FEES FOR THE OAK GROVE CEMETERY AND MAUSOLEUM PURSUANT TO THE SOLID WASTE ORDINANCE, CHAPTER 26, CEMETERIES, OF THE CODE OF ORDINANCES OF THE CITY OF PADUCAH, KENTUCKY

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. By Municipal Order the Board of Commissioners of the City of Paducah hereby adopts a schedule of fees, as set out below, for the Oak Grove Cemetery and Mausoleum, pursuant to the Code of Ordinances of the City of Paducah, Kentucky, Chapter 26, Cemeteries.

<u>Mausoleum Crypt Fees</u>	Fee
Ground Tier	\$ 4,000.00
2nd Tier	\$ 4,500.00
3rd Tier	\$ 4,500.00
4th Tier	\$ 4,000.00
5th Tier	\$ 4,000.00
Alcove	\$ 5,000.00
 Service Fees	
Opening/Closing	\$ 1,000.00
Weekend O/C	\$ 1,500.00
Mausoleum Memorial Service	\$ 200.00
Weekend Memorial Service	\$ 300.00
 Burial Fees	
Rushing 9	
Plot	\$ 400.00
Infant Plot	\$ 200.00
Mausoleum Addition	
Plot	\$ 500.00
Old Additions	
Plot	\$ 300.00
Infant Plot	\$ 200.00
 Cremains Burial Fees	
Opening/Closing	\$ 175.00
Weekend O/C	\$ 225.00

Opening/closing of plots and vault installation are coordinated by the funeral homes and contracted directly with Wilbert Vault.

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

Agenda Action Form
Paducah City Commission

Meeting Date: December 9, 2014

Short Title: **2015 National Endowment for the Arts *Our Town* Grant Application – Columbia Theater Project**

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Sheryl Chino
Presentation By: Steve Ervin

Background Information: The National Endowment for the Arts (NEA) has announced the availability of FY2015 grant applications through their *Our Town* Program. The *Our Town* Program encourages local partnerships and seeks projects with the potential to integrate design and the arts into the fabric of community life and that serve as a vehicle for economic revitalization.

The Columbia Club, Inc. and the Paducah Film Society are requesting grant funds through the NEA *Our Town* Program for the development of architectural design plans for the Columbia Theatre Restoration project. The NEA requires a partnership between a local unit of government and a non-profit organization.

The NEA *Our Town* Grant requires a one-to-one match, which can be in the form of both cash and/or in-kind services. The Columbia Club, Inc. will provide the match, should the project become funded. The total estimated cost of design fees is estimated at \$294,000. A request for approximately \$147,000 will be submitted to the NEA *Our Town* Program.

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:

Finance

Staff Recommendation: Authorize and direct the Mayor to sign all required grant application documents and authorize the submittal of the grant application through the Grants.gov system and NEA-GO website by the Planning Department.

Attachments: None

 Planning Department Head	City Clerk	 City Manager
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MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER APPROVING AN APPLICATION AND ALL DOCUMENTS NECESSARY FOR THE CITY OF PADUCAH PLANNING DEPARTMENT IN PARTNERSHIP WITH THE COLUMBIA CLUB, INC., AND THE PADUCAH FILM SOCIETY AND THE PADUCAH FILM SOCIETY TO APPLY FOR THE 2015 OUR TOWN MATCHING GRANT FUNDED BY THE NATIONAL ENDOWMENT FOR THE ARTS FOR \$147,000, FOR THE COLUMBIA THEATER PROJECT

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. The City of Paducah hereby approves an application and all documents necessary for the Planning Department, in partnership with the Columbia Club, Inc. and the Paducah Film Society to submit for the 2015 Our Town matching grant. The request is in the amount of \$147,000, and will be funded by the National Endowment for the Arts. This grant is for the development of architectural design plans for the Columbia Theatre Restoration project.

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

SECTION 3. If the Our Town grant is approved, the Columbia Club, Inc., will provide the cash match of \$147,000 for the matching grant, for a total project cost estimate of \$294,000.

SECTION 4. This order shall be in full force and effect from and after the date of its adoption.

Mayor

ATTEST:

Tammara S. Sanderson, City Clerk

Adopted by the Board of Commissioners, December 9, 2014
Recorded by Tammara S. Sanderson, City Clerk, December 9, 2014
\\mo\grants\natl endowment for the arts-our town 2015 \$147,000 12-2014

**Agenda Action Form
Paducah City Commission**

Meeting Date: December 9, 2014

Short Title: **Foundation for a Healthy Kentucky – Investing in Kentucky's Future Program**

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Steve Ervin, Mark Thompson, Sheryl Chino
Presentation By: Steve Ervin

Background Information: *Investing in Kentucky's Future* is an initiative aimed to improve the health of Kentucky's children by engaging in communities and testing innovative strategies. This program provides funding for Kentucky Communities where civic leaders are committed to working together to promote the physical and behavioral health and well-being of children ages five through 18 by supporting local systems, environments and policies that reduce risks for chronic diseases and help children and youth practice healthy behaviors for a lifetime.

The United Way of Paducah-McCracken, through partnerships with the City of Paducah, Western Baptist Hospital, Lourdes Hospital, and the Purchase Area District Health Department, is seeking funds to aid in the development of an outdoor health park located in the Fountain Ave. neighborhood. The park, once fully developed, will feature outdoor fitness equipment, a walking trail, free play open field, community gardens, farmer's market, boundless playground, and commercial rental space for physical, mental, and dental health care. Furthermore, upper story living is also planned over the commercial rental space. The funding sought through this program will not fully develop the park; however, fund raising initiatives will be sought by Western Baptist Hospital, Lourdes, Purchase Area District Health, and United Way to allow for completion of the park. The United Way is acting as the application for this grant and the city will be the fiscal agent.

