



CITY COMMISSION MEETING
AGENDA FOR JULY 21, 2015
5:30 P.M.
CITY HALL COMMISSION CHAMBERS
300 SOUTH FIFTH STREET

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE – Will Hancock, PTHS Student

ADDITIONS/DELETIONS

	I. <u>MUNICIPAL ORDER</u>
	A. Personnel Changes
	B. Approve Delta Regional Authority Grant Application – S. ERVIN
	II. <u>ORDINANCES – ADOPTION</u>
	A. Approve Conveyance of Paducah Water Surplus Property – Star Hill Tank Property (Watson/West & Potter) – J. PETERSEN-Paducah Water
	B. Approve Conveyance of Paducah Water Surplus Property – Sunny Slope Tank Property (Herrington) – J. PETERSEN-Paducah Water
	C. Approve Conveyance of Paducah Water Surplus Property – Krebs Pump Station Property (Walls) – J. PETERSEN-Paducah Water
	D. Accept Bid for Purchase of a Minivan for the Parks Department – R. MURPHY
	E. Accept Bid for Purchase of an SUV for the Parks Department – R. MURPHY
	F. Accept Bid for Sewer Pumper for EPW/Street Department – R. MURPHY
	G. Purchase Property at 432 Broadway – S. ERVIN
	H. Accept Bid for Demolition of 432 Broadway – S. ERVIN
	I. Accept Bid for New Home Construction at 1532 Monroe Street – S. ERVIN
	J. Accept 2015 LEPP Grant Award – POLICE CHIEF BARNHILL

		K. Rename a Portion of 7 th Street to Clarence Gaines Street – CITY MGR
	III.	<u>ORDINANCE – INTRODUCTION</u>
		A. An Ordinance Authorizing and Approving a Contract for Water Service between West McCracken Water District and the Commissioners of Water Works, City of Paducah, dba Paducah Water – B. ROBERTSON-Paducah Water
	IV.	<u>CITY MANAGER REPORT</u>
	V.	<u>MAYOR & COMMISSIONER COMMENTS</u>
	VI.	<u>PUBLIC COMMENTS</u>
	VII.	<u>EXECUTIVE SESSION</u>

CITY OF PADUCAH
July 21, 2015

DRAFT

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
July 21, 2015

DRAFT

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>					
Hansen, Wayne	FF / Relief Driver \$14.38/Hr	Acting Fire Lieutenant \$15.77/Hr	NCS	Non-Ex	March 3, 2015
Hansen, Wayne	Acting Fire Lieutenant \$15.77/Hr	FF / Relief Driver \$14.41/Hr	NCS	Non-Ex	June 29, 2015
<u>FINANCE</u>					
Copeland, Angela	Revenue Manager \$28.79/Hr	Revenue Manager \$32.19/Hr* *Market Salary Correction	NCS	Ex	June 25, 2015
Herndon, Audra	Controller \$32.61/Hr	Controller \$34.24/Hr* *Market Salary Correction	NCS	Ex	June 25, 2015
<u>PLANNING</u>					
Amos, Richard C	Housing Specialist \$16.93/Hr	Housing Specialist \$18.62/Hr* *Market Salary Correction	NCS	Non-Ex	June 25, 2015

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

	<u>POSITION</u>	<u>REASON</u>	<u>EFFECTIVE DATE</u>
<u>PARKS SERVICES</u>			
Born, Alyssa	Recreation Leader	Seasonal Employment	July 9, 2015
Dallas, Victoria R	Lifeguard	Seasonal Employment	July 9, 2015
Glisson, Manuel E	Sports Official	Seasonal Employment	July 9, 2015
Jones, Kelleigh	Summer Camp Coordinator	Seasonal Employment	July 9, 2015
Prowell, Rheonna A	Pool Attendant	Seasonal Employment	July 9, 2015
Terhune, Jillian K	Recreation Leader	Seasonal Employment	July 9, 2015
Thomas, Rebekah A	Recreation Leader	Seasonal Employment	July 9, 2015

**Agenda Action Form
Paducah City Commission**

Meeting Date: 21 July 2015

Short Title: **2015 Delta Regional Authority (DRA) SEDAP Grant**

Ordinance Emergency Municipal Order Resolution Motion

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

Background Information: The Delta Regional Authority's (DRA) investment program, known as the States' Economic Development Assistance Program (SEDAP), is the primary investment tool which allows DRA to make significant impacts in creating jobs, building communities, and improving lives in the Mississippi Delta. A goal of DRA is to create critical mass within DRA communities by supporting the development and marketing of local cultural and tourism assets.

The Paducah Planning Department is proposing to apply for \$47,250 in DRA funding to provide financial resources to market and promote commercial and cultural resources of Paducah's Historic Downtown. Currently, the Paducah MainStreet program coordinates numerous events to promote downtown Paducah through the *Meet the Artist*, *Smashin' Summer Saturdays*, *SHOWCASE Paducah*, and *Dickens of a Christmas* events. DRA funding, if awarded, will allow the MainStreet program to further enhance these events; thereby, strengthening economic and small business development.

