



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

August 5, 2019 at 4:30 PM

AGENDA

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. INVOCATION**
- 4. ROLL CALL**
- 5. APPROVAL OF MINUTES**
 - A. City Council - Regular Meeting - Jul 15, 2019 4:30 PM
- 6. APPROVAL OF BILLS AND PAYROLL**
 - A. Bills & Payroll
- 7. EXECUTIVE ORDER**
 1. EXECUTIVE ORDER RELATING TO THE APPOINTMENT OF CHARLIE FRANKLIN TO THE AIRPORT BOARD
- 8. OLD BUSINESS**
 - A. *Second Reading Ordinances*
 - A. **Ordinances**
 1. ORDINANCE ANNEXING CERTAIN REAL ESTATE INTO THE CITY LIMITS OF MADISONVILLE, KENTUCKY KNOWN AS LOT 5, OAKWOOD HILLS SUBDIVISION
 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 ESTABLISHING THE ZONING CLASSIFICATION OF 8.44 ACRES LOCATED BETWEEN 4193 & 4175 BUFFALO TRACE
- 9. NEW BUSINESS**
 - A. *Resolutions*
 - A. Resolution to purchase the property located at 140 Nisbet Street, Madisonville, Kentucky
 - B. Resolution to Accept bids for the following lots: 164 Murray, 118 Oakdale & 143 Oakdale

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. Item for Discussion

1. Interlocal Cooperative Agreement to Establish a Revenue Sharing Arrangement
2. Permission for Fire Department to apply for a grant
3. Permission to Bid Rubber Mulch for playground equipment at Festus Claybon Park

C. PROCLAMATION - Kentucky Veterans Hall of Fame City

10. ADJOURNMENT

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

July 15, 2019 at 4:30 PM

MINUTES

1. **CALL TO ORDER BY MAYOR KEVIN COTTON**
2. **PLEDGE OF ALLEGIANCE**
3. **INVOCATION BY TONY SPACE**
4. **ROLL CALL**

Attendee Name	Title	Status	Arrived
Kevin Cotton	Mayor	Present	
Misty Cavanaugh	Ward 1	Present	
Tony Space	Ward 2	Present	
Adam Townsend	Ward 3	Present	
Larry Noffsinger	Ward 4	Present	
Frank Stevenson	Ward 5	Present	
Bobby Johnson	Ward 6	Present	

5. **APPROVAL OF MINUTES**

RESULT: ADOPTED [UNANIMOUS]
MOVER: Larry Noffsinger, Ward 4
SECONDER: Tony Space, Ward 2
AYES: Cavanaugh, Space, Townsend, Noffsinger, Stevenson, Johnson

A. City Council - Regular Meeting - Jul 1, 2019 4:30 PM

6. **APPROVAL OF BILLS AND PAYROLL**

A. Bills & Payroll

RESULT: APPROVED [UNANIMOUS]
MOVER: Frank Stevenson, Ward 5
SECONDER: Larry Noffsinger, Ward 4
AYES: Cavanaugh, Space, Townsend, Noffsinger, Stevenson, Johnson

7. **EXECUTIVE ORDER**

1. Executive Order for appointment of a Maintenance of Facility/Coordinator for the Boy Scout Camp located on Ferris Lane, Madisonville, Kentucky

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Minutes Acceptance: Minutes of Jul 15, 2019 4:30 PM (Approval of Minutes)

8. NEW BUSINESS

1. Items for Discussion

1. Motion to remove from the table the reading of bids received for surplus lots.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Frank Stevenson, Ward 5
SECONDER:	Larry Noffsinger, Ward 4
AYES:	Cavanaugh, Space, Townsend, Noffsinger, Stevenson, Johnson

2. 1634 : Reading of Bids received for surplus lots from Melinda Tyrie: Motion to reject the bids

RESULT:	ADOPTED [5 TO 1]
MOVER:	Larry Noffsinger, Ward 4
SECONDER:	Tony Space, Ward 2
AYES:	Cavanaugh, Space, Noffsinger, Stevenson, Johnson
NAYS:	Townsend

3. Request to close Railroad Street for Pennyriple Area Cyclists

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Adam Townsend, Ward 3
SECONDER:	Larry Noffsinger, Ward 4
AYES:	Cavanaugh, Space, Townsend, Noffsinger, Stevenson, Johnson

2. Resolutions

- A. RESOLUTION TO ACCEPT BID FOR BROWN ROAD SEWER REPLACEMENT PROJECT

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tony Space, Ward 2
SECONDER:	Frank Stevenson, Ward 5
AYES:	Cavanaugh, Space, Townsend, Noffsinger, Stevenson, Johnson

- B. Accept Bid for 624 Victoria Street, Madisonville, Kentucky

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

3. *Motion for Council to review audiotape of hearing before Hokins County Joint Planning Commission concerning the proposed zoning classification for property owned by Jerry T. Markham and Tyra L. Markham, co-trustees, containing 8.44 acres under consideration to be*

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Minutes Acceptance: Minutes of Jul 15, 2019 4:30 PM (Approval of Minutes)

annexed and to make its own findings of fact, conclusions of law and to assign a zoning classification for the property (There will be no public comment concerning the zoning classification) .