This park was recently awarded \$75,000 from the Land and Water Conservation fund (LWCF) to begin site work. The LWCF grant required a 50% match for a total project cost of \$150,000. The United Way is seeking \$400,000 from the *Investing in Kentucky's Future* program. A \$200,000 cash match is required. The \$150,000 set aside for the LWCF portion of the project will serve as match; as well as, \$50,000 that will be provided by Western Baptist Hospital and Lourdes Hospital.

If an award is offered, it will be brought before the Commission for consideration.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

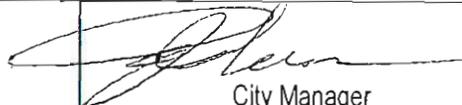
Funds Available:

Account Name:
Account Number:

Finance

Staff Recommendation: Authorize and direct the Mayor to sign all required grant application documents and authorize the submittal of the grant application by the Planning Department.

Attachments: None

 Planning Department Head	City Clerk	 City Manager
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MUNICIPAL ORDER NO. ____

A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE A GRANT APPLICATION AND ALL DOCUMENTS NECESSARY THROUGH THE FOUNDATION FOR A HEALTHY KENTUCKY FOR AN INITIATIVE PROGRAM CALLED THE INVESTING IN KENTUCKY'S FUTURE FOR FUNDING TO AIDE IN THE DEVELOPMENT OF AN OUTDOOR HEALTH PARK LOCATED IN THE FOUNTAIN AVENUE NEIGHBORHOOD

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. The Mayor is hereby authorized to execute an application with The United Way of Paducah-McCracken County in partnership with the City, Western Baptist Hospital, Lourdes Hospital and the Purchase Area District Health Department for an initiative called the Investing in Kentucky's Future Program through the Foundation for a Healthy Kentucky in the amount of \$400,000, to aide in the development of an outdoor health park located in the Fountain Avenue neighborhood.

SECTION 2. The City of Paducah shall act as the fiscal agent in meeting all grant requirements, including a local cash match of \$150,000 along with \$50,000 which will be provided by Western Baptist Hospital and Lourdes Hospital for a total match of \$200,000.

SECTION 3. Funding for the local cash match will be provided from the Land and Water Conservation fund program project account CD0083.

SECTION 4. This order shall be in full force and effect from and after the date of its adoption.

Mayor

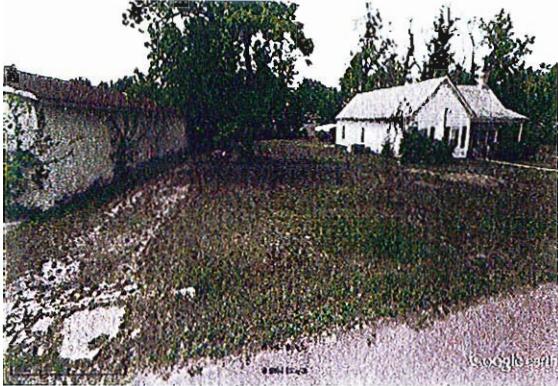
ATTEST:

Tammara S. Sanderson, City Clerk

Adopted by the Board of Commissioners, December 9, 2014
Recorded by Tammara S. Sanderson, City Clerk, December 9, 2014
\\mo\grants\Investing in Ky's Future Program

Sec. 2-668. Disposition of surplus or excess property.

1. Description of property: 1020 Lincoln Avenue



2. Its intended use at the time of acquisition:

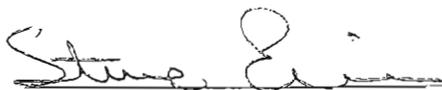
This lot was acquired by the City of Paducah by Commissioner's Deed recorded in Deed Book 1282 Page 348 on July 24, 2014. The City did not have a specific use for the property at the time of the acquisition. The property is currently vacant.

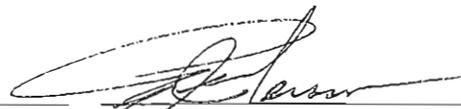
3. The reason why it is in the best interest of the City to dispose of the item:

Several months ago staff compiled a list of properties that the City had acquired over the years through various means. Since that time additional lots have been acquired with the goal of selling the lots to responsible citizens. This is one of the recently acquired lots. It is in the best interest of the City to transfer this property to one of the two responsible parties. Both parties agree to maintain the lot which will save the City the cost of maintaining the property.

4. The method of disposition to be used:

Two bids were submitted for this property. Upon recommendation by the City Commission, staff will proceed to transfer the property to person deemed to have submitted the best evaluated bid.


Steve Ervin,
Director Planning Department


Jeff Pederson,
City Manager

Agenda Action Form Paducah City Commission

Meeting Date: December 9, 2014

Short Title: Declaration and Sale of Surplus Property at 1020 Lincoln Ave.

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Nancy Upchurch/Steve Ervin

Presentation By: Steve Ervin

Background Information:

This action would declare 1020 Lincoln Avenue 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 Sunday, Nov. 16, 2014 requesting interested parties to submit a bid on or before 9 AM on Monday, December 1, 2014. Two bids were submitted:

Mr. Thomas Humphrey lives adjacent to 1020 Lincoln Avenue. He offers \$1000 for the property and will make landscaping improvements. He states that he has mowed the lot at his own expense since 1997.

William and Jane Gamble live on the other side of 1020 Lincoln Avenue and offers \$325 for the property. He proposes to fix drainage and hold for future expansion.