The City is required to provide a 10% match in the amount of \$4,725, which will be provided through the promotions account.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: Account Name:
 Account Number: 001-1207-513-3909
 Project Number:

Finance

Staff Recommendation: Authorize and direct the mayor to execute a grant application and authorize the Planning Department to submit the application through the DRA online grant portal.

Attachments: None

 Department Head	City Clerk	City Manager
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MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER AUTHORIZING THE APPLICATION FOR A MATCHING GRANT IN THE AMOUNT OF \$47,250, THROUGH THE DELTA REGIONAL AUTHORITY INVESTMENT PROGRAM KNOWN AS THE STATES' ECONOMIC DEVELOPMENT ASSISTANCE PROGRAM TO HELP PROVIDE FUNDING TO PROVIDE FINANCIAL RESOURCES TO MARKET AND PROMOTE COMMERCIAL AND CULTURAL RESOURCES OF PADUCAH'S HISTORIC DOWNTOWN

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. The Mayor is hereby authorized to execute an application and all documents relating to same, requesting a matching grant in the amount of \$47,250 through the Delta Regional Authority Investment Program known as the States' Economic Development Assistance Program (SEDAP) to provide financial resources to market and promote commercial and cultural resources of Paducah's Historic Downtown. This funding will allow the Main Street Program to further enhance the *Meet the Artist, Smashin Summer Saturdays, SHOWCASE Paducah, and Dickens of a Christmas* events; thereby, strengthening economic and small business development.

SECTION 2. Local matching funds will be in the amount of \$4,725 and will be provided through the Planning Department's promotions account.

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 July 21, 2015

Recorded by Tammara S. Sanderson July 21, 2015

\\mo\grants\delta regional authority SEDAP grant - 7-2015

**AGENDA ACTION FORM
PADUCAH CITY COMMISSION**

Meeting Date: July 14, 2015

Short Title: **APPROVAL OF CONVEYANCE OF PADUCAH WATER
SURPLUS PROPERTY KNOWN AS THE STAR HILL TANK PROPERTY
(WATSON/WEST AND POTTER).**

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Jason Petersen/Bill Robertson
Presentation By: Jason Petersen- Paducah Water

Background Information:

Paducah Water has declared this real property of the old Hendron Water System as surplus property. Due to this property being a substandard parcel of land with no real value Paducah Water declared it was in the best interest of Paducah Water to restore the property to the current land owners of the parent tract from which the property had been taken.

The land owners of the parent tract from which the property was carved from is agreeable to receiving a quitclaim deed from Paducah Water. Paducah Water is desirous of obtaining the authorization of the City Commission to proceed with the transfer of the property as outlined in the proposed quitclaim deed.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: Account Name:
Account Number:

Finance

Staff Recommendation:

Approval of the transfer of the real property by quitclaim deed to the current owner of the parent tract from which the property was carved.

Attachments:

Proposed quitclaim deed

Department Head	City Clerk	City Manager
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**AGENDA ACTION FORM
PADUCAH CITY COMMISSION**

Meeting Date: July 14, 2015

**Short Title: APPROVAL OF CONVEYANCE OF PADUCAH WATER
SURPLUS PROPERTY KNOWN AS THE SUNNY SLOPE TANK PROPERTY
(HERRINGTON).**

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Jason Petersen/Bill Robertson
Presentation By: Jason Petersen- Paducah Water

Background Information:

Paducah Water has declared this real property of the old Hendron Water System as surplus property. Due to this property being a substandard parcel of land with no real value Paducah Water declared it was in the best interest of Paducah Water to restore the property to the current land owner of the parent tract from which the property had been taken.

The land owner of the parent tract from which the property was carved from is agreeable to receiving a quitclaim deed from Paducah Water. Paducah Water is desirous of obtaining the authorization of the City Commission to proceed with the transfer of the property as outlined in the proposed quitclaim deed.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: Account Name:
Account Number:

Finance

Staff Recommendation:

Approval of the transfer of the real property by quitclaim deed to the current owner of the parent tract from which the property was carved.

Attachments:

Proposed quitclaim deed

Department Head	City Clerk	City Manager
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**AGENDA ACTION FORM
PADUCAH CITY COMMISSION**

Meeting Date: July 14, 2015

Short Title: **APPROVAL OF CONVEYANCE OF PADUCAH WATER SURPLUS PROPERTY KNOWN AS THE KREBS PUMP STATION PROPERTY (WALLS).**

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Jason Petersen/Bill Robertson
Presentation By: Jason Petersen- Paducah Water

Background Information:

Paducah Water has declared this real property of the old Hendron Water System as surplus property. Due to this property being a substandard parcel of land with no real value Paducah Water declared it was in the best interest of Paducah Water to restore the property to the current land owner of the parent tract from which the property had been taken.

