



**REGULAR MEETING OF THE MADISONVILLE, KENTUCKY CITY COUNCIL
CITY COUNCIL CHAMBERS, 77 NORTH MAIN ST, MADISONVILLE, KY 42431**

January 16, 2018 at 4:30 PM

MINUTES

- 1. CALL TO ORDER BY MAYOR DAVID W. JACKSON**
- 2. PLEDGE OF ALLEGIANCE**
- 3. INVOCATION BY CHIEF WADE WILLIAMS**
- 4. ROLL CALL**

Attendee Name	Title	Status	Arrived
David W. Jackson	Mayor	Present	
Mark Lee	Ward 1	Present	
Barry McGaw	Ward 4	Absent	
Frank Stevenson	Ward 5	Present	
Adam Townsend	Ward 3	Present	
Bobby Johnson	Ward 6	Present	
Tony Space	Ward 2	Present	

5. APPROVAL OF MINUTES

RESULT: ADOPTED [UNANIMOUS]
MOVER: Mark Lee, Ward 1
SECONDER: Frank Stevenson, Ward 5
AYES: Lee, Stevenson, Townsend, Johnson, Space
ABSENT: McGaw

A. City Council - Regular Meeting - Jan 2, 2018 4:30 PM

6. APPROVAL OF BILLS AND PAYROLL

A. Bills & Payroll

RESULT: APPROVED [UNANIMOUS]
MOVER: Frank Stevenson, Ward 5
SECONDER: Adam Townsend, Ward 3
AYES: Lee, Stevenson, Townsend, Johnson, Space
ABSENT: McGaw

7. DEPARTMENT REPORTS

A. Fire Department Report

Our Mission: To deliver the necessary government services to the citizens of Madisonville in the most effective and cost-efficient manner possible.

Our Core Values: Integrity, Professionalism, Excellence, Service, Commitment, and People

B. Fire Department to apply for the 2018 Assistance to Firefighters FEMA Grant

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Tony Space, Ward 2
SECONDER:	Mark Lee, Ward 1
AYES:	Lee, Stevenson, Townsend, Johnson, Space
ABSENT:	McGaw

C. Police Department Report

D. Zoning Report

8. COUNCIL COMMITTEE REPORTS

9. OLD BUSINESS

A. *Second Reading Ordinances*

A. AN ORDINANCE AMENDING THE GENERAL ZONING ORDINANCE KNOWN AS CHAPTER 156 OF THE CODE OF ORDINANCES CITY OF MADISONVILLE, KENTUCKY, ORIGINALLY PASSED ON DECEMBER 28, 1970, BY REPLACING CHAPTER 156.075 RELATING TO DEVELOPMENT PLAN REVIEW CRITERIA

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Frank Stevenson, Ward 5
SECONDER:	Mark Lee, Ward 1
AYES:	Lee, Stevenson, Townsend, Johnson, Space
ABSENT:	McGaw

B. AN ORDINANCE AMENDING THE GENERAL ZONING ORDINANCE KNOWN AS CHAPTER 156 TO THE CODE OF ORDINANCES CITY OF MADISONVILLE, KENTUCKY, ORIGINALLY PASSED ON DECEMBER 28, 1970, BY CHANGING THE ZONING CLASSIFICATION OF A TRACT OF LAND LOCATED AT 2285 NORTH MAIN STREET, FROM LOW DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Adam Townsend, Bobby Johnson
SECONDER:	Mark Lee, Ward 1
AYES:	Lee, Stevenson, Townsend, Johnson, Space
ABSENT:	McGaw

10. NEW BUSINESS

Our Mission: To deliver the necessary government services to the citizens of Madisonville in the most effective and cost-efficient manner possible.

Our Core Values: Integrity, Professionalism, Excellence, Service, Commitment, and People

A. First Reading Ordinances

- A. AN ORDINANCE OF THE CITY OF MADISONVILLE, KENTUCKY, PROVIDING FOR THE CREATION AND SALE OF A FRANCHISE FOR THE PRIVILEGE OF CONSTRUCTING, TRANSPORTING, OPERATING, MAINTAINING AND DISTRIBUTING NATURAL GAS ALONG AND UNDER PUBLIC RIGHT OF WAY WITHIN THE CITY OF MADISONVILLE, KENTUCKY, FOR A TERM OF FIVE (5) YEARS IN CONSIDERATION FOR WHICH, THE SUCCESSFUL FRANCHISEE SHALL PAY TO THE CITY AN ANNUAL SUM EQUAL TO 1% OF GROSS REVENUES; AND FURTHER ESTABLISHING A BID PROCEDURE FOR THE AWARD OF SAID FRANCHISE TO THE SUCCESSFUL BIDDER.

RESULT: FIRST READING

Next: 1/29/2018 4:30 PM

B. Item for Discussion

1. Authorize the advertisement for bids to construct the Water Systems North Pressure Zone

RESULT: ADOPTED [UNANIMOUS]

MOVER: Adam Townsend, Ward 3

SECONDER: Frank Stevenson, Ward 5

AYES: Lee, Stevenson, Townsend, Johnson, Space

ABSENT: McGaw

11. AWARDS AND RECOGNITIONS

- A. Longevity Pins
B. National Activity Professional Week

12. ADJOURNMENT

RESULT: ADOPTED [UNANIMOUS]

MOVER: Frank Stevenson, Ward 5

SECONDER: Mark Lee, Ward 1

AYES: Lee, Stevenson, Townsend, Johnson, Space

ABSENT: McGaw

Approved on the January 16, 2018



Mayor

Attest:



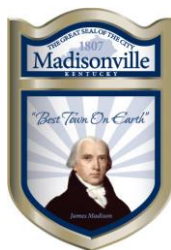
Our Mission: To deliver the necessary government services to the citizens of Madisonville in the most effective and cost-efficient manner possible.

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City Clerk

Our Mission: To deliver the necessary government services to the citizens of Madisonville in the most effective and cost-efficient manner possible.

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CITY COUNCIL CHAMBERS, 77 NORTH MAIN ST, MADISONVILLE, KY 42431**

January 2, 2018 at 4:30 PM

MINUTES

- 1. CALL TO ORDER BY MAYOR DAVID W. JACKSON**
- 2. PLEDGE OF ALLEGIANCE**
- 3. INVOCATION BY TONY SPACE**
- 4. ROLL CALL**

Attendee Name	Title	Status	Arrived
David W. Jackson	Mayor	Present	
Mark Lee	Ward 1	Present	
Barry McGaw	Ward 4	Present	
Frank Stevenson	Ward 5	Present	
Adam Townsend	Ward 3	Present	
Bobby Johnson	Ward 6	Present	
Tony Space	Ward 2	Present	

5. CHARLIE KINGTON TO PRESENT AUDIT REPORT

A. Motion to accept Audit Report

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Frank Stevenson, Ward 5
SECONDER:	Mark Lee, Ward 1
AYES:	Lee, McGaw, Stevenson, Townsend, Johnson, Space

B. Motion to publish audit report

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Barry McGaw, Ward 4
SECONDER:	Frank Stevenson, Ward 5
AYES:	Lee, McGaw, Stevenson, Townsend, Johnson, Space

6. APPROVAL OF MINUTES

Our Mission: To deliver the necessary government services to the citizens of Madisonville in the most effective and cost-efficient manner possible.

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RESULT: ADOPTED [UNANIMOUS]
MOVER: Mark Lee, Ward 1
SECONDER: Frank Stevenson, Ward 5
AYES: Lee, McGaw, Stevenson, Townsend, Johnson, Space

A. City Council - Regular Meeting - Dec 18, 2017 4:30 PM

7. APPROVAL OF BILLS AND PAYROLL

A. Bills & Payroll

RESULT: APPROVED [UNANIMOUS]
MOVER: Bobby Johnson, Ward 6
SECONDER: Tony Space, Ward 2
AYES: Lee, McGaw, Stevenson, Townsend, Johnson, Space

8. COUNCIL COMMITTEE REPORTS

A. Motion to appoint Mark Lee As Chairman of the City Council Per Section 30.24 of the Madisonville Code of Ordinance

RESULT: ADOPTED [UNANIMOUS]
MOVER: Adam Townsend, Ward 3
SECONDER: Tony Space, Ward 2
AYES: Lee, McGaw, Stevenson, Townsend, Johnson, Space

9. OLD BUSINESS

10. NEW BUSINESS

A. First Reading Ordinances

A. AN ORDINANCE AMENDING THE GENERAL ZONING ORDINANCE KNOWN AS CHAPTER 156 OF THE CODE OF ORDINANCES CITY OF MADISONVILLE, KENTUCKY, ORIGINALLY PASSED ON DECEMBER 28, 1970, BY REPLACING CHAPTER 156.075 RELATING TO DEVELOPMENT PLAN REVIEW CRITERIA

RESULT: FIRST READING **Next: 1/16/2018 4:30 PM**

B. AN ORDINANCE AMENDING THE GENERAL ZONING ORDINANCE KNOWN AS CHAPTER 156 TO THE CODE OF ORDINANCES CITY OF MADISONVILLE, KENTUCKY, ORIGINALLY PASSED ON DECEMBER 28, 1970, BY CHANGING THE ZONING CLASSIFICATION OF A TRACT OF LAND LOCATED AT 2285 NORTH MAIN STREET, FROM LOW DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL

RESULT: FIRST READING **Next: 1/16/2018 4:30 PM**

11. PROCLAMATION

1. Dr. Martin Luther King, Jr. Day

Our Mission: To deliver the necessary government services to the citizens of Madisonville in the most effective and cost-efficient manner possible.

Our Core Values: Integrity, Professionalism, Excellence, Service, Commitment, and People

Minutes Acceptance: Minutes of Jan 2, 2018 4:30 PM (Approval of Minutes)

12. **GUESTS: SCOTT RODGERS TO ADDRESS CITY COUNCIL**
13. **ADJOURNMENT**

Minutes Acceptance: Minutes of Jan 2, 2018 4:30 PM (Approval of Minutes)

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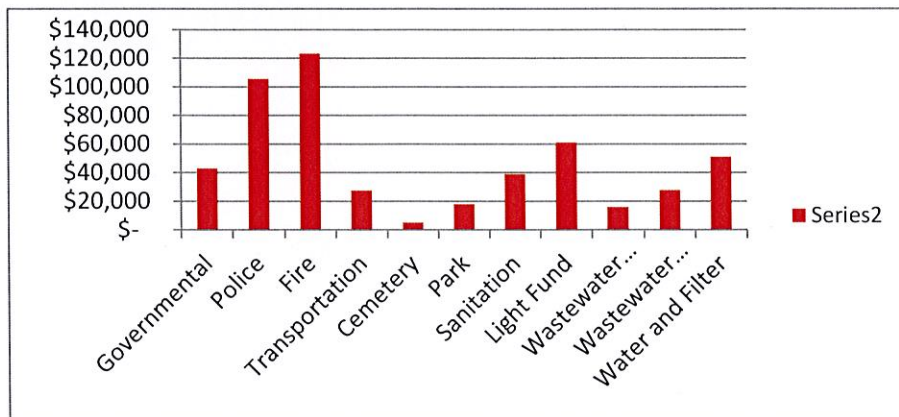
Copy of Bills and Payroll January 16, 2018

6.A

Co#	Bank#	Fund Name	
100	1	General Fund	\$ 48,081.67
		Total General Fund	\$ 48,081.67
190	9	Sanitation	\$ 29,248.06
		Total Sanitation	\$ 29,248.06
200	9	Electric/Utility Office	\$ 40,110.52
		Total Electric/Utility Office	\$ 40,110.52
210	8	Water and Filter	\$ 31,936.00
		Total Water Filter	\$ 31,936.00
	9	Waste Water Collection and Treatment	\$ 26,240.83
		Total Wastewater Collection and Treatment	\$ 26,240.83

Estimated Payroll

Co#	Dept #	Department Name	Amount
100	Various	Governmental	\$ 42,923
100	2100	Police	\$ 105,593
100	2300	Fire	\$ 123,039
100	3300	Transportation	\$ 27,470
100	5000	Cemetery	\$ 5,153
100	7000	Park	\$ 17,917
190	3100	Sanitation	\$ 38,989
200	1000/4500	Light Fund	\$ 61,058
200	2000	Wastewater Treatment	\$ 15,919
200	2001	Wastewater Collection	\$ 27,805
200	4700/4600	Water and Filter	\$ 51,052
		Total Payroll	\$ 516,917



January 16, 2018
Number of Employees Paid
See next page

Communication: Bills & Payroll (Approval of Bills and Payroll)