Transfer of the surplus property is based on:

Best-evaluated future use of the property	25%
Proposed reinvestment	25%
Compliance with all applicable codes	25%
Highest bid	25%

Staff Recommendations:

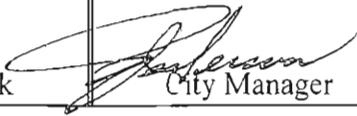
Based on submitting the highest bid, staff recommends transferring the property at 1020 Lincoln Avenue to Mr. Thomas Humphrey. Neither property owner has submitted proposals for reinvestment.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

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

Finance

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

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

Meeting Date: December 9, 2014

Short Title: Declaration and Sale of Surplus Property at 1010 South 5th Street.

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Nancy Upchurch/Steve Ervin
Presentation By: Steve Ervin

Background Information:

This action would declare 1010 South 5th Street surplus property owned by the City of Paducah and authorize the transfer of the property to the best evaluated bidder. The property was advertised in the Paducah Sun on Sunday, Nov. 23, 2014 requesting interested parties to submit a bid on or before 9 AM on Monday, Dec. 1, 2014. Two bids were submitted:

O. D. Joiner submitted a bid and offered \$100 for the property prior to the bid closing time. After the bid opening, he submitted a letter asking that his bid be removed from consideration.

Jason Siener, Manager of Siener Properties, LLC (Beltline Electric) submitted a \$100.00 bid for the property. Mr, Siener intends on having the site prepped by Feb. 2015 for the construction of a new building to be erected by June, 2015.

Transfer of the surplus property is based on:

Best-evaluated future use of the property	25%
Proposed reinvestment	25%
Compliance with all applicable codes	25%
Highest bid	25%

Staff Recommendations:

Based on Mr. Joiner requesting that his bid be removed from consideration and Siener Properties LLC submitting the best-evaluated bid, staff recommends transferring the property at 1010 South 5th Street to Jason Siener, Siener Properties LLC.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

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

Finance

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

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

Meeting Date: December 9, 2014

Short Title: Declaration and Sale of Surplus Property at 1016 South 5th Street.

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Nancy Upchurch/Steve Ervin
Presentation By: Steve Ervin

Background Information:

This action would declare 1016 South 5th Street surplus property owned by the City of Paducah and authorize the transfer of the property to the best evaluated bidder. The property was advertised in the Paducah Sun on Sunday, Nov. 23, 2014 requesting interested parties to submit a bid on or before 9 AM on Monday, Dec. 1, 2014. Two bids were submitted:

O. D. Joiner submitted a bid and offered \$100 for the property prior to the bid closing time. After the bid opening, he submitted a letter asking that his bid be removed from consideration.

Jason Siener, Manager of Siener Properties, LLC (Beltline Electric) submitted a \$100.00 bid for the property. Mr, Siener intends on having the site prepped by Feb. 2015 for the construction of a new building to be erected by June, 2015.

Transfer of the surplus property is based on:

Best-evaluated future use of the property	25%
Proposed reinvestment	25%
Compliance with all applicable codes	25%
Highest bid	25%

Staff Recommendations:

Based on Mr. Joiner requesting that his bid be removed from consideration and Siener Properties LLC submitting the best-evaluated bid, staff recommends transferring the property at 1016 South 5th Street to Jason Siener, Siener Properties LLC.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

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

Finance

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

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

1. Description of property: 1016 South 5th Street



2. Its intended use at the time of acquisition:

This lot was acquired by the City of Paducah by Commissioner's Deed recorded in Deed Book 1266 Page 647 on Nov. 21, 2013. The City did not have a specific use for the property at the time of the acquisition. The property is currently vacant.

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

Several months ago staff compiled a list of properties that the City had acquired over the years through various means. Since that time additional lots have been acquired with the goal of selling the lots to responsible citizens. This is one of the recently acquired lots. Transferring this property to a responsible owner will meet the goal of placing the property in the hands of a responsible owner. The proposal includes a substantial investment on the property.

4. The method of disposition to be used:

Upon recommendation by the City Commission, staff will proceed to transfer the property to person deemed to have submitted the best evaluated bid.


Steve Ervin,
Director Planning Department


Jeff Pederson,
City Manager

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER ACCEPTING THE BIDS OF SIENER PROPERTIES, LLC IN THE AMOUNT OF \$200 (\$100 EACH) FOR PURCHASE OF REAL PROPERTIES LOCATED AT 1010 SOUTH FIFTH STREET AND 1016 SOUTH FIFTH STREET AND AUTHORIZING THE MAYOR TO EXECUTE DEEDS FOR SAME

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 the properties located at 1010 South Fifth Street and 1016 South Fifth Street, which constitutes surplus real estate; and

WHEREAS, the City advertised for bids on November 23, 2014 and opened bids on December 1, 2014; and

WHEREAS, two proposals were received for the properties from Siener Properties, LLC and O.D. Joiner; and

WHEREAS, Mr. Joiner submitted a letter requesting his bid be removed from consideration; and

WHEREAS, the City now desires to accept the bid of Siener Properties, LLC.

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. That the City of Paducah accepts the bid of Siener Properties, LLC for the purchase of real properties located at 1010 South Fifth Street and 1016 South Fifth Street in the amount of \$100 each, total \$200.