The land owner of the parent tract from which the property was carved from is agreeable to receiving a quitclaim deed from Paducah Water. Paducah Water is desirous of obtaining the authorization of the City Commission to proceed with the transfer of the property as outlined in the proposed quitclaim deed.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: Account Name:
Account Number:

Finance

Staff Recommendation:

Approval of the transfer of the real property by quitclaim deed to the current owner of the parent tract from which the property was carved.

Attachments:

Proposed quitclaim deed

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

Meeting Date: July 14, 2015

Short Title: Purchase of One (1) Mini Van to be used by the Parks Department

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Randy Crouch, EPW Maintenance Supt.
Kathy Wyatt, EPW Admin Asst. III

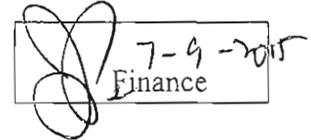
Presentation By: Rick Murphy, P.E., City Engineer-Public Works Director

Background Information:

On June 4, 2015, sealed written bids were opened for the purchase of one (1) Mini Van to be used by the Parks Department. Two bids were received. One from Linwood Motors in the amount of \$22,996.00, and one from Landers Ford in the amount of \$25,326.00. The delivery time on the Mini Van will be 120 days after contract execution. This is to replace a 2002 Ford Villager Van, unit #303, which is in the fleet plan.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: Account Name: Rolling Stock/Vehicles
Fleet Lease Trust Fund

 7-9-2015
Finance

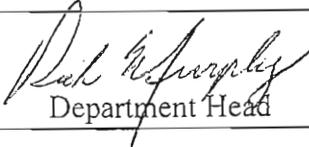
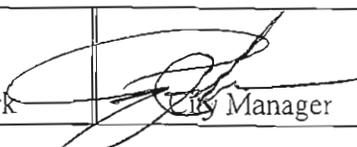
Account Number: 071-0210-542-4005

Staff Recommendation:

To receive and file the bid and adopt an Ordinance authorizing the Mayor to execute a contract with Linwood Motors for the purchase of one (1) Mini Van for use by the Parks Department in the total amount of \$22,996.00.

Attachments:

Bids, Bid Tab, Advertisement, Proposed Contract

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

Meeting Date: July 14, 2015

Short Title: Purchase of One (1) Jeep Patriot to be used by the Parks Department

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Randy Crouch, EPW Maintenance Supt.

Kathy Wyatt, EPW Admin Asst. III

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

Background Information:

On June 8, 2015, sealed written bids were opened for the purchase of one (1) Compact SUV to be used by the Parks Department. Two bids were received. One from Linwood Motors in the amount of \$24,984.00, and one from Paducah Ford Lincoln Mazda in the amount of \$27,526.00. The delivery time on the Compact SUV will be 120 days after contract execution. This is to replace a 2001 Jeep Cherokee, unit #302, which is in the fleet plan.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: Account Name: Rolling Stock/Vehicles
Fleet Lease Trust Fund

 7/9/2015
Finance

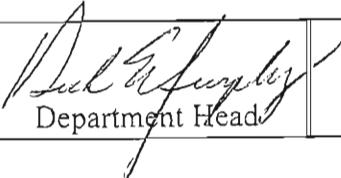
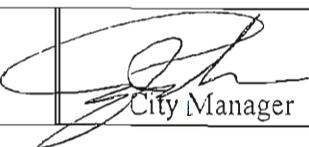
Account Number: 071-0210-542-4005

Staff Recommendation:

To receive and file the bid and adopt an Ordinance authorizing the Mayor to execute a contract with Linwood Motors for the purchase of one (1) Compact SUV for use by the Parks Department in the total amount of \$24,984.00.

Attachments:

Bids, Bid Tab, Advertisement, Proposed Contract

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

Meeting Date: July 14, 2015

Short Title: Purchase of One (1) Sewer Pumper Truck to be used by the EPW/Street Department

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Randy Crouch, EPW Maintenance Supt.
Kathy Wyatt, EPW Admin Asst. III
Presentation By: Rick Murphy, P.E., City Engineer-Public Works Director

Background Information:

On May 21, 2015, sealed written bids were opened for the purchase of one (1) Sewer Pumper Truck to be used by the EPW/Street Department. One responsive bid was received from Jack Doheny Companies in the amount of \$365,000.00. The delivery time on the Sewer Pumper Truck will be 180 days after contract execution. This is to replace a 2004 Sterling Sewer Pumper Truck, unit #625 which is in the fleet plan.