CMP	DEPT	NAME	REGULAR	OVERTIME	SPC-OVT	TOTAL
100	1100	ELECTED OFFICIALS	4,313.84	.00	.00	4,313.84
100	1200	ADMINISTRATION	16,284.17	.00	.00	16,284.17
100	1400	FINANCE	12,359.30	.00	.00	12,359.30
100	1500	CITY CLERK	5,068.18	.00	.00	5,068.18
100	1700	ZONING	3,623.60	.00	.00	3,623.60
100	1900	CITY ENGINEER	.00	.00	.00	.00
100	2200	ALCOHOLIC BEVERAGE	1,274.28	.00	.00	1,274.28
		Total Government	42,923.37	.00	.00	42,923.37
100	2100	POLICE DEPT-MADISO	94,458.87	6,758.89	.00	101,217.76
100	2150	POLICE FICA	4,244.72	130.71	.00	4,375.43
		Total Police	98,703.59	6,889.60	.00	105,593.19
100	2300	FIRE DEPT-MADISONV	81,268.91	34,840.20	6,020.73	122,129.84
100	2350	FIRE FICA/NON HAZA	909.36	.00	.00	909.36
		Total Fire	82,178.27	34,840.20	6,020.73	123,039.20
100	3300	TRANSPORTATION DEP	26,528.54	941.64	.00	27,470.18
		Total Transportati	26,528.54	941.64	.00	27,470.18
100	5000	CEMETERY DEPARTMEN	5,153.10	.00	.00	5,153.10
		Total Cemetery	5,153.10	.00	.00	5,153.10
100	7000	PARK DEPARTMENT	17,880.95	35.70	.00	17,916.65
100	7100	POOL EMPLOYEES	.00	.00	.00	.00
		Total Park	17,880.95	35.70	.00	17,916.65
190	3100	SANITATION DEPARTM	38,969.99	18.59	.00	38,988.58
		Total Sanitation	38,969.99	18.59	.00	38,988.58
200	1000	UTILITY OFFICE	13,564.87	.00	.00	13,564.87
200	1001	METER READING	.00	.00	.00	.00
200	4500	LIGHT DISTRIBUTION	46,097.80	1,395.37	.00	47,493.17
		Total Utility Offi	59,662.67	1,395.37	.00	61,058.04
210	2000	WASTEWATER TREATME	15,919.00	.00	.00	15,919.00
210	2001	WASTEWATER COLLECT	27,499.38	305.25	.00	27,804.63
		Total Wastewater T	43,418.38	305.25	.00	43,723.63
211	4600	FILTER DEPARTMENT	20,532.27	748.14	.00	21,280.41
211	4700	WATER DEPARTMENT	22,798.92	6,972.18	.00	29,771.10
		Total Water	43,331.19	7,720.32	.00	51,051.51
		Grand Totals	458,750.05	52,146.67	6,020.73	516,917.45

Communication: Bills & Payroll (Approval of Bills and Payroll)

CMP	DEPT	NAME	REGULAR	OVERTIME	SPC-OVT	TOTAL
100	1100	ELECTED OFFICIALS	.00	.00	.00	.00
100	1200	ADMINISTRATION	373.00	.00	.00	373.00
100	1400	FINANCE	394.25	.00	.00	394.25
100	1500	CITY CLERK	183.25	.00	.00	183.25
100	1700	ZONING	89.75	.00	.00	89.75
100	1900	CITY ENGINEER	.00	.00	.00	.00
100	2200	ALCOHOLIC BEVERAGE	.00	.00	.00	.00
		Total Government	1,040.25	.00	.00	1,040.25
100	2100	POLICE DEPT-MADISO	3,894.50	187.50	.00	4,082.00
100	2150	POLICE FICA	258.75	5.00	.00	263.75
		Total Police	4,153.25	192.50	.00	4,345.75
100	2300	FIRE DEPT-MADISONV	5,594.00	1,761.50	254.50	7,610.00
100	2350	FIRE FICA/NON HAZA	71.75	.00	.00	71.75
		Total Fire	5,665.75	1,761.50	254.50	7,681.75
100	3300	TRANSPORTATION DEP	1,594.75	26.00	.00	1,620.75
		Total Transportati	1,594.75	26.00	.00	1,620.75
100	5000	CEMETERY DEPARTMEN	389.25	.00	.00	389.25
		Total Cemetery	389.25	.00	.00	389.25
100	7000	PARK DEPARTMENT	1,126.75	2.00	.00	1,128.75
100	7100	POOL EMPLOYEES	.00	.00	.00	.00
		Total Park	1,126.75	2.00	.00	1,128.75
190	3100	SANITATION DEPARTM	2,192.75	.75	.00	2,193.50
		Total Sanitation	2,192.75	.75	.00	2,193.50
200	1000	UTILITY OFFICE	772.65	.00	.00	772.65
200	1001	METER READING	.00	.00	.00	.00
200	4500	LIGHT DISTRIBUTION	1,744.50	32.00	.00	1,776.50
		Total Utility Offi	2,517.15	32.00	.00	2,549.15
210	2000	WASTEWATER TREATME	698.00	.00	.00	698.00
210	2001	WASTEWATER COLLECT	1,506.25	12.00	.00	1,518.25
		Total Wastewater T	2,204.25	12.00	.00	2,216.25
211	4600	FILTER DEPARTMENT	1,109.50	29.75	.00	1,139.25
211	4700	WATER DEPARTMENT	1,272.50	275.25	.00	1,547.75
		Total Water	2,382.00	305.00	.00	2,687.00
		Grand Totals	23,266.15	2,331.75	254.50	25,852.40

Communication: Bills & Payroll (Approval of Bills and Payroll)

CMP	DEPT	NAME	DATE	TOTAL	FULL	PART
100	1100	ELECTED OFFICIALS	1/12/18	7	1	6
100	1200	ADMINISTRATION	1/12/18	8	7	1
100	1400	FINANCE	1/12/18	6	6	
100	1500	CITY CLERK	1/12/18	4	4	
100	1600	AIRPORT	1/12/18	3	2	1
100	1700	ZONING	1/12/18	2	2	
100	2100	POLICE DEPT-MADISONVILLE	1/12/18	45	45	
100	2150	POLICE FICA	1/12/18	8	2	6
100	2151	DISPATCH	1/12/18	14	12	2
100	2200	ALCOHOLIC BEVERAGE CONTROL	1/12/18	1		1
100	2300	FIRE DEPT-MADISONVILLE	1/12/18	60	60	
100	2350	FIRE FICA/NON HAZARDOUS	1/12/18	1	1	
100	3300	TRANSPORTATION DEPT	1/12/18	20	19	1
100	5000	CEMETERY DEPARTMENT	1/12/18	5	4	1
100	7000	PARK DEPARTMENT	1/12/18	18	13	5
190	3100	SANITATION DEPARTMENT	1/12/18	28	28	
200	1000	UTILITY OFFICE	1/12/18	11	11	
200	4500	LIGHT DISTRIBUTION DEPT	1/12/18	22	22	
210	2000	WASTEWATER TREATMENT	1/12/18	9	9	
210	2001	WASTEWATER COLLECTION	1/12/18	20	19	1
211	4600	FILTER DEPARTMENT	1/12/18	15	15	
211	4700	WATER DEPARTMENT	1/12/18	15	15	
		Totals		322	297	25

Communication: Bills & Payroll (Approval of Bills and Payroll)

Madisonville Fire Dept.

Madisonville, KY

This report was generated on 1/8/2018 12:17:58 PM



7.A

Incident Statistics for December 2017

Start Date: 12/01/2017 | End Date: 12/31/2017

INCIDENT COUNT		
INCIDENT TYPE	# INCIDENTS	
EMS	95	
FIRE	39	
TOTAL	134	
PRE-INCIDENT VALUE	LOSSES	
\$50,000.00	\$580,410.00	
CO CHECKS		
TOTAL	1	
MUTUAL AID		
Aid Type	Total	
Aid Given	1	
OVERLAPPING CALLS		
# OVERLAPPING	% OVERLAPPING	
18	13.43	
LIGHTS AND SIREN - AVERAGE RESPONSE TIME (Dispatch to Arrival)		
Station	EMS	FIRE
Station #1	0:03:57	0:03:58
Station #2	0:04:05	0:05:09
Station #3	0:04:48	0:04:49
Station #4	0:03:42	
AVERAGE FOR ALL CALLS		0:04:18
LIGHTS AND SIREN - AVERAGE TURNOUT TIME (Dispatch to Enroute)		
Station	EMS	FIRE
Station #1	0:01:15	0:01:18
Station #2	0:01:25	0:01:36
Station #3	0:01:18	0:00:51
Station #4	0:01:10	
AVERAGE FOR ALL CALLS		0:01:16
AGENCY		AVERAGE TIME ON SCENE (MM:SS)
Madisonville Fire Dept.		22:02

Communication: Fire Department Report (Department Reports)

Madisonville Fire Dept.

Madisonville, KY

This report was generated on 1/8/2018 3:23:23 PM



Incident Count Breakdown for December 2017

Start Date: 12/01/2017 | End Date: 12/31/2017

ACTION TAKEN	# INCIDENTS	PERCENTAG
10 - Fire control or extinguishment, other	4	2.99%
30 - Emergency medical services, other	67	50.00%
31 - Provide first aid & check for injuries	6	4.48%
32 - Provide basic life support (BLS)	12	8.96%
64 - Shut down system	1	0.75%
70 - Assistance, other	5	3.73%
73 - Provide manpower	3	2.24%
80 - Information, investigation & enforcement, other	11	8.21%
81 - Incident command	1	0.75%
86 - Investigate	17	12.69%
87 - Investigate fire out on arrival	2	1.49%
92 - Standby	1	0.75%
93 - Cancelled en route	4	2.99%

TOTAL: 134

Page 2 of 7

Calculates the number of incidents for the PRIMARY ACTION TAKEN valued provided on Basic Info 5 of an incident. For summation of ALL ACTIONS TAKEN, click SEARCH from the main Reports module page, and enter DocID 668. Only REVIEWED incident

Madisonville Fire Dept.

Madisonville, KY

This report was generated on 1/8/2018 3:30:09 PM



7.A

Training Hours for December 2017

Training Code(s): All Training Codes | Start Date: 12/01/2017 | End Date: 12/31/2017

Total Training Hours By Code	
Total Hours for Training Code: Drivers Training(General) CC0000	6:00
Total Hours for Training Code: Fire Prevention Training U0000	14:30
Total Hours for Training Code: Foam Fire Streams L0000	3:00
Total Hours for Training Code: Forcible Entry G0000	8:00
Total Hours for Training Code: Medical Emergencies P0010	76:00
Total Hours for Training Code: Safety Training B0000	137:00
Total Hours for Training Code: Trauma Emergencies P0011	76:00
Totals for all selected Training Codes 12/1/2017 - 12/31/2017	320:30

Page 3 of 7

Communication: Fire Department Report (Department Reports)

Displays the total training hours per for each of the selected Training Codes. NOTE that this report only applies to accounts that are set to Track Hours by Training Code. Archived Training Codes are not included in this report.

Madisonville Fire Dept.

Madisonville, KY

This report was generated on 1/9/2018 10:16:04 AM



7.A

Inspection Results for December 2017

Inspector: All Inspector(s) | Start Date: 12/01/2017 | End Date: 12/31/2017

INSPECTION RESULTS	TOTAL
Correction Notice Issued	2
Passed	2
Passed with Comments	2
Total of Inspections Completed in Date Range:	6

Burn Permits for December 2017

Permit #	Issue Date	Address	Date Expires	Notes
183275	12/11/2017 1:57:41 PM	0 Belmont (Overbrook&Gainesway) DR Madisonville, KY 42431	1/11/2018 11:11:11 AM	Large brush to be burned for vacant lots in the Belmont subdivision at the bend of Overbrook & Gainesway.
152549	12/14/2017 3:40:17 PM	150 Crosswinds DR Madisonville, KY 42431	12/21/2017 11:00:00 PM	
181881	12/15/2017 12:14:46 PM	729 Yorkwood PL Madisonville, KY 42431	12/29/2017 11:11:11 AM	
Total Burn Permits Issued December 2017				3

Communication: Fire Department Report (Department Reports)

Madisonville Fire Dept.