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 properties 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, December 9, 2014
Recorded by Tammara S. Sanderson, City Clerk, December 9, 2014
\\mo\prop sale--1010 & 1016 South 5th

Agenda Action Form

Paducah City Commission

Meeting Date: December 9, 2014

Short Title: ECONOMIC INCENTIVE FOR WHITEHALL INDUSTRIES

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Jeff Pederson, City Manager

Presentation By: Jeff Pederson, City Manager

Background Information:

- The City of Paducah was notified on February 28, 2013, by the Kentucky Cabinet For Economic Development of the availability for use of \$500,000 in repaid Economic Development Bond Fund
- In accordance with instructions from the Kentucky Cabinet For Economic Development the City requested and received confirmation from the Cabinet For Economic Development of the approval for use of \$125,000 for a project to assist the location of Whitehall Industries to Paducah
- The approved use of the \$125,000 is to assist in the purchase of an aluminum extrusion press for Whitehall Industries
- Whitehall Industries has committed to the creation of 150 jobs, paying a minimum of \$13 per hour, and including health insurance benefits with 50% company contribution
- The City wishes to extend the use of these funds for Whitehall in partnership with additional incentives to be provided by Paducah Economic Development and McCracken County.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: Account Name:
Account Number:

Finance

Staff Recommendation:

Attachments:

Department Head	City Clerk	 City Manager
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MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER TO RE-USE \$125,000 IN REPAID ECONOMIC DEVELOPMENT BOND FUNDS APPROVED THROUGH THE KENTUCKY CABINET FOR ECONOMIC DEVELOPMENT TO BE USED AS AN ECONOMIC INCENTIVE TO WHITEHALL INDUSTRIES TO AID IN THE PURCHASE OF ONE ALUMINUM EXTRUSION PRESS WHICH WILL ASSIST IN THE LOCATION OF WHITEHALL INDUSTRIES TO PADUCAH

WHEREAS, the City of Paducah was notified on February 28, 2013, by the Kentucky Cabinet For Economic Development of the availability for use of \$500,000 in repaid Economic Development Bond Funds; and

WHEREAS, in accordance with instructions from the Kentucky Cabinet For Economic Development the City formally requested and received confirmation from the Cabinet For Economic Development of the approval for use of the \$125,000 for a project to assist the location of Whitehall Industries to Paducah; and

WHEREAS, the approved use of the \$125,000 is to assist in the purchase of an aluminum extrusion press for Whitehall Industries; and

WHEREAS, Whitehall Industries has committed to the creation of 150 jobs, paying a minimum of \$13 per hour, and including health insurance benefits with 50% company contribution; and

WHEREAS, the City wishes to extend the use of these funds to Whitehall in partnership with additional incentives to be provided by Paducah Economic Development and McCracken County.

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. That the City of Paducah shall re-use \$125,000 in repaid economic development bond funds approved through the Kentucky Cabinet for economic development to be used as an economic incentive to Paducah Economic Development for Whitehall Industries to aid in the purchase of one aluminum extrusion press which will assist in the location of Whitehall Industries to Paducah.

SECTION 2. This expenditure shall be charged to the ED0119 project account (040-0102-511-2307).

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 December 9, 2014
Recorded by Tammara S. Sanderson, City Clerk, December 9, 2014
\\mo\incentives-whitehall2

Agenda Action Form Paducah City Commission

Meeting Date: November 25, 2014

Short Title: Authorize Change Order #1 for Noble Park Lake Bank Stabilization Project

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:

Ordinance #2014-06-8149 was adopted accepting the Metal Base Bid and the Alternate Bid in the amount of \$192,414.00 and authorizing the Mayor to execute a contract with YEC, Inc. for the Noble Park Lake Bank Stabilization. Notice to Proceed was given to commence work on July 7, 2014 with work progressing throughout the summer into fall. At this time, all work on the project has been substantially completed by YEC, Inc. However, due to minor adjustments, a change order is required to finalize the following items:

1. Restoration of Duck Island (original contract removed Duck Island)	\$7,460.57
2. Revised sheet pile wall ground water relief drains	\$483.00
3. Removal of muck at bottom of lake near wall	\$4,344.50
4. Minor additional concrete work	\$1,024.00
5. Final quantity adjustments of contract items	(\$1,531.98)
Total Change Order Amount	\$11,780.09

With the deduction and addition of the aforementioned items, Change Order #1 will increase the contract by \$11,780.09 (6% increase in project cost) with the new contract amount being \$204,194.09.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: Account Name: 040-8821-536-2307
Account Number: PA0100

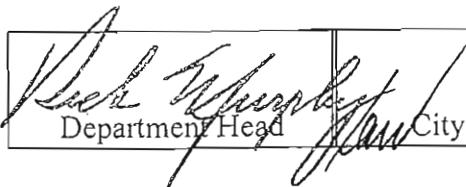
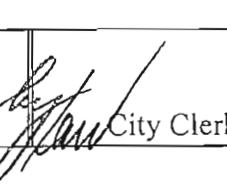
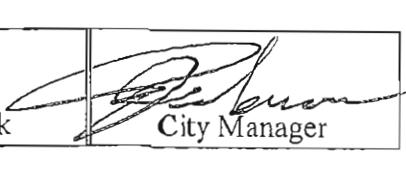

11/21/2014
Finance

Staff Recommendation:

To adopt an Ordinance authorizing the Mayor to execute Change Order #1 with YEC, Inc., in the amount of \$11,780.09 for the Noble Park Lake Bank Stabilization Project with the new contract amount being \$204,194.09.

Attachments:

Original Ordinance, Change Order #1

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

Meeting Date: November 25, 2014

Short Title: Contract with ESRI for a Multi-Jurisdictional Enterprise License Agreement with McCracken and Paducah Geographic Information System consortium members

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Greg Mueller, Ben Peterson, Stephen Chino
Presentation By: Greg Mueller, Ben Peterson, Stephen Chino

Background Information:

In 1999, the McCracken and Paducah Geographic Information System (MAP~GIS) was formed in order that the member agencies could coordinate their efforts in the development and maintenance of a computer mapping system for McCracken County. The partnership between McCracken County, the City of Paducah, Paducah Water, Paducah Power, E911, and the Joint Sewer Agency continues this strong development partnership by continuing an agreement with the computer mapping GIS software vendor ESRI. This contract allows the MAP~GIS member agencies to pool together its software licenses and leverage funds previously paid in maintenance to ESRI, which has resulted in an annual savings of over \$100,000 per year between the six agencies. The contract allows each agency to obtain virtually unlimited licensed copies of most all software offered by ESRI. In doing so, each MAP~GIS member agency has available the full potential of the ESRI GIS computer mapping software unlocking many new opportunities for development of each of the members' systems. This contract will continue the agreement among the consortium agencies for another three year contract period from January 1, 2015 through December 31, 2017.