NOTE: Jack Doheny Companies has guaranteed the City of Paducah a trade in value of \$42,500.00 if a higher value cannot be reached on an online auction sale.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: Account Name: Rolling Stock/Vehicles
Fleet Lease Trust Fund


7/9/2015
Finance

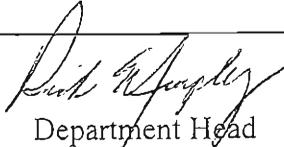
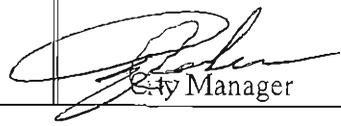
Account Number: 071-0210-542-4005

Staff Recommendation:

To receive and file the bid and adopt an Ordinance authorizing the Mayor to execute a contract with Jack Doheny Companies for the purchase of one (1) Sewer Pumper Truck for use by the EPW/Street Department in the total amount of \$365,000.00

Attachments:

Bids, Bid Tab, Advertisement, Proposed Contract

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

Meeting Date: July 14th, 2015

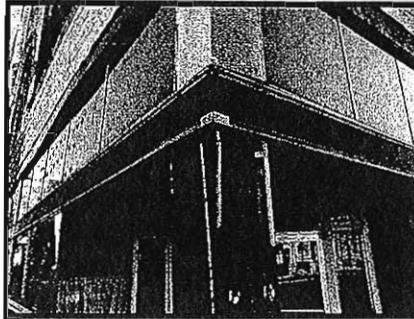
Short Title: Purchase of 432 Broadway

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Greg Cherry, Sheryl Chino, Steve Ervin

Presentation By: Steve Ervin

Background Information:



Key Components:

The City of Paducah is applying for a Community Development Block Grant authorized by Municipal Order 1839. The CDBG funds will be utilized to offset the costs associated with the Demolition of 432 Broadway.

The City must own the property before the City of Paducah can apply for the \$500,000.00 CDBG. The intent of this ordinance is to authorize the Mayor to execute all documents required to purchase 432 Broadway.

Staff Recommendations:

Purchase 432 Broadway for \$1.00

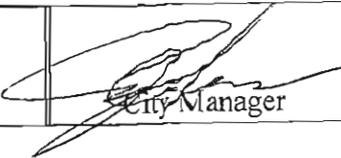
Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available:

Account Name: 432 Broadway
Account Number: 04088275362307
Project Number: DT-0034

Finance

Attachments:

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

Meeting Date: July 14th, 2015

Short Title: Demolition of structure located at 432 Broadway

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Greg Cherry, Sheryl Chino, Steve Ervin

Presentation By: Steve Ervin

Background Information:

In an effort to alleviate safety concerns, staff recently solicited bids for the demolition of the structure located at 432 Broadway. All work performed will comply with current City codes and regulations and all Community Development Block Grant guidelines (CDBG).

Staff Analysis:

The City of Paducah has been working with the property owner since a correction notice was issued in December of 2010.

On May 13th, 2015 a meeting was held with Mr. O'Leary to discuss what his redevelopment intentions were. Mr. O'Leary reiterated that he was not prepared to spend monies on demolition and or repair of the building and would be willing to transfer the building to the City.

Following the meeting, the City of Paducah contacted Sullivan Cozart out of Louisville Kentucky. This firm was contacted because of staff knowledge of extensive rehabilitation work in Louisville. Sullivan Cozart provided the City with both preliminary demolition and rehabilitation estimates.

1. Preliminary demolition estimates provided were \$432,000.00 and not to exceed \$657,000.00 if temporary shoring was required in the adjacent building.
2. Preliminary stabilization estimates were between \$1.9 — \$2 million. It should be noted this number only stabilizes the structure. (This number represents KBC Section 1613 which requires the remaining portion of the structure be brought up to 75% of the current seismic code and 100% of the current wind load code)

With the understanding that the building is owned by an LLC, and that the City may ultimately be responsible for the demolition or stabilization of the structure, the City initiated a CDBG Grant application process. This CDBG may reimburse the City up to \$500k of demolition costs. The application is scheduled to be submitted in August and notice of funding is expected in March of 2016.

Bids:

In full compliance with the City's procurement policies, staff solicited sealed bids through an advertisement in the Paducah Sun on June 21st, 2015. Based on the scope of work, staff anticipated the contractor's bids to total somewhere in the neighborhood of \$500,000 - \$650,000. Bids were opened at 3:31 PM on Monday, July 6th, 2015 with the following results:

432 Broadway Bids:

- 1. Environmental Abatement, Inc.: \$458,685.00
- 2. Cardinal Industrial Insulation, Co., Inc: \$596,432.00

Staff reviewed each bid in order to determine the most qualified contractor based on CDBG procurement requirements. The City must award the contract to the lowest responsible and responsive bidder if the bid is within the budgeted amount. To be responsive, the bidder must have submitted all required CDBG required documentation including; Prevailing Wage Certification, Equal Employment Opportunity Certification, Section 3 Certification, Bid Form and Bid Bond.