Madisonville, KY

This report was generated on 1/8/2018 10:54:19 AM



Events for December 2017

DATE	EVENT TYPE	EVENT	LOCATION	NARRATIVE
Fire Prevention Knox Box Evaluations			Total 18	
12/04/2017	Fire Prevention Programs			Verified Knox box keys, contact information and entry into business with key.
12/04/2017	Fire Prevention Programs			Verified Knox box keys, contact information and entry into business with key.
12/04/2017	Fire Prevention Programs			Verified Knox box keys, contact information and entry into business with key.
12/06/2017	Fire Prevention Programs			Each box holds 1 key
12/06/2017	Fire Prevention Programs			Checked the knox box contents at both locations. Received a new key card for Land O Frost for the outside gate. Did a walk through of McCoy McCoy
12/08/2017	Fire Prevention Programs			Knox Box Evaluation for content
12/08/2017	Fire Prevention Programs			Knox Box Evaluation for content
12/08/2017	Fire Prevention Programs			Knox Box Evaluation for content
12/08/2017	Fire Prevention Programs			Checked Knox box, changed code in the box for the lock.
12/08/2017	Fire Prevention Programs			Knox Box Evaluation for content
12/11/2017	Fire Prevention Programs			Performed Knox Box check at Walgreens, North Main. Verified all information and key
12/11/2017	Fire Prevention Programs			Performed Knox Box check at US Bank on Chelsa Dr. Verified key was up to date.
12/11/2017	Fire Prevention Programs			Performed Knox Box check at Ridgewood Terrace Nursing Home. Verified keys and information inside Knox Box was correct.
12/13/2017	Fire Prevention Programs			Inspected Knox Box for correct keys and contact info. WWS
12/13/2017	Fire Prevention Programs			Inspected Knox Box for correct keys and contact info. WWS
12/13/2017	Fire Prevention Programs			Inspected Knox Box for correct keys and contact info. WWS
12/13/2017	Fire Prevention Inspections			3 Keys, One works for Berry plastic storage area. Could not find out what the other 2 went to. No one at Berry Plastics knew.
12/31/2017	Fire Prevention Programs			Two keys, One master, Second goes to server closet both work.

Communication: Fire Department Report (Department Reports)

Includes Locked / Authorized Events.

emergencyreporting.com

Doc Id: 623

XXXX

Page 5 of 7

Pre Fire Plans				Total 22
12/01/2017	Pre Plans	IAC	850 Industrial Road	Preplan of IAC
12/04/2017	Pre Plans	Pre Plan Brighton Cornerston	Brighton Cornerstone 55 E. North St.	Performed a pre incident survey of Brighton Cornerstone Nursing Home, this was a new preplan. Entered information in Emergency Reporting.
12/07/2017	Pre Plans	Sherwin Williams	1470 Chelsa Drive	Preplan update. A-Shift. Lt. A. Buskov
12/07/2017	Pre Plans	Social Security Administration	4431 Hanson Road	Initial Preplan A-Shift Lt. A. Buskov
12/08/2017	Pre Plans	The Pink Door	111 N. Main	
12/08/2017	Pre Plans	Spectrum	250 Madison Sq. Ave.	Update of Time Warner now Spectrum by B Shift. Lt. Scott
12/08/2017	Pre Plans	Oak Grove Baptist	315 Graves St	Attempted Preplan, no contact. Got the information we have put into emergency reporting. Will follow up.
12/08/2017	Pre Plans	Goodwill	101 Madison Sq. Dr.	Updated by B Shift Lt. Scott
12/08/2017	Pre Plans	Subway	21 Madison Square	Preplanned Subway
12/08/2017	Pre Plans	Burger King	S. Main St.	
12/11/2017	Pre Plans	Family Video Pre Plan Update	9 East Arch Street	Pre plan update at Family Video on 9 East Arch Street.
12/11/2017	Pre Plans	Rudd Insurance Preplan Update	411 N. Main St.	Performed preplan update of Rudd Insurance, and entered all information into Emergency Reporting.
12/13/2017	Pre Plans	Thrifty Home Medical	200 E. Arch St.	Pre-Plan, Lt. Dever, C-Shift, Station-1
12/13/2017	Pre Plans	Stay Fit 24	13 E. Arch St.	Pre-Plan, Lt. Dever, C-Shift, Station-1
12/14/2017	Pre Plans	Farmers Bank and Trust	2215 North Main Street.	Preplanned Farmers Bank and Trust.
12/14/2017	Pre Plans	McKenzie Northside Auto Repair	2732 N. Main St.	New Preplan
12/14/2017	Pre Plans	Ray's (McKenzie Northside Auto Repair	2724 N. Main St.	New Preplan
12/14/2017	Pre Plans	GMS	1651 Progress Dr.	Preplanned GMS
12/15/2017	Pre Plans	Hillyard Lyons	233 E. Center St	
12/15/2017	Pre Plans	A&M Wholesale	1117 E.Center St	Preplan update
12/15/2017	Pre Plans	AT&T	1200 E. Center St	
12/16/2017	Pre Plans	YMCA	150 YMCA Dr.	

Public Relation / Public Education				Total 19
12/02/2017	Parade	Christmas Parade	Downtown Madisonville	Tower-1 in the annual Christmas Parade.
12/07/2017	Public Relations Event	Salvation Army Bell Ringing	Each group stayed 1 hour for a total of 4 hrs.	Bell ringing for Salvation Army in front of Kroger
12/07/2017	Public Relations Event	M.A.P.S.	Pride Elementary School	Mentoring and Preparing Students Program

Communication: Fire Department Report (Department Reports)

emergencyreporting.com

Doc Id: 623

XXXX

Includes Locked / Authorized Events.

12/08/2017	Public Education	M.A.P.S.	Earlington Elementary School	Mentoring and Preparing Students Program
12/08/2017	Public Relations Event	Bell Ringing	Market Place	Bell ringing for Salvation Army in front of MarketPlace
12/09/2017	Public Relations Event	WTTL Toy Drive	MTEC Building 755 Industrial Rd.	Assisted with distribution of toys at the annual WTTL Toy Drive.
12/09/2017	Public Relations Event	Can Food Drive for Cash Express	Marketplace S. Main St.	Assigned to assist Cash Express at Marketplace with their can food drive
12/09/2017	Public Relations Event	MTEC Building Toy Drive	755 Industrial Road	Fire crew participated in toy drive at MTEC Building on Industrial Road.
12/11/2017	Honor Guard	Health Department Stand by for Funeral	412 North Kentucky Avenue	Tower-1 set up with the flag for fallen firefighter's funeral at corner of Halson and Kentucky.
12/12/2017	Public Relations Event	Build Wheel Chair Ramp	Jones Street	Fabricated a transition for a 3.5" difference at residence entryway.
12/14/2017	Public Safety/Education	Hopkins County Central Career Fair	Hopkins County Central High	L.T. Dever, C-shift, Public Ed.
12/15/2017	Public Relations Event	The Oaks	140 E. Givens St.	Delivered meals from McDonalds for the residents.
12/15/2017	Public Relations Event	Community Dinner	98 E. Center St.	Hosted Community Dinner/Soup Kitchen in the engine bay at Station 1
12/16/2017	Presentation	PRP Mini Grants Award	Brother's Bar-B-Que 1055 N.	Attend award presentation
12/18/2017	Public Relations Event	Homestead Christmas lunch	384 Thompson Ave.	Delivered meals from McDonalds for the residents.
12/19/2017	Station Tour	YMCA Station Tour	Station 1	Kids from YMCA came for station tour and talk
12/19/2017	Public Relations Event	Grace Warehouse Church	Grace Warehouse Church S. Main	Washed off parking lot area.
12/22/2017	Public Relations Event	Huck's Cares Event	South Main Street	Assigned to attend an event which Huck's employee's provided kids with pizza in the store prior to taking them to Wal-Mart to buy them Christmas gifts. MFD crew handed out tee-shirts and bags to approx.
12/23/2017	Public Relations Event	Veterans Center Gift	Veterans Center Hanson	Delivered Christmas gift to a veteran

Car Seat Inspections

Total 3

12/12/2017	Car Seat Inspection	Seat Check	98 E. Center St.	seat inspection for a lady who had a full installation and teaching at an earlier date. She wanted to be sure her seat was still secured properly.
12/14/2017	Car Seat Inspection	Car Seat Inspection	Station 1	Inspected for proper installation
12/19/2017	Car Seat Inspection	Car Seat Install	Station 1	Installed car seat for expecting mother

Includes Locked / Authorized Events.

emergencyreporting.com

Doc Id: 623

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City of Madisonville, KY

City Council Agenda Request Form

Agenda Item: Request permission to apply for the 2018 Assistance to Firefighters FEMA grant

Proposed Agenda Date: Monday, 01-15-2018

Name of person(s) proposing item: Chief Ray Wyatt

Contact number of person(s) proposing item: 270-824-2149 270-399-0462

Brief description of agenda item: Seeking permission to apply for the 2018 FEMA / AFG grants.

The Fire Department will seek funding to replace PPE to include helmets, hoods, gloves, and boots.

Total grant will be for approximately \$50,000.00 and will require a 10% city match.

Documentation: Please provide/attach any supporting documentation with this request.

N/A

Please specify if supporting documentation should be included in council packets:

Yes ☐ No ☒

Desired Outcome: To receive permission to apply for the grant.



Signature of person submitting agenda request

1-10-18

Date

This request must be submitted to the City Clerk no later than five (5) business days prior to the City Council meeting. Email request to kblue@madisonvillegov.com.

Approval for placement on Council Agenda- Mayor

Date

Communication: Fire Department to apply for the 2018 Assistance to Firefighters FEMA Grant (Department Reports)



Madisonville Police Department

Council Report

January 16, 2018



7.C

Department Totals

	2017	2016	Difference
Arrests - Part 1 Crimes	386	422	-9%
Arrests - Drug Related	1007	814	24%
Arrests - DUI's	147	188	-22%
Arrests - All Other	2722	2878	-5%
Arrests - Total	4262	4302	-1%
Arrests - Felony	1094	1114	-2%
Arrests - Non-Felony	3168	3188	-1%
Arrests - Juvenile	115	84	37%
Calls - Total Responses	75531	83020	-9%
Warrants Attempted	2506	2644	-5%
Warrants Served	1185	1199	-1%
Security Checks	10400	10850	-4%
Extra Patrol	2555	2234	14%
Community Contacts	2213	2651	-17%
Foot Patrols	1434	1204	19%
Field Interviews	765	417	83%
Suspicious Subjects	1470	1592	-8%
Mental Transports	144	148	-3%
Traffic Stops	8679	9488	-9%
Traffic Citations	1887	1757	7%
Traffic Warnings	3397	4842	-30%
Accident's Total	896	1010	-11%
Accident's w/Property Damage	829	933	-11%
Accident's w/Injuries	66	76	-13%
Accident's Fatalities	1	1	0%
Opened Cases	1170	1022	14%
Active Cases	299	255	17%
Closed Cases	1085	1024	6%

Man Hours Used	
Regular Hours	92102.25
OverTime	9072.25
Vacation	4143.00
Sick	1145.50
Holiday	3632.00
	110095.00
Training	4502.25

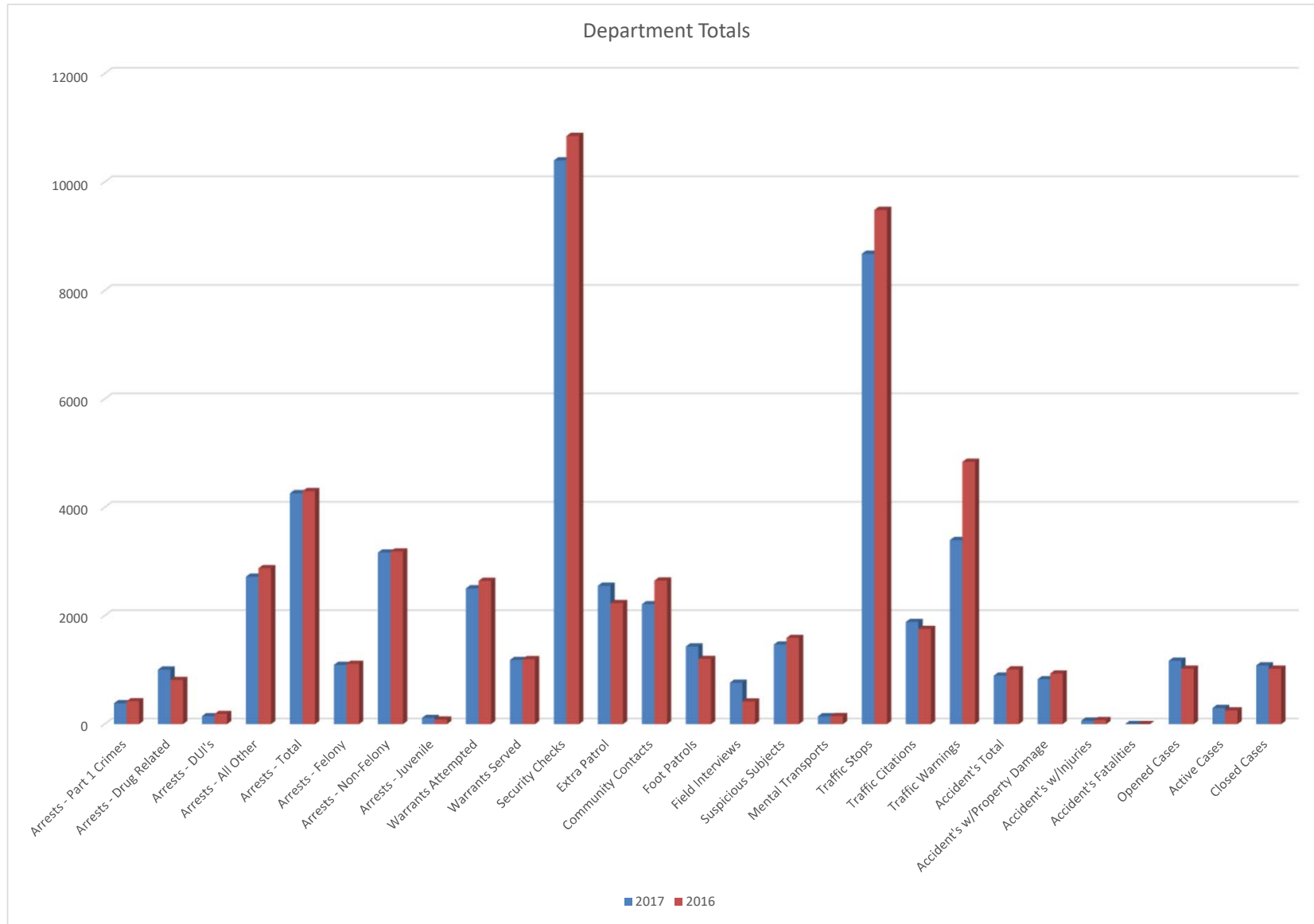
Communication: Police Department Report (Department Reports)