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Frank Stevenson, Ward 5
SECONDER:	Adam Townsend, Ward 3
AYES:	Cavanaugh, Space, Townsend, Noffsinger, Stevenson, Johnson

- 4. Motion by Frank Stevenson to adopt the Findings of Fact that a zoning classification for the property of Jerry T. Markham and Tyra L. Markham, Co-Trustees of the Jerry and Tyra Markham Living Trust to be Low Density Residential. Motion was seconded by Tony Space. All members voted in favor. Motion adopted.**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Frank Stevenson, Ward 5
SECONDER:	Tony Space, Ward 2
AYES:	Cavanaugh, Space, Townsend, Noffsinger, Stevenson, Johnson

5. First Reading Ordinances

- A. 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 ESTABLISHING THE ZONING CLASSIFICATION OF 8.44 ACRES LOCATED BETWEEN 4193 & 4175 BUFFALO TRACE

RESULT:	FIRST READING	Next: 8/5/2019 4:30 PM
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9. ADJOURNMENT

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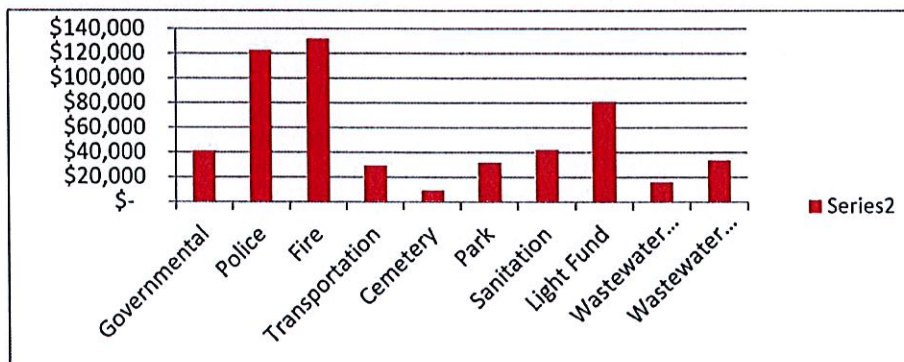
Bills and Payroll for Council Meeting 08/05/19

6.A

Co#	Bank#	Fund Name	
100	1	General Fund	\$ 90,848.22
			\$ 104,221.64
			\$ 35,025.69
		Total General Fund	\$ 230,095.55
190	9	Sanitation	\$ 56,663.09
			\$ 59,434.92
		Total Sanitation	\$ 116,098.01
200	9	Electric/Utility Office	\$ 32,885.09
			\$ 15,280.38
2			
		Total Electric/Utility Office	\$ 48,165.47
210	8	Water and Filter	\$ 19,606.88
			\$ 40,616.56
		Total Water Filter	\$ 60,223.44
	9	Waste Water Collection and Treatment	\$ 198,710.04
			\$ 40,901.77
		Total Wastewater Collection and Treatment	\$ 239,611.81

Estimated Payroll

Co#	Dept #	Department Name	Amount
100	Various	Governmental	\$ 41,084
100	2100	Police	\$ 122,008
100	2300	Fire	\$ 131,058
100	3300	Transportation	\$ 29,056
100	5000	Cemetery	\$ 8,787
100	7000	Park	\$ 31,435
190	3100	Sanitation	\$ 41,769
200	1000/4500	Light Fund	\$ 80,252
200	2000	Wastewater Treatment	\$ 15,383
200	2001	Wastewater Collection	\$ 33,220
200	4700/4600	Water and Filter	\$ 47,454
		Total Payroll	\$ 581,507