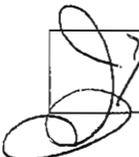
Staff Recommendations:

Staff recommends that the demolition contract be awarded to Environmental Abatement, Inc. for the amount of \$458,685.00. Currently \$200,000.00 exists within the 432 Broadway Project Account. The City of Paducah will be applying for a \$500,000.00 CDBG grant in August.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available:

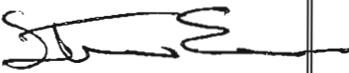
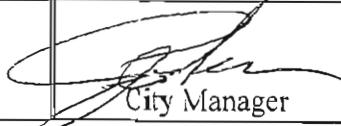
Account Name: 432 Broadway
Account Number: 04088275362307
Project Number: DT-0034


7/9/2015
Finance

A Community Development Block Grant application for up to \$500,000.00 is anticipated to be the primary source of funding for the work. Should the grant application not be successful, required monies will be drawn from unspent 2013B Series bond proceeds.

Staff Recommendation: Approval

Attachments:

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

Meeting Date: 07/14/2015

Short Title: Request for an Ordinance approving bid for construction of single family residence at 1532 Monroe Street.

Ordinance Emergency Municipal Order Resolution Motion

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



Blue Ridge Manor

Background Information:

In keeping with the City's commitment to revitalize the Fountain Avenue neighborhood, the Planning Department is requesting an Ordinance to accept the recommendation of the Urban Renewal and Community Development Agency authorizing the Mayor to execute a contract between the City of Paducah and Jim Steele Construction to build a new single family residence known as the "Blue Ridge Manor" on the Urban Renewal owned property located at 1532 Monroe Street in the Fountain Avenue neighborhood. The Planning Department staff will oversee the construction of this residence and market the house to new homebuyers during and upon completion of the project.

On June 25th, 2015, the Planning Department of the City solicited bids on behalf of the Urban Renewal and Community Development agency via Public Notice, City website postings, and letters to contractors for the construction of a 1,400 SF single family residence to be constructed in the Fountain Avenue neighborhood at 1532 Monroe Street. Three bids were received by the deadline on July 2nd, 2015. Using the bid scoring criteria published with the requests for bids, Planning Staff ranked the bids with Jim Steele Construction scoring the highest. A full staff report was presented to the Urban Renewal Board on July 7th, 2015 resulting in a URCDA Board decision recommending that the City Commission execute an ordinance authorizing the Mayor to execute a contract between the City and Jim Steele Construction for the amount of \$142,700.00 for the construction of the “Blue Ridge Manor” as per specifications included in the bid packet.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available:

Finance

The project will be funded through the Fountain Avenue Project account CD-0040.

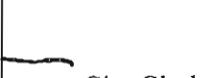
Account Name: Fountain Avenue Project
 Account Number: 040-8827-536-2307
 Project Number: CD-0040

Staff Recommendation:

Staff recommends that the Commission adopt an ordinance authorizing the Mayor to execute a contract between the City of Paducah and Jim Steele Construction to construct the single family residence as per house plans known as the “Blue Ridge Manor” at 1532 Monroe Street according to the bid specifications as contained in the bid documents dated July 2nd, 2015.

Attachments:

- Bid tabulation Sheet
- Three submitted bids

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

Meeting Date: 14 July 2015

Short Title: 2015 KY Office of Homeland Security LEPP Grant

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Robin Newberry; Sheryl Chino

Presentation By: Chief Brandon Barnhill

Background Information: The Kentucky Office of Homeland Security (KOHS), Law Enforcement Protection Program (LEPP) will reimburse law enforcement agencies for prior-approved items including body armor, duty weapons, ammunition and electronic control devices. The Police Department has received awards from this program in the past with the most recent allocation being in 2014 for the purchase of 14 body armor vests.

The Police Department has been awarded \$23,940 to reimburse the city for the purchase of 36 body armor vests. The grant award does not require matching funds. The grant application was approved by the City Commission on February 24, 2015 through municipal order 1821.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

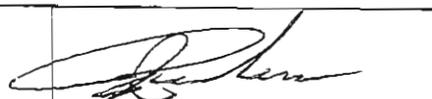
Funds Available: Project Name: 2015 LEPP Grant
Project #: PO0089
File #: 6.273
Acct. #: 040-1616-521.23-07
Budget: \$23,940.00
Source of Funds: State grant, no match

Finance

Staff Recommendation: Authorize and direct the Mayor to execute the grant agreement and related documents.

 Police Dept. Head
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City Clerk

 City Manager
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Agenda Action Form

Paducah City Commission

Meeting Date: July 14, 2015

Short Title: Street Name Change for a portion of South 7th Street to Clarence Gaines Street

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Angela Weeks, EPW Proj Mgr

Presentation By: Jeff Peterson, City Manager

Background Information:

A petition was submitted by the NAACP to the City Manager's office requesting that a portion of South 7th Street located from Broadway to Jones Street be renamed to "Clarence Gaines Street." This portion of South 7th Street from Broadway to Jones Street affects eight blocks of 21 adjacent property owners consisting of 41 separate parcels.

Upon submission of the NAACP petition for the subject street name change, 10 property owners agreed and supported the change while 3 property owners did not. Additionally, the Engineering-Public Works Department made several attempts to contact the 8 property owners not represented by the subject petition without success. The remaining property owner, Urban Renewal and Community Development, is a City owned agency.