The Multi-Jurisdictional License Agreement is a 3 year agreement at \$60,000 per year (\$180,000 total). The City will be the administrator of the licenses and the contract and the consortium members are named as additional licensed entities. Through the Interlocal Agreement, each member agency will be billed a percentage of the total \$60,000 based on the current amount of licenses they hold. The other members will be billed the remaining portion of the contract based on the percentages outlined in the Interlocal Agreement. The City's portion for each Fiscal Year 2015, 2016, and 2017 will be \$16,055.99. This represents a decrease of \$2,049.01 for the City's portion. This decrease of the City's portion is due to the increased license level participation by Paducah Power and Paducah Water.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

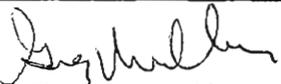
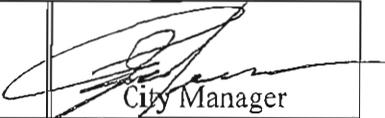
Funds Available: Account Name: Computer Software
Account Number: ~~001-0501-514-22.02~~ GIS 004

Staff Recommendation:

Adopt an Ordinance authorizing the execution of a contract between the City of Paducah and the members of the MAP~GIS Consortium for the acquisition and administration of a Multi-Jurisdictional Enterprise License Agreement with ESRI and authorizing the Mayor to execute documents relating to the ELA.

Attachments:

- Quote from ESRI for a Small Government Term License Agreement
- Multi-Jurisdictional Enterprise License Agreement
- Interlocal Agreement between all members of the MAP~GIS Consortium

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

Meeting Date: November 25, 2014

Short Title: Oak Grove Cemetery – Separate Project Account (PF0048) setup for proceeds from termination of trust

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Mark Thompson, Jonathan Perkins

Presentation By: Mark Thompson, Jonathan Perkins

Background Information: Starting in the mid-1980s, the City of Paducah established a perpetual care and maintenance fund to capture 20% of the proceeds from the sale of grave and/or crypts as required by KRS 367.952.

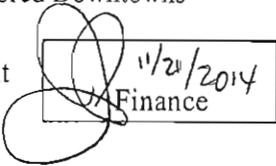
In 1985, the City of Paducah entered into a trust agreement with Peoples Bank, followed by the Community Foundation in more recent years. In 2008, KRS 367.952 was amended by the State which exempted Cities from its requirements.

On August 12, 2014, the City Commission directed (Municipal Order 1786, attached) Denton & Keuler to file a joint petition by the City of Paducah and the Community Foundation of West Kentucky, Inc. to dissolve a Perpetual Care and Maintenance Trust Fund Agreement with Peoples First National Bank & Trust Company of Paducah, Kentucky, dated August 29, 1985 (the "Trust"), of which the Community Foundation was serving as successor trustee. On October 3, 2014, the McCracken Circuit Court granted an order to allow termination of the aforementioned trust (attached).

The attached proposed ordinance authorizes the creation of a separate project account (PF0048) to hold proceeds from the Oak Grove Cemetery Trust for disbursement for the general care, maintenance and embellishment of Oak Grove Cemetery.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: Account Name: Oak Grove Cemetery Project Account
Account Number: PF0048


11/20/2014
Finance

Staff Recommendation: Approve ordinance authorizing the creation of a separate account (PF0048) for the proceeds from the termination of the trust.

Attachments:

- 1) Proposed Ordinance
- 2) Circuit Court order to terminate Oak Grove Cemetery Perp. Trust
- 3) Municipal Order 1786

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

Meeting Date: Nov. 25, 2014

Short Title: Interlocal Agreement with City of Murray, KY

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Chief Brandon Barnhill
Presentation By: Chief Brandon Barnhill

Background Information: The City of Murray Police Department has requested we enter into an interlocal agreement to promote joint drug investigations in the two cities. The agreement will afford Murray and Paducah police officers all police powers while working in each other's jurisdictions and provide extra manpower should either agency require it. The agreement is for one year, renewable annually unless one agency terminates the agreement.

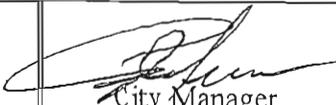
Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: Account Name:
Account Number:

Finance

Staff Recommendation: Approve and allow the Mayor to sign interlocal agreement with the City of Murray, KY.

Attachments: Copy of proposed Interlocal Agreement

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

Meeting Date: Nov. 25, 2014

Short Title: Accept Bid for Purchase of Police Uniforms

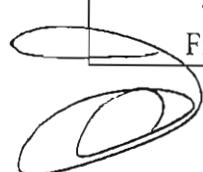
Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Training Officer Scotty Davis, Robin Newberry
Presentation By: Chief Brandon Barnhill

Background Information: On Oct. 19, the Paducah Police Department advertised for sealed bids for police uniforms and accessories. Three companies responded with bids by the Nov. 7 deadline: Gall's Inc., Bluegrass Uniforms and Waggoner Clothing. A committee of five evaluated the bids and rated them, using the following scale: 40 percent – Bid Price; 20 percent – Customer Service; 20 percent – Ability to Provide Electronic Purchasing System; and 20 percent – Availability of Merchandise to Deliver Within 10 Business Days. The bids from Gall's and Bluegrass were extremely close in price. However, Bluegrass provided no information about its electronic purchasing system. Thus, the committee had no information to compare to Gall's rather in-depth description of its electronic purchasing system. Additionally, the police department has experienced some customer service issues with Bluegrass over the past four years. We are requesting the Commission accept the bid of Gall's Inc. and enter into a two-year contract, effective Jan. 1, 2015, for purchases not to exceed \$80,000 per calendar year for police uniforms and accessories.