Number of Employees paid July 26, 2019

See next page

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

CMP	DEPT	NAME	DATE	TOTAL	FULL	PART
100	1100	ELECTED OFFICIALS	7/26/19	7	1	6
100	1200	ADMINISTRATION	7/26/19	7	5	2
100	1400	FINANCE	7/26/19	5	5	
100	1500	CITY CLERK	7/26/19	3	3	
100	1600	AIRPORT	7/26/19	3	3	
100	1700	ZONING	7/26/19	2	2	
100	2100	POLICE DEPT-MADISONVILLE	7/26/19	51	47	4
100	2150	POLICE FICA	7/26/19	3	2	1
100	2151	DISPATCH	7/26/19	13	12	1
100	2200	ALCOHOLIC BEVERAGE CONTROL	7/26/19	1		1
100	2300	FIRE DEPT-MADISONVILLE	7/26/19	61	61	
100	2350	FIRE FICA/NON HAZARDOUS	7/26/19	1	1	
100	3300	TRANSPORTATION DEPT	7/26/19	24	21	3
100	5000	CEMETERY DEPARTMENT	7/26/19	9	5	4
100	7000	PARK DEPARTMENT	7/26/19	24	13	11
100	7100	POOL EMPLOYEES	7/26/19	15		15
190	3100	SANITATION DEPARTMENT	7/26/19	27	26	1
200	1000	UTILITY OFFICE	7/26/19	13	13	
200	4500	LIGHT DISTRIBUTION DEPT	7/26/19	22	22	
210	2000	WASTEWATER TREATMENT	7/26/19	8	8	
210	2001	WASTEWATER COLLECTION	7/26/19	23	21	2
211	4600	FILTER DEPARTMENT	7/26/19	13	12	1
211	4700	WATER DEPARTMENT	7/26/19	18	18	
		Totals		353	301	52

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	196.00	1.50	.00	197.50
100	1400	FINANCE	215.00	4.00	.00	219.00
100	1500	CITY CLERK	86.25	.00	.00	86.25
100	1700	ZONING	78.50	.00	.00	78.50
100	1900	CITY ENGINEER	.00	.00	.00	.00
100	2200	ALCOHOLIC BEVERAGE	.00	.00	.00	.00
		Total Government	575.75	5.50	.00	581.25
100	2100	POLICE DEPT-MADISO	3,725.50	434.25	.00	4,159.75
100	2150	POLICE FICA	204.00	31.25	.00	235.25
		Total Police	3,929.50	465.50	.00	4,395.00
100	2300	FIRE DEPT-MADISONV	4,688.00	1,765.75	118.00	6,571.75
100	2350	FIRE FICA/NON HAZA	70.00	.00	.00	70.00
		Total Fire	4,758.00	1,765.75	118.00	6,641.75
100	3300	TRANSPORTATION DEP	1,845.75	37.50	.00	1,883.25
		Total Transportati	1,845.75	37.50	.00	1,883.25
100	5000	CEMETERY DEPARTMEN	687.75	23.75	.00	711.50
		Total Cemetery	687.75	23.75	.00	711.50
100	7000	PARK DEPARTMENT	1,322.00	54.00	.00	1,376.00
100	7100	POOL EMPLOYEES	937.50	73.50	.00	1,011.00
		Total Park	2,259.50	127.50	.00	2,387.00
190	3100	SANITATION DEPARTM	2,054.25	94.50	.00	2,148.75
		Total Sanitation	2,054.25	94.50	.00	2,148.75
200	1000	UTILITY OFFICE	907.75	29.50	.00	937.25
200	1001	METER READING	.00	.00	.00	.00
200	4500	LIGHT DISTRIBUTION	1,726.50	77.00	.00	1,803.50
		Total Utility Offi	2,634.25	106.50	.00	2,740.75
210	2000	WASTEWATER TREATME	598.75	7.50	.00	606.25
210	2001	WASTEWATER COLLECT	1,706.75	42.00	.00	1,748.75
		Total Wastewater T	2,305.50	49.50	.00	2,355.00
211	4600	FILTER DEPARTMENT	895.25	91.77	.00	987.02
211	4700	WATER DEPARTMENT	1,412.78	28.50	.00	1,441.28
		Total Water	2,308.03	120.27	.00	2,428.30
		Grand Totals	23,358.28	2,796.27	118.00	26,272.55