If approved, renaming this street will cause an address change for all records associated with the 41 parcels affected. Example of some records that will need to be revised consist of, but are not limited to, all mail and postal delivery services, social security, federal and income tax records, all state, county, city and mapping records, 911, Police and Fire.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: Account Name: N/A

Account Number:

Finance

Recommendation:

As the Board of Commissioners, you are the authority to authorize this street name change. Should the Board approve the aforementioned street name change, the Engineering-Public Works Department will make every effort to accurately identify all parcels and notify the appropriate public agencies of these address changes.

Attachments:
Property Owner List and GIS Map

 Department Head	City Clerk	 City Manager
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**AGENDA ACTION FORM
PADUCAH CITY COMMISSION**

Meeting Date: July 21, 2015

Short Title: APPROVING A CONTRACT FOR WATER SERVICE BY AND BETWEEN THE COMMISSIONERS OF WATERWORKS, THE CITY OF PADUCAH, DBA PADUCAH WATER AND WEST MCCRACKEN WATER DISTRICT

X Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: William Robertson, General Manager of Paducah Water
Presentation By: William Robertson, General Manager of Paducah Water

Background Information:

West McCracken Water District (the "District") is a duly organized, created, and presently existing Water District in McCracken County, Kentucky since October 30, 1962. The Commissioners of Waterworks of the City of Paducah is a duly organized, created and presently existing municipal water utility owned by the City of Paducah ("Paducah Water"). The District service area is located in the western part of McCracken County and is west of and adjacent to the Paducah Water service area.

Paducah Water has continuously supplied potable water to the District since 1967 under a Contract for Water Supply that has expired. The District desires to continue to purchase potable water from Paducah Water sufficient to meet the present and future needs of said District. As a result of negotiations, Paducah Water and the District have reached an agreement as to Paducah Water's continued supply of potable water to the District, which agreement is embodied in the Contract for Water dated July 6, 2015.

Paducah Water requests that the City Commission accept the recommendation of the Board of Paducah Water and approve the Contract for Water Service and the changes to contract rates or charges for water as set forth therein.

Goal: Strong Economy X Quality Services Vital Neighborhoods Restored Downtowns

Staff Recommendation:

Department Head	City Clerk	City Manager
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ORDINANCE NO. 2015 - 8 - _____

AN ORDINANCE OF THE CITY OF PADUCAH, KENTUCKY,
APPROVING A CONTRACT FOR WATER SERVICE BY AND BETWEEN THE
COMMISSIONERS OF WATERWORKS, THE CITY OF PADUCAH, DBA
PADUCAH WATER AND WEST MCCRACKEN WATER DISTRICT

WHEREAS, the West McCracken Water District (the "District") is a duly organized, created, and presently existing Water District under the provisions of Chapter 74 of the Kentucky Revised Statutes, which was created by virtue of an Order entered by the County Court of McCracken County, Kentucky on October 30, 1962; and

WHEREAS, the Commissioners of Waterworks is a duly organized, created and presently existing municipal water utility owned by the City of Paducah and operating under the provisions of KRS 96.320 by the Board of Commissioners of Waterworks (the "Paducah Water"); and

WHEREAS, the Paducah Water has continuously supplied potable water to the District since 1967 under a Contract for Water Supply dated February 7, 1967, that has expired; and

WHEREAS, the District desires to continue to purchase potable water from Paducah Water sufficient to meet the present and future needs of the District.

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

Section 1. The City of Paducah accepts the recommendation of the Commissioners of Waterworks and hereby approves the Contract for Water Service dated July 6, 2015, by and between Paducah Water and the District (the "Contract"), in the form attached hereto as Exhibit A and made part hereof, and the changes to contract rates or charges for water as set forth in the Contract. That the Mayor of the City of Paducah, Kentucky, and the General Manager of Paducah Water, or any of them, are each hereby individually authorized to execute any and all documentation necessary and make such appearances necessary to effectuate the terms of the Contract and the changes to rates or charges and to obtain the approval of the Kentucky Public Service Commission.

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, July 21, 2015

Adopted by the Board of Commissioners, August ____, 2015

Recorded by Tammara S. Sanderson, City Clerk, August _____, 2015

Published by *The Paducah Sun*, _____, 2015

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EXHIBIT A

CONTRACT FOR WATER SERVICE

See attachment.

CONTRACT FOR WATER SERVICE

This CONTRACT FOR WATER SERVICE was made and entered into as of this 6th day of July, 2015, by and between the West McCracken Water District, 8020 Ogden Landing Road, West Paducah, Kentucky 42086 (hereinafter referred to as the "District"), and the Commissioners of Waterworks, the City of Paducah, DBA Paducah Water, 1800 North 8th Street, Paducah, Kentucky 42001 (hereinafter referred to as "Paducah Water").