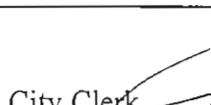
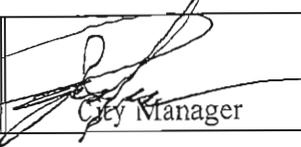
Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: Account Name: Clothing Allowance
Account Number: 001-1601-521-1610
001-1602-521-1610
001-1604-521-1610


11/21/2014
Finance

Staff Recommendation: Accept the bid of Gall's Inc. for the purchase of police uniforms and accessories for an amount not to exceed \$80,000 per calendar year, and authorize the mayor to enter into a two-year contract with Gall's, effective Jan. 1, 2015, stating same.

Attachments: Original bids; Bid tab and Explanation of Substitutions

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

Meeting Date: 12/09/2104

Short Title: An Ordinance authorizing the Mayor to enter into and Interlocal Cooperation Agreement with the Paducah-McCracken Convention and Visitor's Bureau.

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Doolittle
Presentation By: Doolittle

Background Information:

As part of the overall financing plan related to the development of the new convention center hotel, the Paducah-McCracken Convention and Visitor's Bureau will assist the City in the repayment of approximately \$500,000 of the \$4,000,000 Taxable General Obligation Bonds, Series of 2014D ("Bonds"), which bonds are being issued by the City to finance certain costs of constructing, installing and equipping of facilities and support structures, including infrastructure and related appurtenances, connected with the construction and development of the convention hotel. The bureau will do this by pledging a portion of the transient room taxes generated by the hotel.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

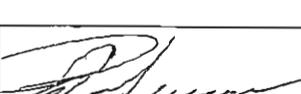
Funds Available: Account Name: NA

Finance

Staff Recommendation: Authorize Mayor to execute agreement with CVB for financing certain aspects of the hotel project.

Attachments:

1. Agreement

 Department Head	 City Clerk	 City Manager
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ORDINANCE NO. 2014 - _____

AN ORDINANCE OF THE CITY OF PADUCAH, KENTUCKY,
APPROVING AND AUTHORIZING THE EXECUTION OF AN
INTERLOCAL COOPERATIVE AGREEMENT AMONG THE CITY
OF PADUCAH, KENTUCKY AND THE PADUCAH-MCCRACKEN
COUNTY CONVENTION AND VISITORS BUREAU FOR THE
COOPERATIVE FINANCING OF AN ECONOMIC DEVELOPMENT
PROJECT IN THE CITY OF PADUCAH, KENTUCKY

WHEREAS, the Paducah-McCracken County Convention and Visitors Bureau (the "Bureau") have determined that it wishes to assist the City of Paducah in the repayment of the City's Taxable General Obligation Bonds, Series 2014D in the approximate aggregate principal amount of \$4,325,000, which bonds are being issued by the City for the purpose of financing a portion of the costs of the acquisition, construction, installation and equipping of an upscale hotel (the "Project") on City owned property adjacent to the publically owned convention center, generally known as the Julian Carroll and Paducah Expo Convention Center; and

WHEREAS, pursuant to Sections 65.210 to 65.300, inclusive, of the Kentucky Revised Statutes, as amended (the "Interlocal Cooperative Act"), the City and the Bureau may join together for the financing of the Project and their agreement as to same is memorialized into an Interlocal Cooperative Agreement;

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

Section 1. Recitals and Authorization. The City of Paducah, Kentucky, hereby approves the Interlocal Cooperative Agreement between the City and the Bureau in substantially the form attached hereto as Exhibit A and made a part hereof.. It is hereby found and determined that the Interlocal Cooperative Agreement furthers the public purposes of the City and it is in the best interest of the citizens, residents and inhabitants of the City that the City enter into the Interlocal Cooperative Agreement for the purposes therein specified and the execution and delivery of the Interlocal Cooperative Agreement is hereby authorized and approved. The Mayor is hereby authorized to execute the Interlocal Cooperative Agreement, together with such other agreements, instruments or certifications which may be necessary to accomplish the transaction contemplated by the Interlocal Cooperative Agreement with such changes in the Interlocal Cooperative Agreement not inconsistent with this Ordinance and not substantially adverse to the City as may be approved by the official executing the same on behalf of the City. The approval of such changes by said official, and that such are not substantially adverse to the City, shall be conclusively evidenced by the execution of such Interlocal Cooperative Agreement by such official.

Section 2. Severability. If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

Section 3. Compliance With Open Meetings Laws. The City Commission hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of this City Commission, and that all deliberations of this City Commission and of its committees, if any, which resulted in formal action, were in meetings open to the public, in full compliance with applicable legal requirements.

Section 4. Conflicts. All ordinances, resolutions, orders or parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed and the provisions of this Ordinance shall prevail and be given effect.

Section 5. Effective Date. This Ordinance shall be read on two separate days and will become effective upon summary publication pursuant to KRS Chapter 424.