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

CMP	DEPT	NAME	REGULAR	OVERTIME	SPC-OVT	TOTAL
100	1100	ELECTED OFFICIALS	4,316.56	.00	.00	4,316.56
100	1200	ADMINISTRATION	15,185.31	26.39	.00	15,211.70
100	1400	FINANCE	11,327.11	118.88	.00	11,445.99
100	1500	CITY CLERK	5,020.41	.00	.00	5,020.41
100	1700	ZONING	3,818.24	.00	.00	3,818.24
100	1900	CITY ENGINEER	.00	.00	.00	.00
100	2200	ALCOHOLIC BEVERAGE	1,271.55	.00	.00	1,271.55
		Total Government	40,939.18	145.27	.00	41,084.45
100	2100	POLICE DEPT-MADISO	101,290.98	16,253.06	.00	117,544.04
100	2150	POLICE FICA	3,604.06	860.23	.00	4,464.29
		Total Police	104,895.04	17,113.29	.00	122,008.33
100	2300	FIRE DEPT-MADISONV	90,503.21	36,947.57	2,692.82	130,143.60
100	2350	FIRE FICA/NON HAZA	913.99	.00	.00	913.99
		Total Fire	91,417.20	36,947.57	2,692.82	131,057.59
100	3300	TRANSPORTATION DEP	28,105.40	950.75	.00	29,056.15
		Total Transportati	28,105.40	950.75	.00	29,056.15
100	5000	CEMETERY DEPARTMEN	8,326.41	460.56	.00	8,786.97
		Total Cemetery	8,326.41	460.56	.00	8,786.97
100	7000	PARK DEPARTMENT	21,672.68	824.52	.00	22,497.20
100	7100	POOL EMPLOYEES	8,022.24	915.55	.00	8,937.79
		Total Park	29,694.92	1,740.07	.00	31,434.99
190	3100	SANITATION DEPARTM	38,929.48	2,839.46	.00	41,768.94
		Total Sanitation	38,929.48	2,839.46	.00	41,768.94
200	1000	UTILITY OFFICE	18,281.16	605.70	.00	18,886.86
200	1001	METER READING	.00	.00	.00	.00
200	4500	LIGHT DISTRIBUTION	57,397.36	3,968.07	.00	61,365.43
		Total Utility Offi	75,678.52	4,573.77	.00	80,252.29
210	2000	WASTEWATER TREATME	15,166.85	216.58	.00	15,383.43
210	2001	WASTEWATER COLLECT	32,225.54	994.43	.00	33,219.97
		Total Wastewater T	47,392.39	1,211.01	.00	48,603.40
211	4600	FILTER DEPARTMENT	18,028.27	2,236.73	.00	20,265.00
211	4700	WATER DEPARTMENT	26,487.41	701.12	.00	27,188.53
		Total Water	44,515.68	2,937.85	.00	47,453.53
		Grand Totals	509,894.22	68,919.60	2,692.82	581,506.64

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

CITY OF MADISONVILLE
OFFICE OF THE MAYOR
EXECUTIVE ORDER

EXECUTIVE ORDER RELATING TO THE APPOINTMENT OF CHARLIE FRANKLIN TO
THE AIRPORT BOARD

KNOW ALL MEN BY THESE PRESENTS:

That I, Kevin Cotton, Mayor of the City of Madisonville, Kentucky, pursuant to the authority vested in me by applicable law, **DO HEREBY ORDER** as follows:

- 1) That Charlie Franklin is hereby appointed to the Airport Board; and
- 2) That the term of Charlie Franklin shall be for a period of 4 years concluding on July 31, 2023;
and
- 3) That Charlie Franklin shall serve in accordance with the Laws of the United States of America and the Commonwealth of Kentucky, and the ordinances of the City of Madisonville.

On this 5th day of August, 2019

ATTEST:

**CITY OF MADISONVILLE, KY
ORDINANCE**

**ORDINANCE ANNEXING CERTAIN REAL ESTATE INTO THE CITY LIMITS OF
MADISONVILLE, KENTUCKY KNOWN AS LOT 5, OAKWOOD HILLS SUBDIVISION**

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

Section 1: The City of Madisonville, Kentucky, pursuant to KRS 81A.412, does hereby annex certain unincorporated territory into the city limits of Madisonville. The unincorporated territory hereby annexed is more particularly described on Exhibit A, attached hereto and incorporated herein by reference.

Section 2: Jerry T. Markham and Tyra L. Markham, Co-Trustees of the Jerry and Tyra Markham Living Trust dated May 18, 2016, are the record title owners of the property to be annexed and they have given their written notarized consent to the annexation of the subject property. Since the owners of the subject property to be annexed have consented in writing to the proposed annexation pursuant to the provisions of KRS 81A.412, there is no requirement for a notification ordinance as required by KRS 81A.420(1), or a notice requirement pursuant to KRS 81A.425, or a waiting period of 60 days as provided in KRS 81A.420(2) prior to enacting a final ordinance annexing the subject area.