WITNESSETH:

(A) The West McCracken Water District is a duly organized, created, and presently existing Water District under the provisions of Chapter 74 of the Kentucky Revised Statutes. The District was created by virtue of an Order entered by the County Court of McCracken County, Kentucky on October 30, 1962. The District service area is located in the western part of McCracken County and is west of and adjacent to the Paducah Water service area.

(B) Paducah Water is a duly organized, created and presently existing municipal water utility owned by the City of Paducah and operating under the provisions of KRS 96.320 by the Board of Commissioners of Waterworks. The Paducah Water Service Area is located in close proximity to the boundaries of the West McCracken Water District, but is not included within the corporate limits of said District. Paducah Water has long owned and operated a municipal waterworks and water distribution system which renders water service to retail and wholesale customers both within the corporate limits of said City of Paducah, Kentucky, and outside said corporate limits in accordance with the provisions of Section 96.150 of the Kentucky Revised Statutes.

(C) Paducah Water has continuously supplied potable water to the District since 1967 under a Contract for Water Supply that has expired. The District desires to continue to purchase potable water from Paducah Water sufficient to meet the present and future needs of said District for a period of not less than ten (10) years. The District and Paducah Water have entered into negotiations and it has been ascertained and agreed by and between the parties that Paducah Water will be able to continue to serve the District pursuant to this Contract with an adequate supply of treated potable water in quantity adequate for the needs of the District at a reasonable rate.

NOW, THEREFORE, IN CONSIDERATION OF ALL OF THE FOREGOING AND THE VARIOUS REPRESENTATIONS, COVENANTS AND UNDERTAKINGS HEREINABOVE AND HEREINAFTER CONTAINED, THE PARTIES HEREBY SPECIFICALLY AGREE AND COVENANT EACH WITH THE OTHER, AS FOLLOWS:

Section 1. The West McCracken Water District, McCracken County, Kentucky, hereby agrees to purchase an unlimited volume of treated, potable water in accordance with the terms of this CONTRACT FOR WATER SERVICE from Paducah Water, and said Paducah Water agrees, subject to the terms set forth herein, to sell an unlimited volume of treated, potable water to the District. Both Parties agree that changes to contract rates or charges for water are subject to approval of the City Commission of the City of Paducah and the Kentucky Public Service Commission. From the date of contract execution until September 30, 2018, Paducah Water will provide water to the District at the following contract rate or charges of:

- Date Contract is Executed \$1.50 per 1,000 gallons (Existing Rate)
- October 1, 2015 \$1.70 per 1,000 gallons

- October 1, 2016 \$1.90 per 1,000 gallons
- October 1, 2017 \$2.10 per 1,000 gallons

It is understood that the District will operate its own water distribution system and will serve its own retail water consumers. No tapping fees will be exacted from any customers served by the District's water distribution system for the benefit of Paducah Water. The District's water customers shall be customers of the District only and not customers of Paducah Water. The District itself will be the customer of Paducah Water.

Section 2. It is hereby specifically agreed and covenanted between the parties that the water rates to be paid to Paducah Water by the District, as set forth in Section 1 hereof, shall not be increased or decreased until October 1, 2018. After September 30, 2018, if Paducah Water raises or lowers the basic rate it charges to its other customers then the water rate being charged to the District is to be adjusted in like manner.

Section 3. It is agreed that the amount of water purchased by the West McCracken Water District from Paducah Water in any one month, shall be determined as follows:

It is agreed that the three existing master meters are the property of the District.

The District, will at its expense and under the supervision of Paducah Water, install, maintain and replace as necessary, master meters at each point of connection of the District's system to the Paducah Water system to meter and measure treated water entering the distribution system of the District. Said master meters shall be of such type as may be approved by Paducah Water, and shall be connected to the water facilities of Paducah Water at said locations, as aforesaid, under the supervision and inspection of the officials of both Paducah Water and the District. The District will at its expense, test the master meters annually in accordance with

Kentucky Public Service Commission's requirements. The District will provide notice to Paducah Water so that they may witness the test. Paducah Water will at its own expense has the right, upon giving notice to the District, to also test the master meters. Both parties shall have access to said meters at any and all reasonable times for inspection and reading purposes. It is agreed by and between the parties that the amount of water consumed monthly by the District, and to be paid for by the District, shall be deemed to be that amount registered by the master meters described as aforesaid. If any of the master meters fail between monthly readings and the monthly reading is obviously in error, it is agreed that the General Manager of Paducah Water and the General Manager of the District shall meet and review historical usage for past similar months in order to determine an amount to be billed.

Section 4. It is understood and agreed that the District may be required to install, operate, and maintain booster pumping stations near the master meters' connections through which it will maintain required pressure for its purposed water distribution system. Paducah Water will not undertake to provide pressure for any part of the water distribution system of the District. However, Paducah Water will undertake to provide adequate pressure at the master meters to assure that the District will be provided an adequate supply of treated water at all times, subject to the provisions of Sections 1 and 7 of this Contract. Paducah Water does not guarantee to maintain any specific amount of water pressure, but will make reasonable efforts to maintain normal operating pressure at the point(s) of connection.