Madisonville Police Department Council Report January 16, 2018



7.C



Communication: Police Department Report (Department Reports)

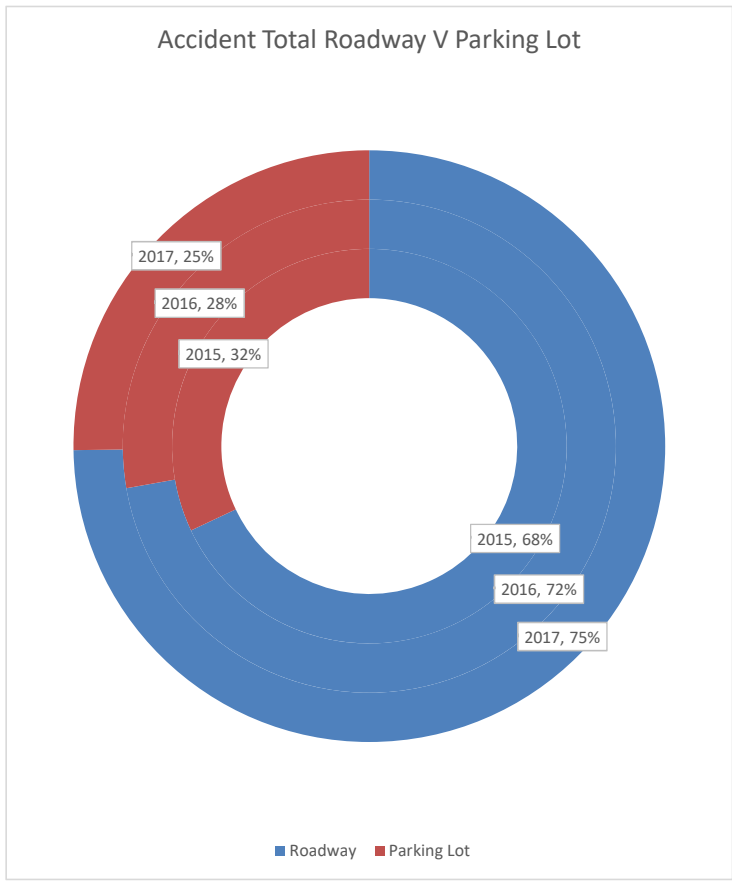
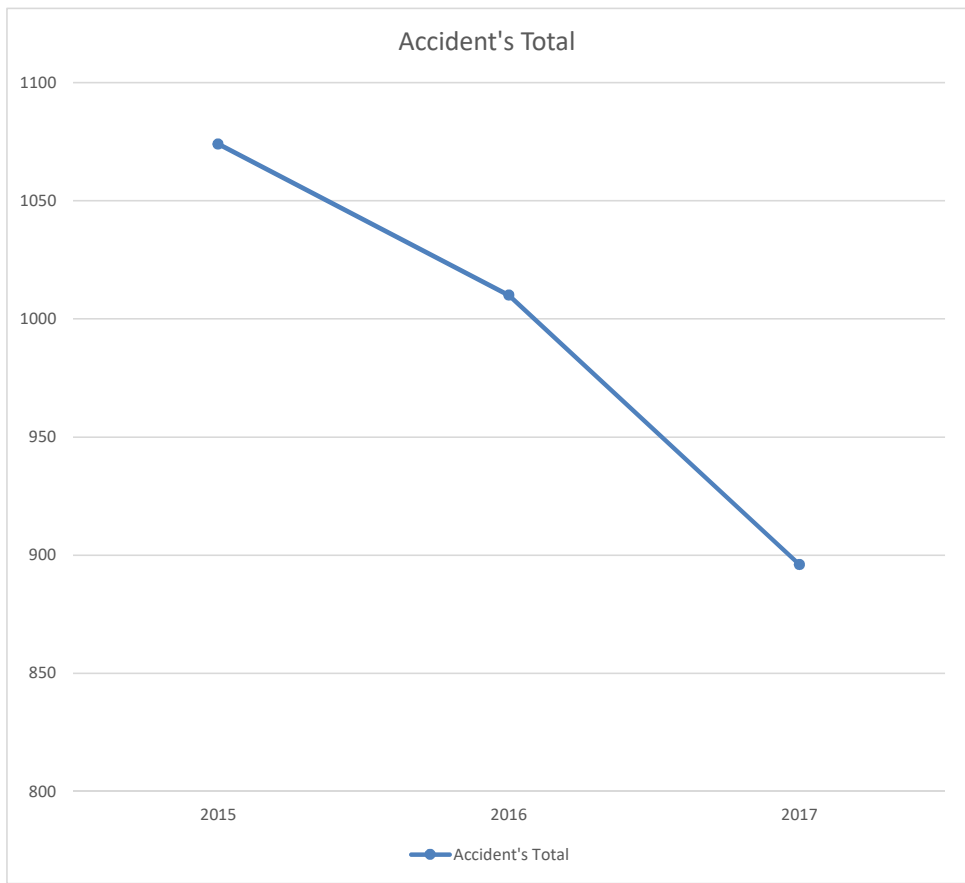


Madisonville Police Department Council Report January 16, 2018



Traffic Accident Data

3 Year Accident Comparison	2015	2016	Difference	2017	Difference
Accident's Total	1074	1010	-6%	896	-11%
Accident's w/Property Damage	987	933	-5%	829	-11%
Accident's w/Injuries	87	76	-13%	66	-13%
Accident's Fatalities	1	1	0%	1	0%
Roadway	730	730	0%	670	-8%
Parking Lot	344	280	-19%	226	-19%





Madisonville Police Department Council Report January 16, 2018

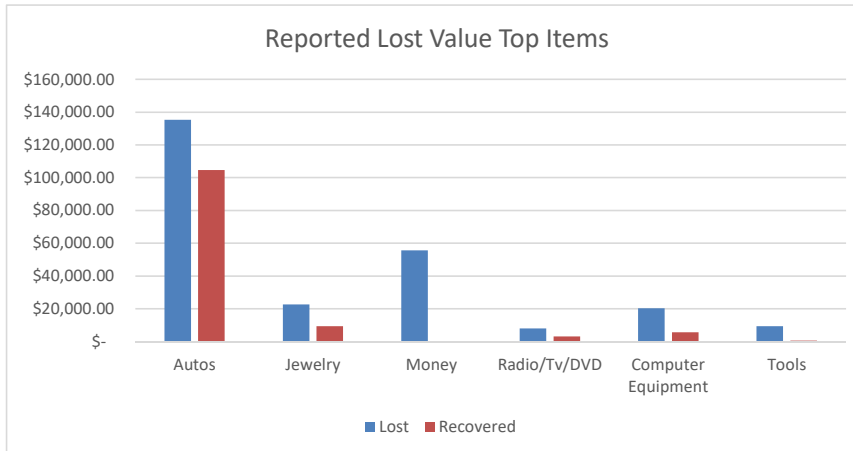


7.C

CrimeStoppers/Drug Data

Reported Lost Value Top Items

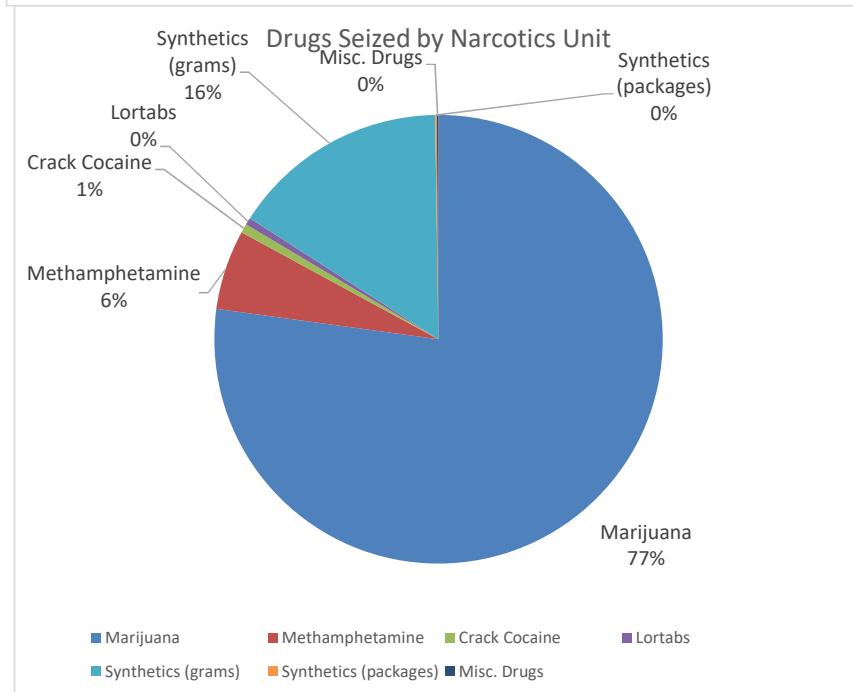
	Lost	Recovered
Autos	\$ 135,283.00	\$ 104,582.00
Jewelry	\$ 22,631.96	\$ 9,238.96
Money	\$ 55,570.95	\$ 91.75
Radio/Tv/DVD	\$ 7,850.97	\$ 3,011.00
Computer Equipment	\$ 20,207.90	\$ 5,591.94
Tools	\$ 9,287.15	\$ 372.31
	\$ 250,831.93	\$ 122,887.96



2017 Crime Drug and CrimeStoppers Info

2017 Crime Stopper Tips	261
2017 Crime Stoppers Arrests	149
Drug Cases Open	101
Drug Cases Closed	96
Money Seized	\$ 603,383.00
Presentations	5
Search Warrants Served	54

Drug Seized by Narcotics Unit	Grams	Street Value
Marijuana	64829.30	\$ 648,293.00
Methamphetamine	4833.90	\$ 483,390.00
Crack Cocaine	536.20	\$ 53,620.00
Lortabs	435.00	\$ 2,610.00
Synthetics (grams)	13185.60	\$ 263,712.00
Synthetics (packages)	94.00	\$ 3,760.00
Misc. Drugs	101.40	\$ 507.00
		\$ 1,455,892.00



Communication: Police Department Report (Department Reports)



Madisonville Police Department Council Report January 16, 2018



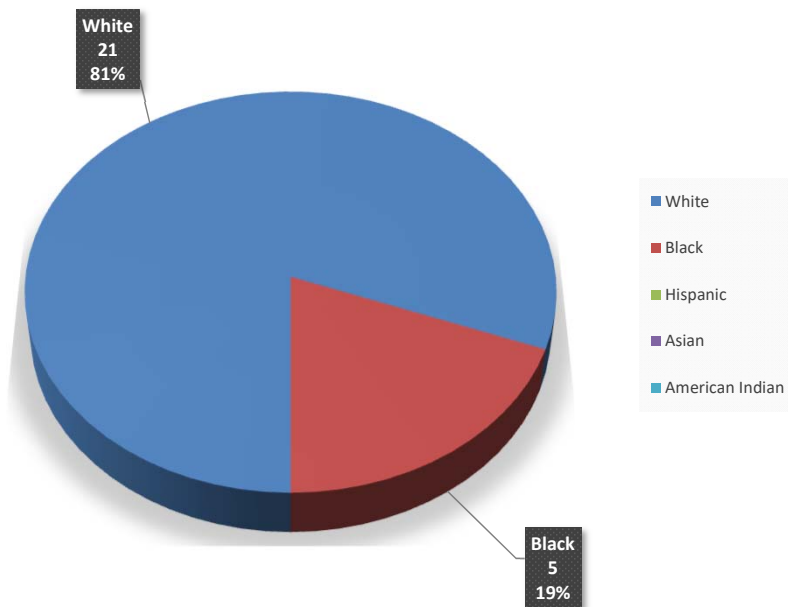
7.C

Racial Data 2017

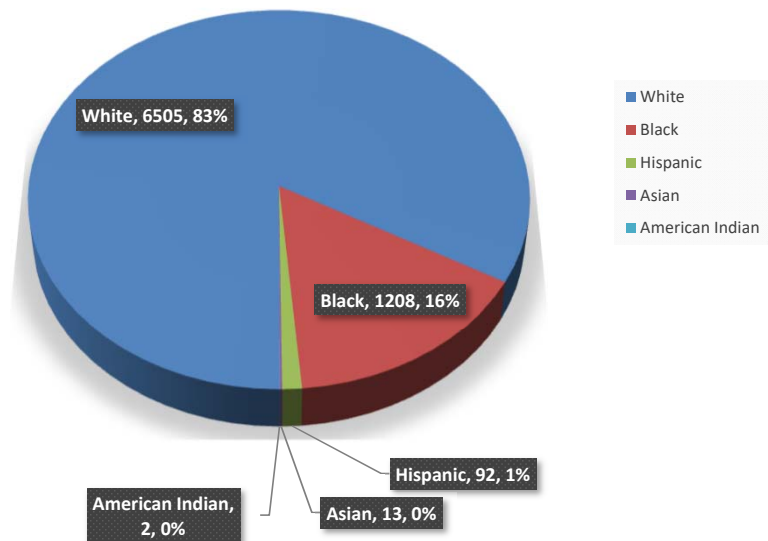
Activity Type	White	Black	Hispanic	Asian	American Indian	Total
Citations	2219	561	26	1	0	2807
Traffic	1595	267	34	3	0	1899
Warnings	2691	380	32	9	2	3114
Total	6505	1208	92	13	2	7820