Section 3: The area hereby annexed is adjacent or contiguous to the City's boundaries and, by reason of population density, commercial, industrial, institutional, or governmental use of land or subdivision of land, is urban in character and suitable for development for urban purposes without unreasonable delay.

Section 4: No portion of the area to be annexed is included within the boundary of another incorporated city.

Section 5: The City of Madisonville hereby finds it to be desirable to annex the unincorporated territory described in Exhibit A.

Section 6: The unincorporated territory hereby annexed has been assigned a zoning classification of Low Density Residential as established by the Madisonville City Council on July 15, 2019. A map reflecting the area hereby annexed and the zoning classification relating thereto is attached hereto as

required by KRS 81A.412 and is further identified as set forth on the official zoning map on file in the Office of the City Clerk which map is also incorporated herein by reference.

The foregoing Ordinance is read to and presented to a regular meeting of the City Council of Madisonville, Kentucky, for first reading on the 1st day of July, 2019 and the second reading on the 5th day of August, 2019. 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:

It appearing that the Councilmembers voted the Mayor announced that the Motion was 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 5th day of August, 2019

City of Madisonville, KY

ATTEST:

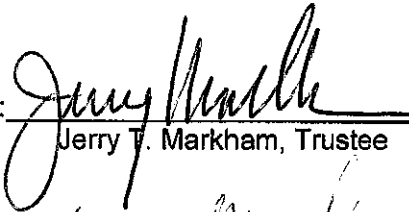
City of Madisonville, KY

CONSENT TO ANNEXATION PURSUANT TO KRS 81A.412

Jerry T. Markham and Tyra L. Markham, Co-Trustees of the Jerry and Tyra Markham Living Trust dated May 18, 2016, P. O. Box 431, Madisonville, Kentucky 42431, do hereby consent to and request the City of Madisonville to annex all of Lot No. 5 of the Oakwood Hills Subdivision as recorded in Plat Cabinet 3, Slide 52, Hopkins County Court Clerk's Office, in the city limits of the City of Madisonville. The plat of the property which we are requesting to be annexed is attached hereto and incorporated herein. The property to be annexed is a part of Parcel III and Parcel IV set forth in a deed of conveyance executed by Jerry T. Markham and his wife, Tyra L. Markham, to Jerry T. Markham and Tyra L. Markham, Co-Trustees of the Jerry and Tyra Markham Living Trust dated May 18, 2016, dated October 20, 2016 and of record in Deed Book 751, page 176, Hopkins County Court Clerk's Office. A copy of said deed of conveyance is attached herewith and incorporated herein.

This 20th day of June, 2019.

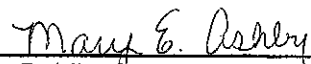
JERRY AND TYRA MARKHAM LIVING TRUST
DATED MAY 18, 2016

By: 
Jerry T. Markham, Trustee

By: 
Tyra L. Markham, Trustee

STATE OF KENTUCKY)
)
COUNTY OF HOPKINS)

Subscribed and sworn to before me by Jerry T. Markham and Tyra L. Markham, Co-Trustees of the Jerry and Tyra Markham Living Trust dated May 18, 2016, persons known to me or presenting sufficient evidence of their identifications, on this 20 day of June, 2019.


Notary Public, State at Large, KY
My Commission Expires: 8-13-2019
Notary No: 446999