Section 5. Paducah Water shall at all reasonable times have the right to inspect and examine the plans and specifications for, and the completed water distribution system of, the District. It is agreed that during the term of this CONTRACT FOR WATER SERVICE the

District shall satisfy its entire water needs from Paducah Water and that said District will not operate any waterworks system in competition with Paducah Water, nor seek to satisfy any part of its water needs from any other source or party. The District may construct and maintain connections with adjacent municipal utilities or water districts in order to provide temporary or emergency water supply to the District or to the adjacent municipal utilities or water districts. There shall be no "cross connections" of any kind in connection with said water distribution system of the District. The District agrees to indemnify and hold harmless Paducah Water, on account of any and all expenses, losses, damages or claims for damages incident to the construction, installation, maintenance and operation of its water distribution system.

Section 6. The District agrees to submit a complete copy of all plans and specifications for the construction of any extensions of their distribution system thereto to Paducah Water for their review and approval. Upon completion of any extensions to the water distribution system, the District will provide Paducah Water one copy of "plans as built" and a copy of their Engineer's certification that construction has been accomplished in accordance with plans and specifications approved by the Kentucky Division of Water. Failure of the District to comply with the provisions of this paragraph shall be considered a breach of this contract.

Section 7. If at any time during the term of this CONTRACT FOR WATER SERVICE, Paducah Water is unable to furnish water to the District because of an emergency situation or an unforeseen and unusual water demand within the Paducah Water service area or due to water system breakdowns, strikes, civil disorder, contamination, water conservation necessities or other causes beyond its control, Paducah Water may limit or discontinue service during said temporary period. Paducah Water does, however, agree that in such event it will make reasonable efforts to

re-establish water service to the District as quickly as possible within the limits of its legal and fiscal abilities.

Section 8. It is agreed and understood that the District will not at any time sell treated water to any consumer at a rate lower than that rate paid by similar customers of Paducah Water; nor will the District sell water to customers located beyond its boundaries (as existing on the date of execution).

Section 9. Charges for water furnished under this Contract shall be payable monthly, and within fifteen (15) days of the rendering of a statement from Paducah Water to the District. Bills will be rendered and charges paid in accordance with rules and regulations now in effect or which may from time-to-time be adopted and revised by Paducah Water, governing the payment of charges by consumers of water.

Section 10. Paducah Water agrees that it will continue to supply water to the District from the same source and of the same purity and potability as furnished to its customers under the terms and provisions as herein stated for a period of ten (10) years from the date this contract is executed, subject only to temporary discontinuance by reason of the existence of an emergency or of a temporary unusual water demand within the Paducah Water service area as hereinabove more particularly stated. This contract may be renewed for an additional five (5) year period if both the District and Paducah Water agree to the renewal in writing, and, if legally required, prior approval is given by the City Commission of the City of Paducah and the Kentucky Public Service Commission.

Section 11. At any time during the term of this CONTRACT FOR WATER SERVICE the District or Paducah Water may, with ninety (90) days written notice, provide written notice

of its desire to renegotiate the terms of this Contract or cancel same. The District and Paducah Water must mutually agree, in writing, to renegotiate or cancel this Contract. If both parties do not agree to renegotiate or cancel this Contract, the Contract shall remain in force throughout the term as detailed in Section 10.

Section 12. This CONTRACT FOR WATER SERVICE shall be binding upon, and shall inure to the benefit of all of the parties hereto and successors in interest, grantees, assignees, heirs, and assigns, and all parties taking any interest from said parties. If any section, clause, or provision of this Contract shall be held invalid, such holding of invalidity shall not affect the validity of any remaining section, clause, paragraph, portion or provision of this Contract. All notices required to be given herein must be in writing and shall be delivered by certified mail to the official offices of the General Manager of the District or Paducah Water.

IN WITNESS WHEREOF, the parties hereto have hereunto caused their names to be affixed as heretofore duly authorized.

PADUCAH WATER

By: William C. Felt
General Manager

WEST McCRACKEN WATER DISTRICT

By: Sam D. Padko
Title: CHAIRMAN

STATE OF KENTUCKY)

COUNTY OF McCRACKEN)

Subscribed, sworn to, and acknowledged to before me by William C. Robertson,
General Manager, on behalf of Paducah Water, this the 6th day of
July, 2015.

My commission expires: June 13, 2019.

Clarissa White
Notary Public, State at Large



STATE OF KENTUCKY)

COUNTY OF McCRACKEN)

Subscribed, sworn to, and acknowledged to before me by Gary D. Jackson,
as Chairman (title) on behalf of West McCracken Water District, this the
13th day of July, 2015.

My commission expires: 2-19-2018.

Shirley A. Mansfield # 505776
Notary Public, State at Large