Use of Force	White	Black	Hispanic	Asian	American Indian	Total
01/01/2017 - 12/31/2017	21	5	0	0	0	26

Use of Force



Citation and Warnings by Race





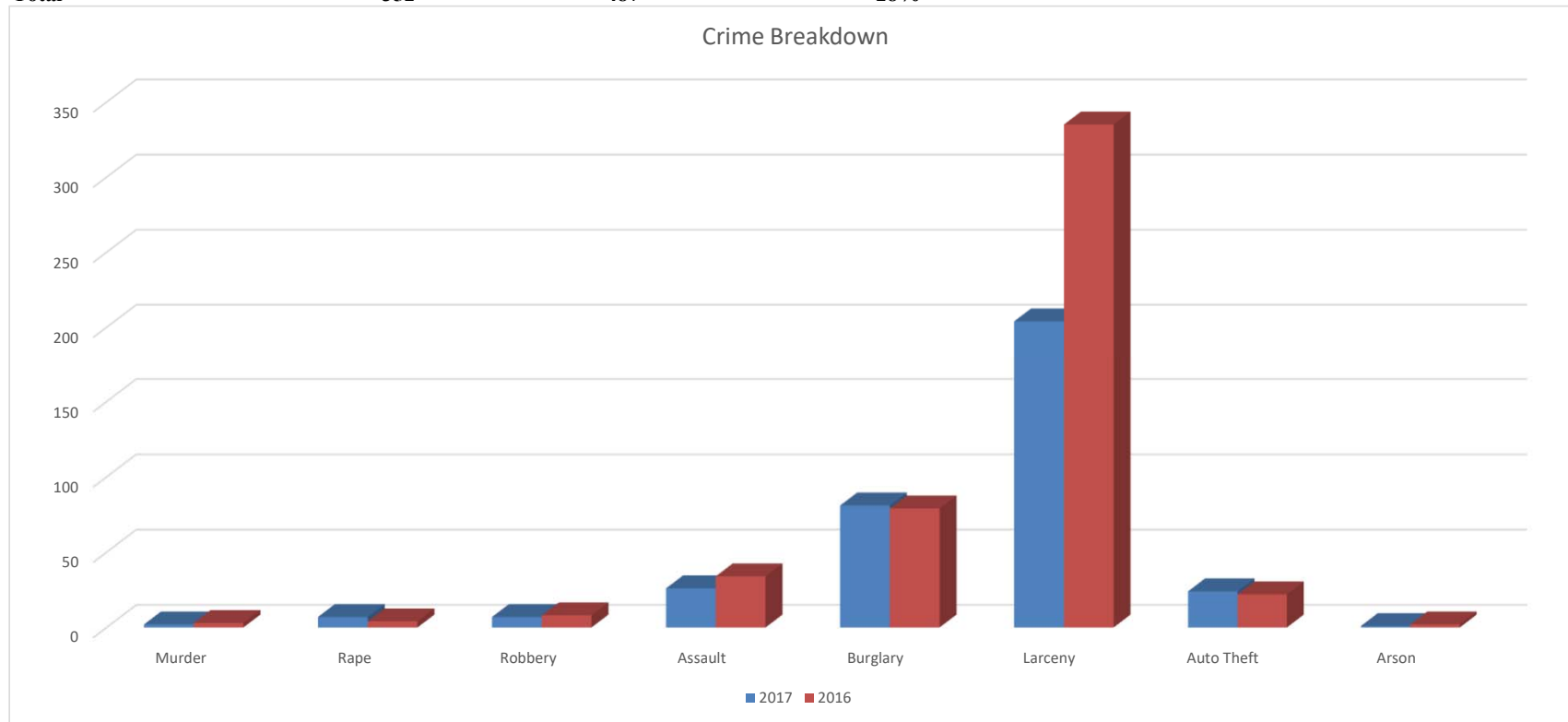
Madisonville Police Department Council Report January 16, 2018



7.C

Crime Data

	2017	2016	
Total Crimes Reported	2199	2288	-4%
Part 1 Crimes 01/01-12/31			
Murder	2	3	-33%
Rape	7	4	75%
Robbery	7	8	-13%
Assault	26	34	-24%
Burglary	81	79	3%
Larceny	204	335	-39%
Auto Theft	24	22	9%
Arson	1	2	-50%
Total	352	487	-28%



Communication: Police Department Report (Department Reports)

ZONING & PERMIT OFFICE

MONTHLY ACTIVITY REPORT

DECEMBER 2017

BUILDING PERMITS	CONSTRUCTION COST	# PERMITS ISSUED	FEES COLLECTED
Type of Construction			
New Residential/SFD	\$70,000	1	\$0*
Duplex	\$0	0	\$0
Multi-Family	\$0	0	\$0
Residential Addition	\$20,000	1	\$64
Residential Accessory	\$51,346	4	\$215
Residential Alteration	\$215,000	1	\$265
New Commercial	\$35,000	1	\$301
Commercial Addition	\$844,766	2	\$398**
Commercial Accessory	\$0	0	\$0
Commercial Alteration	\$40,000	2	\$383
New Industrial	\$0	0	\$0
Industrial Addition	\$0	0	\$0
Industrial Accessory	\$0	0	\$0
Industrial Alteration	\$0	0	\$0
Other	\$0	0	\$0
TOTAL BUILDING PERMITS	\$1,276,112	12	\$1,626

SIGN PERMITS (Total)	2	\$225
<i>Name</i>	<i>Location</i>	
Limitless Home Décor/Chris Wheeker	18 North Main St	
Ahlstrom Munksjo	215 Nebo Rd	

DEMOLITION PERMITS (Total)	6	\$45***
<i>Name</i>	<i>Location</i>	
Steve Pleasant Excav./Marty Goodman	254 South Daves St	
Steve Pleasant Excav./James C. Davis	121 East Jagoe St	
Steve Pleasant Excav./Rebecca McIntosh	38 Oakdale Av	
Steve Pleasant Excav./Ky Dept of Hwys	2360 Nebo Rd	
Steve Pleasant Excav./Ky Dept of Hwys	2495 Nebo Rd	
Steve Pleasant Excav./Doug Leasure	51 Lunsford St	

GRADING & PAVING PERMITS (Total)	0	\$0
<i>Name</i>	<i>Location</i>	

HVAC PERMITS (Total)	4	\$420
<i>Name</i>	<i>Location</i>	
Miller Heat & Air/Johnny Miller	401 West Noel Av	
Vaughn Heating & Air/Bruce Vaughn	623 Murray St	
Vaughn Heating & Air/Bruce Vaughn	323 Oates St	
Vaughn Heating & Air/Bruce Vaughn	311 Oates St	

CHANGE OF USE PERMITS (Total)	0	\$0
<i>Name</i>	<i>Location</i>	

		# PERMITS ISSUED	FEES COLLECTED
ZONING MAP/TEXT AMENDMENTS (Total)		3	\$500****
<i>Name</i>	<i>Location</i>		
Noel Prop. LLC & Holy Temple Church of God	150 & 156 Lunsford & 155 Hopewell		
Barnett-Strother Funeral Home, LLC	2285 North Main St		
TEXT AMENDMENT/City of Madisonville	Minor/Major Dev Plan		
ZONING COMPLIANCE REQUESTS (Total)		0	\$0
<i>Name</i>	<i>Location</i>		
DIMENSIONAL VARIANCE PERMITS (Total)		0	\$0
<i>Name</i>	<i>Location</i>		
CONDITIONAL USE PERMITS (Total)		0	\$0
<i>Name</i>	<i>Location</i>		
UTILITY REQUESTS (Total)		0	\$0
<i>Name</i>	<i>Location</i>		
MISCELLANEOUS/ADDITIONAL FEES (Total)		0	\$0
<i>Name</i>	<i>Location</i>		
COA's (Historic District Commission) (Total)		1	N/A
<i>Name</i>	<i>Location</i>		
Limitless Home Décor/Chris Wheeker/Sign	18 North Main St		
SPECIAL USE PERMITS (Outside Sales) (Total)		0	N/A
<i>Name</i>	<i>Location</i>		
CITIZENS ASSISTED (Site Visits, Walk-ins, Phone Calls, etc.)		192	N/A
ACTIVITY TOTAL FOR THE MONTH		220	\$2,816

*Fee Waived for BP # 6381_122 Apricot Lane_Habitat for Humanity of Hopkins County_per City of Madisonville

**Fee Waived for BP # 6380_1955 Laffoon Trail_YAA Socker Complex_per City of Madisonville

***Fee Waived for DEMO # 524_254 S Daves St; DEMO # 525_121 E Jagoe St; DEMO # 526_38 Oakdale Ave_Steve Pleasant Excavating_per City of Madisonville/Lynette Lewis

****Fee Waived for TEXT AMENDMENT_Major/Minor Development Plan_City Ordinance _per City of Madisonville

ZONING & PERMIT OFFICE

YTD ACTIVITY REPORT

JULY - DECEMBER 2017

BUILDING PERMITS	Construction Cost	# Permits Issued	Fees
Type of Construction			
New Residential/SFD	\$495,000	6	\$997
Duplex	\$80,000	1	\$258
Multi-Family	\$0	0	\$0
Residential Addition	\$146,400	8	\$791
Residential Accessory	\$337,028	31	\$1,916
Residential Alteration	\$216,200	2	\$315
New Commercial	\$4,955,000	4	\$5,439
Commercial Addition	\$1,098,566	5	\$1,154
Commercial Accessory	\$124,500	5	\$1,436
Commercial Alteration	\$105,000	8	\$1,563
New Industrial	\$0	0	\$0
Industrial Addition	\$5,520,981	1	\$0
Industrial Accessory	\$12,800	1	\$146
Industrial Alteration	\$1,097,160	1	\$811
Other	\$0	0	\$0
TOTAL BUILDING PERMITS	\$14,188,635	73	\$14,826
SIGN PERMITS		22	\$1,734
DEMOLITION PERMITS		11	\$105
GRADING & PAVING PERMITS		2	\$50
HVAC PERMITS		16	\$5,410
CHANGE OF USE PERMITS		0	\$0
ZONING MAP/TEXT AMENDMENTS		6	\$1,250
ZONING COMPLIANCE REQUESTS		5	\$125
DIMENSIONAL VARIANCE PERMITS		3	\$300
CONDITIONAL USE PERMITS		3	\$300
UTILITY REQUESTS		2	\$50
MISCELLANEOUS/ADDITIONAL FEES		0	\$0
COA's (Historic District Commission)		15	N/A
SPECIAL USE PERMITS (Outside Sales)		2	N/A
CITIZENS ASSISTED (Site Visits, Walk-ins, Phone Calls, etc.)		1147	N/A
YEAR TO DATE TOTAL		1,307	\$24,150

Prepared by: Bonnie Smith, Zoning Admin Assistant

Communication: Zoning Report (Department Reports)