JAE.srp.COM.2019.Agreements.0528Markham.consent



OAKWOOD HILLS SUBDIVISION – LOT NO. 5 BOUNDARY DESCRIPTION

Beginning at an existing iron pin in the West Right-of-Way of Buffalo Trace, said iron pin being the Northeast corner of Lot No. 5 of Oakwood Hills Subdivision as recorded in Plat Cabinet 3 Slide 052 in the Hopkins County Clerk's Office and the Southeast corner of Lot No. 8 of Oakwood Hills Subdivision as recorded in Plat Cabinet 2 Slide 169 in the Hopkins County Clerk's Office, Thence with the said West Right-of-Way of Buffalo Trace the following calls: S 08° 32' 58" W – 150.00 feet, S 08° 33' 09" W – 57.02 feet and S 09° 25' 11" W – 220.89 feet to a 5/8" x 24" rebar with 1 1/2" aluminum cap stamped "AEI #2286", said 5/8" rebar corner being the Northeast corner of Lot No. 3 of Oakwood Hills Subdivision as recorded in Plat Cabinet 3 Slide 052 in the Hopkins County Clerk's Office, Thence leaving the West Right-of-Way of Buffalo Trace and the following the North line of Lot No. 3 of Oakwood Hills Subdivision N 79° 20' 24" W – 741.76 feet to a 5/8" x 24" rebar with 1 1/2" aluminum cap stamped "AEI #2286", said 5/8" rebar corner being the Northwest corner of Lot No. 3 of Oakwood Hills Subdivision, Thence leaving the North line of Lot No. 3 of Oakwood Hills Subdivision and following the West line of Lot No. 3 of Oakwood Hills Subdivision S 20° 10' 40" W – 375.72 feet to a 5/8" x 24" rebar with 1 1/2" aluminum cap stamped "AEI #2286", said 5/8" rebar corner being the in the North line of Lot No. 2 of Oakwood Hills Subdivision as recorded in Plat Cabinet 3 Slide 320 in the Hopkins County Clerk's Office, Thence with the North line of Lot No. 2 of Oakwood Hills Subdivision N 71° 23' 05" W – 174.22 feet to a 5/8" x 24" rebar with 1 1/2" aluminum cap stamped "AEI #2286", said 5/8" rebar corner being the Northwest corner of Lot No. 2 of Oakwood Hills Subdivision and being a common corner with property belonging to Jerry and Tyra Markham, Co-Trustees as recorded in Deed Book 751 Page 176, Parcels I and II in the Hopkins County Clerk's Office, Thence leaving the North line of Lot No. 2 of Oakwood Hills Subdivision and following the East line of the Jerry and Tyra Markham Co-Trustee tract (Deed Book 751 Page 176, Parcel I) N 23° 14' 22" W – 29.71 feet to a 2" pipe corner, said 2" pipe corner being the Northeast corner of the Jerry and Tyra Markham, Co-Trustees tract (Deed Book 751 Page 176, Parcel I) and also being the Southeast corner of the Jerry and Tyra Markham, Co-Trustees tract (Deed Book 751 Page 176, Tract II), Thence leaving the East line of the Jerry and Tyra Markham, Co-Trustees tract (Deed Book 751 Page 176, Parcel I) and following the east line of the Jerry and Tyra Markham, Co-Trustees tract (Deed Book 751 Page 176, Tract II) N 36° 03' 33" E – 828.65 feet to a pipe corner, said pipe corner being the Northwest corner of Lot No. 5 of Oakwood Hills Subdivision and a

Owensboro, Kentucky
Phone: (270) 684-8450

2740 North Main Street, Madisonville, Kentucky 42431
Phone: (270) 821-7732 • Fax: (270) 821-7789

Lexington, Kentucky
Phone: (859) 286-3000

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Attachment: Oakwood Hills Subdivision (1627 : ORDINANCE ANNEXING CERTAIN REAL ESTATE INTO THE CITY LIMITS OF MADISONVILLE;)



common corner with Lot No. 8 of Oakwood Hills Subdivision as recorded in Plat Cabinet 2 Slide 169 in the Hopkins County Clerk's Office and a common corner with Lot No. 9 of Oakwood Hills Subdivision as recorded in Plat Cabinet 2 Slide 178 in the Hopkins County Clerk's Office, Thence leaving the East line of the Jerry and Tyra Markham, Co-Trustees tract (Deed Book 751 Page 176, Tract II) and following the South line of Lot No. 8 of Oakwood Hills Subdivision S 79° 25' 34" E – 625.15 feet to the Beginning and Containing 8.44 Acres.

Owensboro, Kentucky
Phone: (270) 684-8450

2740 North Main Street, Madisonville, Kentucky 42431
Phone: (270) 821-7732 • Fax: (270) 821-7789

Lexington, Kentucky
Phone: (859) 286-3000

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Attachment: Oakwood Hills Subdivision (1627 : ORDINANCE ANNEXING CERTAIN REAL ESTATE INTO THE CITY LIMITS OF MADISONVILLE;)

BY: NICOLE COFFMAN
DEEDS INDEXING
BK: PLAT 3
PG: 52-52

Marty Vincent
Deed Book 608,
Page 552
Lot 9
Oakwood Hills Subdivision
Cabinet 2, Slide 178

Marty Vincent
Deed Book 604,
Page 767
Lot 8
Oakwood Hills Subdivision
Cabinet 2, Slide 169

Marty Vincent
557
Page 501
Lot 8
Oakwood Hills Subdivision
Cabinet 2, Slide 169

5

JERRY T. & TYRA MARKHAM
DEED BOOK 668, PAGE 716
LOT 5
OAKWOOD HILLS SUBDIVISION
CABINET 2, SLIDE 349
PVA PARCEL M-8-1-4-5
ORIGINAL LOT 5 = 8.440 ACRES
LESS REVISION = 1.089 ACRE
PLUS REVISION = 1.089 ACRE
NEW LOT 5 = 8.440 ACRES