MAYOR

ATTEST:

Tammara S. Sanderson, City Clerk

Introduced by the Board of Commissioners, December 9, 2014
Adopted by the Board of Commissioners, December _____, 2014
Recorded by Tammara S. Sanderson, City Clerk, December _____, 2014
Published by *The Paducah Sun*, _____, 2014
\\ord\downtown dev\agree-interlocal-convention & visitors bureau

EXHIBIT A
INTERLOCAL COOPERATIVE AGREEMENT

INTERLOCAL COOPERATION AGREEMENT

THIS INTERLOCAL COOPERATION AGREEMENT (this "Agreement") made and entered into as of this ____ day of _____, 2014, by and between the CITY OF PADUCAH, KENTUCKY ("City") and the PADUCAH-McCRACKEN COUNTY CONVENTION AND VISITORS BUREAU ("Bureau").

WITNESSETH

WHEREAS, Bureau have determined that it is necessary and desirable to assist the City in the repayment of approximately \$4,000,000.00 of the City's Taxable General Obligation Bonds, Series of 2014D ("Bonds"), which bonds are to be issued by the City to finance (i) the costs of constructing, installing and equipping of facilities and support structures, including infrastructure and related appurtenances, connected with the construction and development of an upscale hotel and (ii) a portion of the costs of the construction and development of an upscale hotel (the "Project") on City owned property adjacent to the publically owned convention center, generally known as the Julian Carroll and Paducah Expo Convention Center (the "Convention Center"); and

WHEREAS, the parties hereto understand that the City's goal is the delivery of an upscale and professionally designed hotel which advances the purposes of the Bureau; and

WHEREAS, pursuant to Sections 65.210 to 65.300, inclusive, of the Kentucky Revised Statutes, as amended (the "Interlocal Cooperation Act"), the City and the Bureau may join together to accomplish what each may accomplish individually; and

WHEREAS, the City and the Bureau now wish to establish their respective rights and duties in connection with the financing of the Project and memorialize their arrangements for the allocation of the Room Tax, as hereinafter defined, in order to provide for the orderly payment and retirement of the Bonds, all in accordance with the Interlocal Cooperation Act;

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS BETWEEN THE PARTIES, IT IS AGREED AS FOLLOWS:

"ACT" or "CONVENTION ACT" means KRS 91A.350 through 91A.394, as amended.

"BOND DEBT SERVICE" means the aggregate annual principal and interest requirements of the Bonds.

"BONDS" means the aggregate principal amount of the City's Taxable General Obligation Bonds, Series 2014D, which will be issued in an approximate amount of \$4,000,000.00, authorized pursuant to the provisions of KRS 66.011 et seq.

"BUREAU" means the Paducah-McCracken County Convention and Visitors Bureau, a quasi-governmental entity formed jointly by the City of Paducah and McCracken County

pursuant to authority under KRS 91A.350-91A.392, with the purpose of promoting and developing convention and tourist activities and facilities.

"BUREAU'S SHARE OF ROOM TAX" means 50% of the aggregate Room Tax authorized under the Act and distributed by the McCracken County to the Bureau (or the 3% of the authorized 6% Room Tax, which 3% is allocated to provide funds for the operation of the Bureau).

"CITY" means the City of Paducah, Kentucky acting by and through its City Commission.

"DEVELOPER" means the Paducah Convention Hotel, LLC, a Kentucky limited liability company, David M. Puckett, Todd M. Clark, John M. Clark, David B. Jones, Glenn R. Malone, Eddie Corley, and Garret Forbes Mathieu.

"DEVELOPMENT AGREEMENT" means the agreement between the Developer and the City for the construction, development and management of an upscale hotel on City owned property adjacent to the Convention Center.

"DUE DATE" means collectively the Interest Due Date and the Principal Due Date over the Term of Bonds.

"INTEREST DUE DATE" means bi-annual dates which fall on the fifteenth (15th) day preceding the date when interest installments become due on the Bonds as reflected in the New Debt Service Schedule.

"INTERLOCAL COOPERATION ACT" means KRS 65.210 through 65.300.

"KRS" means the Kentucky Revised Statutes, as amended.

"PLEGGED TAX" means a portion of the Bureau's Share of Room Tax equal to \$500,000.00 together with interest thereto, calculated at the interest rate established for the Bonds following advertised, competitive sale, of the Bond Debt Service paid over the Term of Bonds.

"PRINCIPAL DUE DATE" means annual dates which fall on the fifteenth (15th) day preceding the date when principal installments become due on the Bonds as reflected in the New Debt Service Schedule.

"PROJECT" means the (i) construction, installation and equipping of facilities and support structures, including infrastructure and related appurtenances connected with the construction and development of an upscale hotel and (ii) the construction and development of an upscale hotel on City owned property adjacent to the Convention Center in Paducah, Kentucky.

"ROOM TAX" or "TAX" means the special transient room tax authorized to be levied by the County in accordance with KRS 91A.390 and 91A.392, in the aggregate authorized amount of 6%.

"TERM OF BONDS" means the period beginning with the dated date of the Bonds and running until the last principal maturity of the Bonds is paid and retired, including all interest thereon.

GENERAL FINANCING PLAN

It is the intention of the parties to this Agreement to set forth their respective rights and duties in connection with financing certain portions of the Project.

A portion of the financing will be provided by the City and Bureau to the Developer and shall be supplied from the proceeds of the City's Bonds which shall supplement other monies available to the Developer from other sources.

The City shall issue its Bonds in the aggregate amount of approximately \$4,000,000.00 which shall be disbursed in accordance with the Development Agreement and other definitive agreements to be entered into by and between the City and the Developer.

The Bonds shall be secured by the full faith, credit and taxing power of the City; provided; however, \$500,000.00 of these Bonds shall be used exclusively for construction, installation and equipping of facilities and support structures, including infrastructure and related appurtenances necessary for the construction and development of an upscale hotel (the "Non-Hotel Improvements).