**CITY OF MADISONVILLE
BUILDING PERMIT MONTHLY REPORT**

December 2017

Permit #	Date Permit Issued	Construction Address	Owner	Contractor	Construction Type	Proposed Use	Permit Fee	Construction Cost	Square Feet
6373	12/1/17	1104 West Noel Avenue	Donald Howell	JRJ Construction	Residential Accessory	Detached Garage	\$83	\$22,000	720
6374	12/1/17	5274 Rosemont Drive	JoAnn Hibbs	Tim Banker/The Cabinetry of	Residential Accessory	Storage Building	\$51	\$6,586	320
6375	12/4/17	113.5 South Main Street "The Legend"	Arecycle, INC	Lee Gibson	Commercial Alteration	Virtual Reality Center	\$195	\$10,000	3634
6376	12/4/17	3445 Chur Drive	Amanda Racicot	Ricky Wilson	Residential Alteration	Single Family Dwelling	\$265	\$215,000	3000
6377	12/4/17	207 South Main Street (Truck Country Auto)	Eldon Cardwell	Keystone Construction	New Commercial	Vehicle sales	\$301	\$35,000	640
6378	12/7/17	4030 Buffalo Trace	Elmer Ray Harris	John R. Tippet Contracting	Residential Addition	Roof Addition over existing	\$64	\$20,000	180
6379	12/7/17	1952 Earl Cross Drive	Twylia Foreman	R&S Storage Solutions	Residential Accessory	Storage Building	\$25	\$4,760	240
6380	12/12/17	1955 Laffoon Trail YAA Soccer Complex	City of Madisonville	David Garrigan	Commercial Addition	Concession and Family	\$0	\$94,766	480
6381	12/13/17	122 Apricot Lane	Habitat for Humanity of Hopkins Co.	Habitat for Humanity of Hopkins Co.	New Residential	Single Family Dwelling	\$0	\$70,000	1335
6382	12/13/17	778 Gainesway Drive	John Metcalf	Cavanaugh Pool, Spa & Patio, Inc.	Residential Accessory	In-Ground Pool & fence	\$56	\$18,000	392
6383	12/19/17	52 South Main Street	Charlie and Becky Skaggs	Mark Phebus Construction	Commercial Alteration	Barber Shop	\$188	\$30,000	1729
6384	12/27/17	100 YMCA Drive	Rooker	Danco Construction INC	Commercial Addition	Attached Garage	\$398	\$750,000	3730
Totals					12		\$1,626		\$1,276,112

Communication: Zoning Report (Department Reports)

**CITY OF MADISONVILLE, KY
ORDINANCE O-2018-1**

**AN ORDINANCE AMENDING THE GENERAL ZONING ORDINANCE KNOWN AS
CHAPTER 156 OF THE CODE OF ORDINANCES CITY OF MADISONVILLE, KENTUCKY,
ORIGINALLY PASSED ON DECEMBER 28, 1970, BY REPLACING CHAPTER 156.075
RELATING TO DEVELOPMENT PLAN REVIEW CRITERIA**

BE IT ORDAINED BY THE CITY OF MADISONVILLE, KY, AS FOLLOWS:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MADISONVILLE, KENTUCKY

CHAPTER 156.075 IS HEREBY DELETED IN ITS ENTIRETY AND THE FOLLOWING
PROVISIONS ARE ADOPTED IN LIEU THEREOF:

Chapter 156.075 DEVELOPMENT PLAN REVIEW CRITERIA

- (A) The Administrative Official is hereby authorized to review and approve or disapprove all minor development plans for structures and/or land uses within the City in accordance with standards set forth in this chapter. Minor development plan is defined as any proposed structure or combination of structures having 5,000 square feet or less, disturbing less than 1 acre and not involving street or utility extensions.
- (B) Major development plans are to be reviewed and approved or disapproved within the City in accordance with standards set forth in this Chapter, by the Administrative Official and the Administrative Official of the Planning Commission. Major development plan is defined as any proposed structure or combination of structures greater than 5,000 square feet, and/or on sites disturbing 1 acre or more and/or requiring street or utility extensions. Major development plans having a structure or combined structures greater than 20,000 square feet and/or are part of a larger development or redevelopment plan greater than 20,000 square feet require approval from the Hopkins County Joint Planning Commission.
- (C) Single family structures are exempt from these requirements.
- (D) All development plan reviews will be in conjunction with all pertinent utilities and departments (City and non-City).
- (E) A predevelopment meeting shall be held with the applicant and the Administrative Official(s) prior to the preparation and formal submission of a development plan. The intent of the predevelopment meeting is to enable the applicant to inform the Administrative Official(s) of the basic site design concept, advise the applicant as to potential issues or concerns and to generally determine the information to be included on the development plan. In order to accomplish these objectives, the applicant shall provide a rough sketch showing the location and dimensions of all structures, parking areas, points of ingress/egress, signs, landscaping and any anticipated changes in the site's natural

features. Two copies of the sketch are required; one to be retained by the Administrative Official and the other returned to the applicant with any comments.

(F) Minor Development Plan Requirements (Developments having 5,000 square feet or less and/or; disturbing less than 1 acre and/or not involving new streets or utility extensions). The development plan shall include the following:

- (1) The plan shall be legible, drawn in ink and to scale, including vicinity map, north arrow, scale and date. Minimum scale 1"=60'. If more than 2 pages, an index sheet is required;
- (2) The title of the drawing, name, address and telephone number(s) of the owner and developer as well as the person responsible for preparing the drawing;
- (3) Where applicable, the plan must be stamped and dated with the certificate of a design professional (each sheet and drawing document shall be stamped and dated);
- (4) A copy of the deed and any recorded plat of the property;
- (5) PVA map and parcel numbers and the property address;
- (6) The boundaries of the property, easements, setback lines, and interior lot lines drawn to scale with dimensions. All dimensions should be given to the nearest foot. Total property size, given in square feet, must also be included;
- (7) Location, dimensions, square footage and primary use of all existing and/or proposed buildings with distances to the property lines and distances between structures;
- (8) Names of all adjacent streets and all points of ingress and egress (both existing and proposed) including right-of-way width and pavement width;
- (9) Location and arrangement of all loading areas, parking areas and interior circulation including parking space sizes, driving lane widths and handicap detail;
- (10) Location of any outdoor storage, including dumpsters and other waste disposal areas, and types of buffering/screening (all dumpsters must be screened);
- (11) Location, size and design of all existing and proposed signs;
- (12) Location of all landscaping and screening requirements;
- (13) Location, intensity, type, size and direction of existing and proposed outdoor lighting;
- (14) Indicate direction of water runoff. Any natural stream or important surface drainage course must be included on the plan. Drainage improvements shall maintain any natural watercourse and shall prevent the collection of water in low areas unless part of an approved stormwater detention/retention facility;
- (15) Erosion control plan shall be provided showing location of silt fences, construction entrances, inlet/outlet protection, etc.;
- (16) Estimated project construction schedule;
- (17) Public utilities may be withheld until a Certificate of Occupancy is issued;
- (18) Multiple copies of the development plan are required (as determined by the Administrative Official).

(G) Major Development Plan Requirements (Developments having a structure or combined structures greater than 5,000 square feet and/or on sites disturbing 1 acre or more; and/or requiring street or utility extensions). The Major Development Plan shall be submitted to the City's Administrative Official who will then coordinate the review process. Said plan shall include the following:

- (1) The plan shall be legible, drawn in ink and to scale, including vicinity map, north arrow, scale and date. Minimum scale 1"=60'. If more than 2 pages, an index sheet is required;
- (2) The title of the drawing, name, address and telephone number(s) of the owner and developer as well as the person responsible for preparation of the drawing;
- (3) The plan must be stamped and dated with the certificate of a design professional where applicable. Every plan sheet and drawing document shall be stamped and dated, where applicable;
- (4) A copy of the deed and any recorded plat of the property;
- (5) PVA map and parcel numbers and the property address;
- (6) The boundaries of the property, easements, setback lines, and interior lot lines drawn to scale with dimensions. All dimensions should be given to the nearest foot. Total property size, given in square feet, must also be included;
- (7) Location, dimensions, square footage and primary use of all existing and/or proposed buildings with distances to the property lines and distances between structures;
- (8) Names of all adjacent streets and all points of ingress and egress (both existing and proposed) including right-of-way width and pavement width;
- (9) Location and arrangement of all loading areas, parking areas and interior circulation including parking space sizes, driving lane widths and handicap detail;
- (10) Location of any outdoor storage, including dumpsters and other waste disposal areas, and types of buffering/screening (all dumpsters must be screened);
- (11) Location, size and design of all existing and proposed signs;
- (12) Location of all landscaping and screening requirements;
- (13) Location, intensity, type, size and direction of existing and proposed outdoor lighting;
- (14) Location and size of existing and/or proposed extensions of public water (including water mains, valves and hydrants), sanitary and storm sewers (including force mains, gravity sewer, manholes and culverts), and all associated easements that are within or adjacent to the site;
- (15) Grading and drainage plan, including proposed contours, natural streams or important surface drainage courses, and associated easements. Drainage improvements shall maintain any natural watercourse and shall prevent the collection of water in low areas unless part of an approved stormwater detention/retention facility. If applicable, location of floodplain and/or floodway and any other flood prone areas. All drainage calculations are to be presented on or with the site plan;
- (16) Stormwater plan shall be provided showing the post development run off rates which shall be reduced from the pre-development run off rate by 10% if there are structures downstream that are currently in a special flood hazard area as defined by FEMA FIRM Maps adopted by the City. If there are no such downstream structures, post development run off rate may equal, but not exceed, pre-development run off rates. In addition, a Stormwater Pollution Prevention Plan (SWPPP) is required and applicant must submit a copy of their State Stormwater Notice of Intent (NOI) Permit;
- (17) Erosion control plan shall be provided showing location of silt fences, construction entrances, inlet/outlet protection, etc.;
- (18) If infrastructure development is required, then such development shall take place before a Certificate of Occupancy is issued. Infrastructure development includes the building of

roadways, utility main extensions, storm water management facilities, etc. Stormwater management facilities shall be the first items of construction;

(19) Estimated project construction schedule;

(20) Public utilities may be withheld until a Certificate of Occupancy is issued;

(21) Multiple copies of the development plan are required (as determined by the Administrative Official).

(H) The City reserves the right to require a professional design plan when the Administrative Official believes the proposed development, due to site constraints, has the potential to adversely affect adjoining properties. In addition, the City reserves the right to require other information integral to the review and approval of the development plan. This includes, but is not limited to, drainage calculations in areas that are flood prone, near a stream and/or in an area known to directly impact downstream properties.

The foregoing Ordinance is read to and presented to a regular meeting of the City Council of Madisonville, Kentucky, for first reading on the 2nd day of January, 2018 and the second reading on the 16th day of January 2018. Motion was made by Frank Stevenson, seconded by Mark Lee, that the Ordinance be adopted as the law of the City of Madisonville, Kentucky, to be effective upon publication, as required by law.

Upon vote being taken thereon, the votes were cast as follows:

RESULT: **ADOPTED [UNANIMOUS]**

MOVER: Frank Stevenson, Ward 5

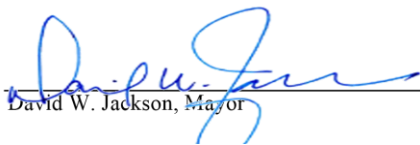
SECONDER: Mark Lee, Ward 1

AYES: Lee, Stevenson, Townsend, Johnson, Space

ABSENT: Barry McGaw

It appearing that the Councilmembers voted [Unanimous] the Mayor announced that the Motion was Adopted and that the above Ordinance would be published as required by law and would be effective as a new Ordinance of the City of Madisonville, Kentucky, immediately upon publication thereof, unless otherwise stated.

Dated 16th day of January 2018



David W. Jackson, Mayor

1/17/2018

City of Madisonville, KY

ATTEST:



Kim Blue, City Clerk 1/17/2018

City of Madisonville, KY

**CITY OF MADISONVILLE, KY
ORDINANCE O-2018-2**

**AN ORDINANCE AMENDING THE GENERAL ZONING ORDINANCE KNOWN AS
CHAPTER 156 TO THE CODE OF ORDINANCES CITY OF MADISONVILLE, KENTUCKY,
ORIGINALLY PASSED ON DECEMBER 28, 1970, BY CHANGING THE ZONING
CLASSIFICATION OF A TRACT OF LAND LOCATED AT 2285 NORTH MAIN STREET,
FROM LOW DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL**

BE IT ORDAINED BY THE CITY OF MADISONVILLE, KY, AS FOLLOWS:

1. Appendix B to the code of Ordinances, City of Madisonville, Kentucky, passed on December 28, 1970, and the Official Map adopted therewith, as amended, are hereby amended insofar as same relates to a tract of land located at 2285 North Main Street, owned by Barnett & Strother Funeral Home, from Low Density Residential to Neighborhood Commercial. For a description of the boundary of the area to be rezoned, see Exhibit A attached hereto and incorporated herein by reference. The zoning classification of this property is hereby changed from Low Density Residential to Neighborhood Commercial.
2. Any Ordinance in conflict with this Ordinance shall be and hereby is repealed.
3. This Ordinance shall be effective upon publication.