1.089 ACRES

S 79°20'24"E 871.71 (total)
Line to be Abandoned

10' Util. / Drain. Easement

10' Util. / Drain. Easement

10' Util. / Drain. Easement

10' Util. / Drain. Easement

10' Util. / Drain. Easement

10' Util. / Drain. Easement

10' Util. / Drain. Easement

10' Util. / Drain. Easement

10' Util. / Drain. Easement

N 39°03'33"E 542.69'

10' Util. / Drain. Easement

10' Util. / Drain. Easement

10' Util. / Drain. Easement

10' Util. / Drain. Easement

10' Util. / Drain. Easement

10' Util. / Drain. Easement

10' Util. / Drain. Easement

10' Util. / Drain. Easement

10' Util. / Drain. Easement

10' Util. / Drain. Easement

10' Util. / Drain. Easement

10' Util. / Drain. Easement

10' Util. / Drain. Easement

10' Util. / Drain. Easement

10' Util. / Drain. Easement

376.72' (total)

(117.94')

(64.35')

753.77'

S 08°25'11"W 63.47'

Exist. Iron Pin

Exist. Iron Pin

Exist. Iron Pin

Exist. Iron Pin

Buffalo Trace 14' Gravel 50' Total R/W

S 08°25'11"W 220.89'

S 08°33'08"W 67.02'

S 08°32'58"W 160.00'

30' Bldg. Setback Line and Util. / Drain. Easement

10' Util. / Drain. Easement

10' Util. / Drain. Easement

10' Util. / Drain. Easement

10' Util. / Drain. Easement

10' Util. / Drain. Easement

10' Util. / Drain. Easement

**CITY OF MADISONVILLE, KY
ORDINANCE**

**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 ESTABLISHING THE ZONING
CLASSIFICATION OF 8.44 ACRES LOCATED BETWEEN 4193 & 4175 BUFFALO TRACE**

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 consisting of 8.44 acres located between 4193 & 4175 Buffalo Trace owned by Jerry T. Markham and Tyra L. Markham, Co-Trustees of the Jerry and Tyra Markham Living Trust. For a description of the boundary of the area to be zoned, see Exhibit A attached hereto and incorporated herein by reference. The zoning classification given to this property is Low Density Residential and is set forth on the Official Zoning Map on file in the office of the City Clerk, which map is also incorporated herein by reference.

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 15th day of July, 2019 and the second reading on the 5th day of August, 2019. 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:

It appearing that the Councilmembers voted the Mayor announced that the Motion was 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 5th day of August, 2019

City of Madisonville, KY

ATTEST:

City of Madisonville, KY

Total Annexation
8.44 Acres

OAKWOOD HILLS SUBDIVISION
LOT No. 5
Plat Cabinet 3 Slide 052
Jerry & Tyra Markham, Co-Trustees
Deed Book 751 Page 176 - Parcels III & IV
PVA ID NOS.: M-8-1-4-5 & M-8-1-4-3-1

Markham, Co-Trustees
Page 176 - Tract II
O.: M-8-1-4-2

OAKWOOD HILLS SUBDIVISION
LOT No. 3
Plat Cabinet 3 Slide 052
J. Todd & Shannon P'Pool
Deed Book 669 Page 527 & Deed Book 725 Page 576
PVA ID NO.: M-8-1-4-3

BUFFALO TRACE

**CITY OF MADISONVILLE
RESOLUTION**

**RESOLUTION TO PURCHASE THE PROPERTY LOCATED AT 140 NISBET STREET,
MADISONVILLE, KENTUCKY**

WHEREAS, the City of Madisonville had accepted a bid on November 28, 2019 for the property located at 140 Nisbet Street, Madisonville, Kentucky from Harold Peyton for the sales price of \$2,100.00;

WHEREAS, Harold Peyton has contacted the City of Madisonville concerning a pipe on the property;

WHEREAS, Eric Hickman, the City Engineer has advised there is a drainage pipe that crosses through this property, connects into a storm inlet, and it is not currently mapped. He recommended at a minimum a 15' drainage easement be dedicated for this storm sewer, 7.5' centerline either side of pipe and restrict any permanent structures within this easement. Mr. Hickman further recommended to keep the lot and deed restrict to open lawn/green space to eliminate future potential flooding problems.

NOW THEREFORE, BE IT RESOLVED that the City Council authorizes the City to purchase the property from Harold Peyton for the price of \$2100.00 and further authorizes the mayor, or his designee, to execute a deed of conveyance to Harold Peyton.