Pursuant to this Interlocal Cooperation Agreement, the Bureau hereby consents and agrees to assist the City in repayment of the portion of the Bonds used for the Non-Hotel Improvements by pledging the Pledged Tax. The Bureau will recoup their contribution through increased Room Tax revenues generated once the Project is complete.

RIGHTS AND DUTIES OF THE CITY

The City shall issue its Bonds and shall disburse the proceeds of the Bonds in accordance with the Development Agreement and other definitive agreements to be entered into by and between the City and the Developer. Upon receipt of the Bureau's Pledged Tax, the City shall apply such payments to the Bond Debt Service.

RIGHTS AND DUTIES OF THE BUREAU

The Bureau hereby consents and agrees to the issuance of Bonds by the City for the Project.

The Bureau hereby pledges the Pledged Tax exclusively to the City to repay \$500,000.00 together with interest thereto, calculated at the interest rate established for the Bonds following advertised, competitive sale, of the Bond Debt Service. The Pledged Tax shall be paid to the City in bi-annual interest only installments on the Interest Due Date and annual principal installments on the Principal Due Date over the Term of Bonds, which installments shall be paid in accordance with the Net Debt Service Schedule to be provide by the Director of Finance for the City of Paducah, which shall be appended to and made a part of this executed Agreement as Exhibit A by the aforesaid Director of Finance, upon the issuance of the Bonds, provided,

however, the first installments of bi-annual interest and annual principal shall not commence until the expiration of the eighteenth (18th) month following the ~~dated date~~ of the Bonds. This delay in the commencement of the Bureau's interest and principal ~~installments~~ is designed to allow the Bureau sufficient time to receive an increase in the Bureau's Share of Room Tax, if any, resulting from the operation of the Project. Bureau shall promptly pay the Pledged Tax when due to the Director of Finance for the City of Paducah, at Post Office Box 2267, Paducah, Kentucky 42002-2267, or at such other location as may be designated by the City in writing.

In the event the Pledged Tax is more than the Bureau's Share of the Room Tax on any Due Date, this shortage shall be bore by the Bureau.

PLEDGE OF ROOM TAX

The City and the Bureau each covenant and agree that the Pledged Tax is hereby assigned to the City and pledged solely to the payment of the Bond Debt Service, which is \$500,000.00 together with interest thereto, calculated at the interest rate established for the Bonds following advertised, competitive sale. Said assignment of the Pledged Tax shall remain in effect without alteration for Term of Bonds.

AGREEMENT AS CONTRACT; OWNERS OF BONDS AS THIRD PARTY BENEFICIARIES

This Agreement is made for the benefit and security of all ~~those~~ who may become the registered owners of the City's Bonds (the "Bondholders"), and ~~no~~ change, alteration or amendment shall be made to the terms hereof so long as said Bonds remain outstanding.

MISCELLANEOUS

This Agreement shall be binding upon the parties hereto and upon their respective permitted successors and transferees.

Nothing expressed or implied herein is intended or shall be ~~con~~strued to confer upon any person, firm or corporation other than the parties hereto and the ~~Bond~~holders, any right, remedy or claim by reason of this Agreement or any term hereof, and all ~~terms~~ contained herein shall be for the sole and exclusive benefit of the parties hereto, and ~~their~~ successors and permitted transferees and said Bondholders.

This Agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Kentucky.

If one or more provisions of this Agreement, or the applicability of any such provisions for any set of circumstances shall be determined to be invalid or ineffective for any reason, such determination shall not affect the validity and enforceability of the remaining provisions of this Agreement or the applicability of the provisions found to be invalid or ineffective for a specific set of circumstances to other circumstances.

This Agreement may be amended or any of its terms modified only by a written document authorized, executed and delivered by each of the parties ~~hereto~~.

This Agreement may be executed in one or more counterparts and when each party hereto has executed at least one counterpart, this Agreement shall become binding on all parties and such counterparts shall be deemed to be one and the same document.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized representatives as of the date first above written.

CITY OF PADUCAH, KENTUCKY, Authorized
by Action of the City Commission of the City on

_____, 2014

Mayor

Attest:

City Clerk

STATE OF KENTUCKY)

COUNTY OF McCRACKEN)

The foregoing instrument was subscribed, sworn to, and acknowledged before me on this
day of _____, 2014 by, Gayle Kaler, Mayor of the City of Paducah, Kentucky.

My commission expires _____.

NOTARY PUBLIC, STATE AT LARGE

PADUCAH-McCRACKEN COUNTY
CONVENTION AND VISITORS BUREAU,

on November 10th, 2014

Thomas E. Evers
Chairperson

STATE OF KENTUCKY)

COUNTY OF McCRACKEN)

The foregoing instrument was subscribed, sworn to, and acknowledged before me on this
10th day of November, 2014 by Thomas E. Evers
Chairperson of the Paducah-McCracken County Visitors Bureau.

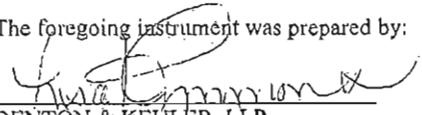
My commission expires 4/19/2018.

Sub. J. J. J. 508249
NOTARY PUBLIC, STATE AT LARGE

This Interlocal Cooperation Agreement is in proper form, and is compatible with the Laws of the Commonwealth of Kentucky; therefore, it is approved this ____ day of _____, 2014.

By: _____
Attorney General

The foregoing instrument was prepared by:



DENTON & KEULER, LLP
P. O. Box 929
Paducah, KY 42002-0929

EXHIBIT A
Net Debt Service Schedule

To be provided by the Director of Finance for the city of Paducah upon the issuance of the Bonds.