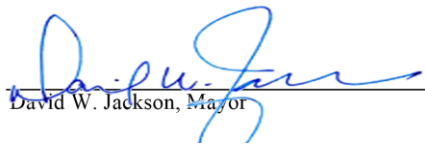
The foregoing Ordinance is read to and presented to a regular meeting of the City Council of Madisonville, Kentucky, for first reading on the 2nd day of January, 2018 and the second reading on the 16th day of January, 2018. Motion was made by Adam Townsend, seconded by Mark Lee, that the Ordinance be adopted as the law of the City of Madisonville, Kentucky, to be effective upon publication, as required by law.

Upon vote being taken thereon, the votes were cast as follows:

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Adam Townsend, Bobby Johnson
SECONDER: Mark Lee, Ward 1
AYES: Lee, Stevenson, Townsend, Johnson, Space
ABSENT: Barry McGaw

It appearing that the Councilmembers voted [Unanimous] the Mayor announced that the Motion was Adopted and that the above Ordinance would be published as required by law and would be effective as a new Ordinance of the City of Madisonville, Kentucky, immediately upon publication thereof, unless otherwise stated.

Dated 16th day of January, 2018

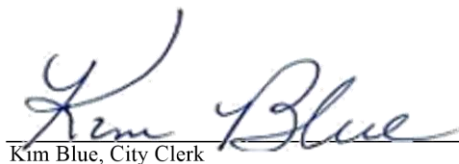


David W. Jackson, Mayor

1/17/2018

City of Madisonville, KY

ATTEST:



Kim Blue, City Clerk

1/17/2018

City of Madisonville, KY

EXHIBIT A to Deed from
Barnett Strother Funeral
Home, Inc. to
Barnett-Strother Funeral Home II, LLC

Beginning at an Iron Pin in the West Right of Way of Kentucky Highway 1751 and being the North East corner of Edward J. Carlisle property, thence with the Right-of-Way of said Highway N 3° 01' E 332.66 feet to an Iron Pin, thence N. 32° - 44' W 32.90' to an Iron Pin in the South Right-of-Way of Shamrock Drive, thence with the Right- of-Way of Shamrock Drive N. 81° 06' W 280.90 feet to an Iron Pin, thence S 3° 12' W 401.26 feet to an Iron Pin in Carlisle's North line, thence with said line S 89° 31' E 300.04 feet to the point of beginning.

There is reserved and excepted from the foregoing an off-conveyance as evidenced in the deed of conveyance from Barnett-Strother Funeral Home, Inc. to the Commonwealth of Kentucky, dated March 18, 1997, of record in Deed Book 558, page 251, Hopkins County Clerk's Office.

Being the same property conveyed to Barnett Strother Funeral Home, Inc., by deed of conveyance from The Four-Ten Corporation, A / K / A Four-Ten, Inc., dated March 30, 1978, and of record in Deed Book 395, page 767, Hopkins County Court Clerk's Office.

**CITY OF MADISONVILLE, KY
ORDINANCE O-2018-3**

AN ORDINANCE OF THE CITY OF MADISONVILLE, KENTUCKY, PROVIDING FOR THE CREATION AND SALE OF A FRANCHISE FOR THE PRIVILEGE OF CONSTRUCTING, TRANSPORTING, OPERATING, MAINTAINING AND DISTRIBUTING NATURAL GAS ALONG AND UNDER PUBLIC RIGHT OF WAY WITHIN THE CITY OF MADISONVILLE, KENTUCKY, FOR A TERM OF FIVE (5) YEARS IN CONSIDERATION FOR WHICH, THE SUCCESSFUL FRANCHISEE SHALL PAY TO THE CITY AN ANNUAL SUM EQUAL TO 1% OF GROSS REVENUES; AND FURTHER ESTABLISHING A BID PROCEDURE FOR THE AWARD OF SAID FRANCHISE TO THE SUCCESSFUL BIDDER.

BE IT ORDAINED BY THE CITY OF MADISONVILLE, KY, AS FOLLOWS:

WHEREAS, the existing natural gas franchise agreement between the City of Madisonville, Kentucky and Atmos Energy Corporation expires on May 29th, 2018; and,

WHEREAS, the City has determined that it is in the best interest of its citizens to create and offer for sale a new natural gas franchise for a term of (5) five years.

BE IT ORDAINED BY THE CITY OF MADISONVILLE, KENTUCKY (hereinafter referred to as the “City”) that the Mayor of the City, or such other person as the Mayor may designate, shall offer for sale, to the highest and best bidder, a non-exclusive franchise to enter upon, acquire, construct, operate, maintain and repair in the public right of way of the City, a gas distribution system within the corporate boundaries of the City, subject to the provisions of the Franchise Agreement attached hereto and incorporated herein by reference.

The Mayor, or such other person as the Mayor may designate, shall, as soon as practicable after passage of this Ordinance, offer for sale, under sealed public bids, the franchise and privileges created herein. Such bids shall be in writing and shall be delivered to the City Clerk, 67 N. Main Street, Madisonville, Kentucky, by 10:30 a.m. on February 28, 2018. Advertisements for such bids shall be published in accordance with the requirements of KRS Chapter 424. All costs for such advertisements shall be borne by the successful Franchisee.

Sealed bids offered for the purchase of this franchise shall be publicly opened and read at 10:30 a.m. C.S.T. on February 28, 2018. All bids shall state the bidder’s acceptance of the terms and provisions set forth in the attached franchise agreement.

The Mayor shall present all written bids to the City of Madisonville at its first meeting scheduled

after the Bid Deadline for the City's consideration and approval. The City reserves the right to accept any bid, to reject any and all bids received, to waive any irregularities or informalities in awarding the franchise and to accept what, in its opinion, is the best responsive and responsible bid. In the event all bids are rejected, the City reserves the right to direct by resolution or ordinance that the franchise created hereunder be offered again for sale until a satisfactory bid is received and approved.

The franchise created by this ordinance shall become effective when the franchise agreement is signed by the successful bidder and the City.

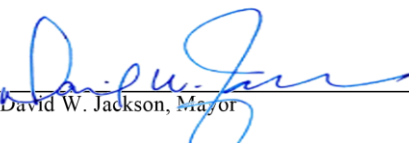
The foregoing Ordinance is read to and presented to a regular meeting of the City Council of Madisonville, Kentucky, for first reading on the 16th day of January, 2018 and the second reading on the 29th day of January, 2018. Motion was made by , seconded by , that the Ordinance be adopted as the law of the City of Madisonville, Kentucky, to be effective upon publication, as required by law.

Upon vote being taken thereon, the votes were cast as follows:

RESULT: FIRST READING Next: 1/29/2018 4:30 PM

It appearing that the Councilmembers voted the Mayor announced that the Motion was First Reading and that the above Ordinance would be published as required by law and would be effective as a new Ordinance of the City of Madisonville, Kentucky, immediately upon publication thereof, unless otherwise stated.

Dated 29th day of January, 2018


 David W. Jackson, Mayor 1/30/2018

City of Madisonville, KY

ATTEST:



Kim Blue, City Clerk 1/30/2018

City of Madisonville, KY

FRANCHISE AGREEMENT

THIS FRANCHISE AGREEMENT is made and executed this 20th day of May 2013 by and between the City of Madisonville, Kentucky (sometimes referred to herein as the "City" or "Grantor") and Atmos Energy Corp. (referred to herein as "Grantee").

Article I

DEFINITIONS:

As used in this Agreement, the following words and phrases shall have the following meanings:

- (A) "Commission" refers to and is the Kentucky Public Service Commission, the state utility regulatory Commission having jurisdiction over the rates, services and operations of Grantee within the State of Kentucky or other administrative or regulatory authority succeeding to the regulatory powers of the Commission.
- (B) "Council" or "City Council" refers to and is the governing body of the City of Madisonville.
- (C) "City" refers to and is the City of Madisonville, Hopkins County, Kentucky, and includes such territory as currently is or may in the future be included within the boundaries of the City of Madisonville.
- (D) "Franchise" shall mean the rights and privileges granted by the Grantor to Grantee under the terms and provisions of this franchise ordinance.
- (E) "Grantee" shall mean Atmos Energy Corp.
- (F) "Grantor" shall mean the City of Madisonville, Kentucky.
- (G) "Public Right-of-Way" shall mean the surface, the airspace above the surface and area below the surface of any street, highway, alley, avenue, boulevard, sidewalk, pedestrian/bicycle lane or trail, driveway, bridge, utility easement or any other public ways owned, dedicated by plat, occupied or used by the public and within Grantor's geographical limits or boundaries established by applicable law.
- (H) "Revenues" refer to and are those amounts of money which the Grantee receives from its customers within the Grantor's geographical limits or boundaries for the retail sale of gas under rates, temporary or permanent, authorized by the Commission and represents amounts billed under such rates as adjusted for refunds, the net write-off of uncollectible accounts, corrections or other regulatory adjustments. Revenues do not include miscellaneous service charges, including but not limited to turn ons, meter sets, non sufficient funds, late fees

and interest, which are related to but are not a part of the actual retail sale of gas.

(I) "System" shall mean the system of works, pipes, pipelines, facilities, fixtures, apparatus, lines, machinery, equipment, structures, appliances, appurtenances or other infrastructure reasonably necessary for the storage, transportation, distribution or sale of natural, artificial or mixed gas to residential and commercial customers and the public generally, within the geographical limits or boundaries of the Grantor.

Article II

GRANT OF FRANCHISE:

(A) There is hereby created and granted unto Grantee a non-exclusive franchise to enter upon, acquire, construct, operate, maintain and repair in the Public Right-of-Way the System, subject to the provisions of this Agreement. The franchise granted hereunder shall be extended to territories that are annexed by Grantor upon the same terms and conditions herein, subject to the approval of the Commission, if any such approval is required.

(B) The franchise granted to Grantee by the Grantor shall not be exclusive and the Grantor reserves the right to grant a similar franchise to any other person or entity at any time. In the event the Grantor shall grant to another person or entity during the term hereof a franchise for a gas distribution system within the geographical boundaries or limits of Grantor similar to the one herein granted to Grantee, it is agreed that the terms of any such franchise agreement shall be no more favorable to such new additional grantee than those terms contained herein. Additionally, it is agreed that any such new/additional grantee shall have no right to use any portion of the System without Grantee's written consent.

Article III

TERM, EFFECTIVE DATE, AND ACCEPTANCE OF FRANCHISE:

(A) The term of this Franchise shall be for a term of ⁵~~ten~~ (5) years.

(B) The franchise created hereby shall become effective upon its final passage and approval by the City, in accordance with applicable laws and regulations, and upon acceptance by the Grantee by written instrument within sixty (60) days of passage by the governing body, and filed with the Clerk of the Grantor. If the Grantee does not, within sixty (60) days following passage of this Ordinance, express in writing its objections to any terms or provisions contained therein, or reject this Ordinance in its entirety, the Grantee shall be deemed to have accepted this Ordinance and all of its terms and conditions.

(C) The terms and conditions of Ordinance 08-07 are superseded by the terms and conditions hereof.

(D) On the expiration of this franchise, in the event the same is not renewed, or on the termination of any renewal of said franchise, or on termination of said franchise for any other reason, the plant and facilities of the Grantee installed, constructed and operated hereunder shall, at the option of the City become the property of the City, upon payment to the Grantee, its successors and/or assigns, of a fair valuation thereof, such fair valuation to be determined by agreement between the City and the Grantee, its successors and/or assigns. Grantor agrees that, at the time of such transfer of facilities, it shall assume Grantee's contractual and regulatory obligations maintained in connection with the system. If the City does not exercise the option hereunder, then Grantee may exercise its rights under Article XI (B).

Article IV

GRANTEE'S RIGHTS IN AND TO PUBLIC RIGHT-OF-WAY:

The Grantee shall have the right and privilege of constructing, erecting, laying, operating, maintaining, replacing, removing and/or repairing a gas distribution system through, along, across and under the public right-of-way within the geographical boundaries or limits of the Grantor as it now exists or may hereafter be constructed or extended, subject to the inherent police powers conferred upon or reserved unto the Grantor and the provisions of this Agreement.

Article V

OPERATION OF SYSTEM; EXCAVATION OF PUBLIC RIGHT-OF-WAY:

(A) The System shall at all times be installed, operated and maintained in good working condition as will enable the Grantee to furnish adequate and continuous service to all of its residential, commercial and industrial customers. The System shall be designed, installed, constructed and replaced in locations and at depths which comply with all applicable federal and state laws and regulations regarding minimum safety standards for design, construction, maintenance and operation of gas distribution systems.

(B) Grantee shall have the right to disturb, break, and excavate in the Public Right-of-Way as may be reasonable and necessary to provide the service authorized hereby.

(C) Grantee will repair any damage caused solely by Grantee to any part of the Public Right-of-Way and will restore, as nearly as practicable, such property to substantially its condition immediately prior to such damage.

(D) Grantee shall use reasonable care in conducting its work and activities in order to prevent injury to any person and unnecessary damage to any real or personal property.

(E) Grantee shall, when reasonably practicable, install all pipelines underground at such depth and in such manner so as not to interfere with the existing pavement, curbs, gutters, underground wires or cables or water or sewer pipes owned or controlled by the Grantor.

Article VI

DEGRADATION/RESTORATION OF PUBLIC RIGHT-OF-WAY:

(A) In the event that Grantor or any other entity acting on behalf of Grantor requests or demands that Grantee remove, move, modify, relocate, reconstruct or adjust any part of the system from their then-current locations within the streets, alleys, and public places of Grantor in connection with a public project or improvement, then Grantee shall relocate, at its expense, the system facilities affected by such project or improvement. Grantee's obligations under this paragraph shall apply without regard to whether Grantee has acquired, or claims to have acquired, an easement or other property right with respect to such system facilities and shall not affect the amounts paid or to be paid to Grantee under the provisions of this Ordinance. Notwithstanding the foregoing provisions of this paragraph, Grantee shall not be obligated to relocate, at its expense, any of the following: (i) system facilities that are located on private property at the time relocation is requested or demanded; (ii) system facilities that are relocated in connection with sidewalk improvements (unless such sidewalk improvements are related to or associated with road widenings, the creation of new turn lanes, or the addition of acceleration/deceleration lanes); (iii) streetscape projects or other projects undertaken primarily for aesthetic purposes; or (iv) system facilities that are converted from an overhead configuration or installation to an underground configuration or installation.

(B) Grantor and Grantee recognize that both parties benefit from economic development within the boundaries of Grantor. Accordingly, when it is necessary to relocate any of Grantee's facilities within the boundaries of Grantor, Grantor and Grantee shall work cooperatively to minimize costs, delays, and inconvenience to both parties while ensuring compliance with applicable laws and regulations. In addition, Grantor and Grantee shall communicate in a timely fashion to coordinate projects included in Grantor's five-year capital improvement plan, Grantor's short-term work program, or Grantor's annual budget in an effort to minimize relocation of Grantee's facilities. Such communication may include, but is not limited to, (i) both parties' participation in a local utility's coordinating council (or any successor organization) and (ii) both parties' use of the National Joint Utility Notification System (or any

alternative comparable systems or successor to such system mutually acceptable to both parties).

Article VII

COMPENSATION FOR USE OF PUBLIC RIGHT-OF-WAY AND CONSIDERATION FOR FRANCHISE:

(A) In consideration for the granting and exercise of the rights and privileges created hereunder, and in further consideration of the grant to the Franchisee of the right to make use of Public Right-of-Way, Grantee shall pay to the Grantor, during the entire life of the franchise, a sum equal to one percent (1%) of its Revenues. The fee prescribed herein shall be paid to the Grantor quarterly on or before the 30th day after the end of each calendar quarter after the effective date hereof, and the Grantee shall furnish to the Grantor quarterly a statement of Grantee's Revenues.

(B) Grantee may add a line-item surcharge to the monthly bills of each of its customers located within the geographical boundaries or limits of Grantor, which surcharge may be designated as a franchise fee, in an amount that is sufficient to recover the portion of the franchise fee paid by the Grantee to the Grantor that is attributable to the Revenue derived by Grantee from such customer.

(C) The franchise fee provided herein, together with any charges of the Grantor for water, sewage and garbage services provided by the Grantor to Grantee, and any applicable occupational license fees or sales, ad valorem or other taxes payable to the Grantor by the Grantee under applicable law, shall constitute the only amounts for which Grantee shall be obligated to pay to the Grantor and shall be in lieu of any and all other costs, levies, assessments, fees or other amounts, of any kind whatsoever, that the Grantor, currently or in the future, may charge Grantee or assess against Grantee's property. The franchise fee herein contemplated shall be uniformly and equally applied to all natural gas and electric utilities, of like services or any other natural gas service that compete with the Grantee, such that Grantee will be excused from collecting and paying franchise fees and/or taxes if Grantee's competitors are not also required to do so.

(D) The Grantor, through its duly authorized representative and at all times reasonable, shall have access to, and the right to inspect Grantee's books and records that are necessary to confirm the accuracy of the amount of franchise fee being paid to the City.

Article VIII
SERVICE TO NEW AREAS

If during the term of this franchise the boundaries of the Grantor are expanded, the Grantor will promptly notify Grantee in writing of any geographic areas annexed by the Grantor during the term hereof ("Annexation Notice"). Any such Annexation Notice shall be sent to Grantee by certified mail, return receipt requested, and shall contain the effective date of the annexation, maps showing the annexed area and such other information as Grantee may reasonably require in ascertaining whether there exist any customers of Grantee receiving natural gas service in said annexed area. To the extent there are such customers therein, then the revenue of Grantee derived from the retail sale of natural gas to such customers shall become subject to the franchise fee provisions hereof effective on the first day of Grantee's billing cycle immediately following Franchisee's receipt of the Annexation Notice. The failure by the Grantor to advise Grantee in writing through proper Annexation Notice of any geographic areas which are annexed by the Grantor shall relieve Grantee from any obligation to remit any franchise fees to Grantor based upon revenues derived by Grantee from the retail sale of natural gas to customers within the annexed area prior to Grantor delivering an Annexation Notice to Grantee in accordance with the terms hereof.

Article IX
BREACH OF FRANCHISE; REMEDIES:

In the event of a breach by Grantee of any material provision hereof, the Grantor may terminate the franchise and rights granted to Grantee hereunder, provided, however, that such termination shall not be effective unless and until the procedures described below have been followed:

(A) Grantor must deliver to Grantee, by certified or registered mail, a written notice signed by the mayor or other duly authorized member of Grantor's governing body, attested by the Grantor's secretary, and sealed with the official seal of the Grantor. Such notice must (i) fairly and fully set forth in detail each of the alleged acts or omissions of Grantee that the Grantor contends constitutes a substantial breach of any material provision hereof, (ii) designate which of the terms and conditions hereof the Grantor contends Grantee breached, and (iii) specify the date, time, and place at which a public hearing will be held by the governing body of the Grantor for the purpose of determining whether the allegations contained in the notice did in fact occur, provided, however, that the date of such hearing may not be less than thirty (30)

days after the date of such notice.

(B) Within thirty (30) days following the adjournment of the public hearing described in Subsection (A) above, the Grantor must deliver to Grantee, by certified or registered mail, a written notice signed by the mayor or other duly authorized member of Grantor's governing body, attested by the Grantor's secretary, and sealed with the official seal of the Grantor, setting forth (i) the acts and omissions of Grantee described in the first notice that the governing body of the Grantor determines to have in fact occurred and (ii) the specific terms and conditions hereof listed in the first notice that the governing body of the Grantor determines to have in fact been breached by such acts or omissions of Grantee.

(C) The Grantor must permit Grantee the opportunity to substantially correct all of the breaches hereof set forth in the written notice described in Subsection (B) above within sixty (60) days after Grantee's receipt of such notice.

Article X FORCE MAJEURE

Notwithstanding anything expressly or impliedly to the contrary contained herein, in the event Franchisee is prevented, wholly or partially, from complying with any obligation or undertaking contained herein by reason of any event of force majeure, then, while so prevented, compliance with such obligations or undertakings shall be suspended, and the time during which Franchisee is so prevented shall not be counted against it for any reason. The term "force majeure", as used herein, shall mean any cause not reasonably within Franchisee's control and includes, but is not limited to, acts of God, strikes, lockouts, wars, terrorism, riots, orders or decrees of any lawfully constituted federal, state or local body, contagions or contaminations hazardous to human life or health, fires, storms, floods, wash-outs, explosions, breakages or accidents to machinery or lines of pipe, inability to obtain or the delay in obtaining rights-of-way, materials, supplies, or labor permits, temporary failures of gas supply, or necessary repair, maintenance, or replacement of facilities used in the performance of the obligations contained in this Agreement.

Article XI ADDITIONAL REQUIREMENTS; MISCELLANEOUS PROVISIONS

(A) Grantee shall at all times indemnify and hold harmless the Grantor from and against any and all lawful claims for injury to any person or property by reason of Grantee's or

its employees' failure to exercise reasonable care in installing, maintaining and operating the System. Provided, however, that none of the provisions of this paragraph shall be applicable to the extent the Grantor, its officials, officers, employees, contractors, or agents, were negligent and such negligence was the sole or contributing factor in bringing about injury to any person or property. In such event, any liability shall be apportioned between the Grantor and the Grantee based upon the percentage of fault assigned to each by a court of competent jurisdiction.

(B) Subject to the City's option under Article III (D), Grantee may remove all or any part of its System upon the expiration or termination of the franchise and rights granted hereby.

(C) Grantee may transfer or assign the franchise created by this agreement to any other person, proprietorship, partnership, firm or corporation with written notification to the Grantor.

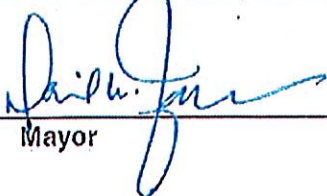
(D) If any section, subsection or provision of this ordinance or any part thereof is for any reason found or held to be in conflict with any applicable statute or rule of law, or is otherwise held to be unenforceable, the invalidity of any such section, subsection or provision shall not affect any or all other remaining sections and provisions of this ordinance, which shall remain in full force and effect.

(E) This agreement shall extend to, be binding upon, and inure to the benefit of, the parties hereto, and their respective successors and assigns.

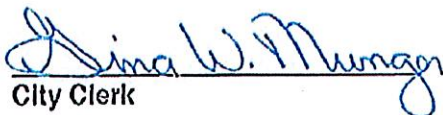
(F) To the extent that any other ordinances of the Grantor or portions thereof are in conflict or inconsistent with any of the terms or provisions hereof, then the terms of this Ordinance shall control.

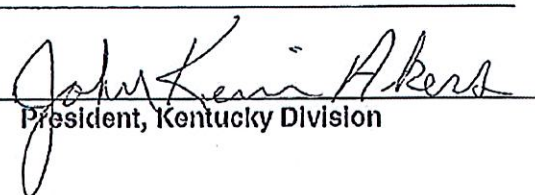
IN TESTIMONY WHEREOF, witness the signatures of the parties on this the day and date first above written.

CITY OF MADISONVILLE, KENTUCKY

BY: 
Mayor

ATTEST:


City Clerk

BY: 
President, Kentucky Division

City's Mailing Address and Phone Number:

67 N. Main St.
P.O. Box 705
Madisonville, KY 42431
270-824-2101



City Council
77 N. Main St.
Madisonville, KY 42431

ADOPTED

ITEM FOR DISCUSSION (ID # 1374)

Meeting: 01/16/18 04:30 PM
Department: City Clerk Department
Category: Bid
Prepared By: Kim Blue
Initiator: Kim Blue
Sponsors:
DOC ID: 1374

10.B.1

Authorize the advertisement for bids to construct the Water Systems North Pressure Zone

There will be two separate bids/contract:

Contract 17-01 - Renfro Drive Water Booster Station and Water Line Extensions

Contract 17-02 - 250,000 Gallon Pedesphere Elevated Water Tank

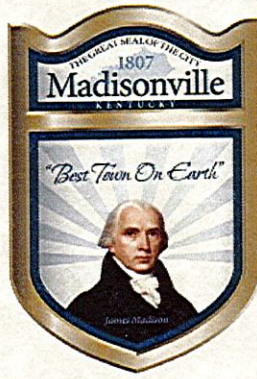
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Adam Townsend, Ward 3
SECONDER:	Frank Stevenson, Ward 5
AYES:	Lee, Stevenson, Townsend, Johnson, Space
ABSENT:	Barry McGaw

Longevity Pins

5 years

Frank Stevenson

Bob Simmons



PROCLAMATION

WHEREAS, residents of assisted living communities are active members of the larger community, offering their wisdom, life experiences, and skills; their past contributions continue to be a vital part of our city's rich history; and their future contributions and participation deepens the community life and activity; and

WHEREAS, the Activity Professional is a vital part of long-term care service for the elderly and individuals with disabilities and champions choice, dignity, and independence; Activity Professionals are committed to excellence, innovation, and the advancement of person-centered care; and

WHEREAS, the National Association of Activity Professionals created National Activity Professional Week to demonstrate our nation's appreciation of the unique individuals that work to deliver care every day; and

WHEREAS, the theme of 2018 National Activity Professional Week is "People, Passion, Purpose," which celebrates the countless ways that Activity Professionals care for their residents, their team members, and volunteers by sharing their inspiring lives and talents.

NOW THEREFORE, BE IT RESOLVED, that I, David W. Jackson, Mayor of the City of Madisonville, Kentucky, do hereby proclaim the week of January 21st through 27th, 2018, as:

"National Activity Professional Week"

in the City of Madisonville, Kentucky, and encourage our citizens to recognize and give thanks to those selfless individuals that endeavor to deliver care each day.

SO PRESENTED on this, the 16th day of January, 2018, in Madisonville, Kentucky.

David W. Jackson
Mayor