ADOPTED on this 5th day of August, 2019.

ATTEST:

BOOK 770 PAGE 748

THIS DEED OF CONVEYANCE made and entered into by and between the CITY OF MADISONVILLE, KENTUCKY, P. O. Box 705, Madisonville, Kentucky 42431, hereinafter referred to as the "Grantor", and HAROLD D. PEYTON, 3453 Rosecreek Road, Madisonville, Kentucky 42431, hereinafter referred to as the "Grantee";

WITNESSETH: That for and in consideration of the sum of Two Thousand One Hundred Dollars (\$2,100.00) cash in hand paid, the receipt and sufficiency of which is hereby acknowledged, the Grantor does hereby grant, bargain, sell and convey unto the Grantee, his heirs and assigns, the following described real estate located at 140 Nisbet Street, Madisonville, Hopkins County, Kentucky, more particularly bounded and described as follows:

Beginning at an iron pin on the south edge of Nisbet Street, same being 115.6 feet east of the east edge of Seminary Street and running thence S. 66-32 E. 60.00 feet with the south edge of Nisbet Street to an iron pin in the south edge of said street and in the west edge of a 15 foot alley; thence with the west edge of said alley S. 0-42 E. 70.50 feet to an iron pin in the north line of Orvil Uzzle; thence with his line N. 66-22 W. 60.00 feet to an iron pin in the east line of Orvil Uzzle; thence N. 0-42 W. 70.50 feet to the beginning.

Being the same real estate conveyed by L. Rush Hunt, Master Commissioner of the Hopkins Circuit Court, et al., to the City of Madisonville, Kentucky, by deed dated September 14, 2018, and of record in Deed Book 769, page 448, Hopkins County Court Clerk's Office.

TO HAVE AND TO HOLD the above described real estate, together with all of the appurtenances thereunto belonging unto the Grantee, his heirs and assigns forever, with Covenant of Special Warranty of Title.

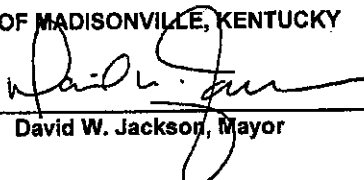
The parties hereto state that the consideration reflected in this deed is the full consideration paid for the property. The Grantee joins in the execution of this deed for the sole purpose of certifying the consideration pursuant to KRS Chapter 382.

IN TESTIMONY WHEREOF, witness the signatures of the parties on this 20th day of December, 2018.

GRANTEE:

CITY OF MADISONVILLE, KENTUCKY

By:


David W. Jackson, Mayor

Attested:


Kim Blue, City Clerk

GRANTEE:

Harold D. Peyton **749**
 Harold D. Peyton

STATE OF KENTUCKY)
) SCT.
 COUNTY OF HOPKINS)

The foregoing Deed and Consideration Certificate was subscribed, acknowledged and sworn to before me by David W. Jackson and Kim Blue, who holds the office of Mayor and City Clerk of the City of Madisonville, persons known to me or presenting sufficient evidence of their identification, on this _____ day of December, 2018.

Quinn A. Cordwell
 Notary Public, State at Large, KY
 My commission expires: 5-1-2021
 Notary ID: 578548

STATE OF KENTUCKY)
) SCT.
 COUNTY OF HOPKINS)

The foregoing Deed and Consideration Certificate was subscribed, acknowledged and sworn to before me by Harold D. Peyton, a person known to me or presenting sufficient evidence of his identification, on this 28 day of December, 2018.

Donna S. H. H.
 Notary Public, State at Large, KY
 My commission expires: 1-13-20
 Notary ID: 598619

Prepared by:
 FRYMIRE, EVANS, PEYTON,
 TEAGUE & CARTWRIGHT
 Post Office Box 695
 Madisonville, KY 42431
 (270) 821-6165

Joe A. Evans III
 Attorney at Law

JAE.me.2018COM.Deed.1204COM.PeytonI.Deed



2018014641
 HOPKINS CO, KY FEE \$17.00
 PRESENTED / LODGED: 12-28-2018 01:25:14 PM
 RECORDED: 12-28-2018
 KEENAN CLOERN
 CLERK
 BY: DONALD ETHRIDGE
 DEPUTY CLERK
 BK: DEED 770
 PG: 748-749

Attachment: Deed Peyton (1642 : Resolution to purchase the property located 140 Nisbet Street, Madisonville, Kentucky)

**CITY OF MADISONVILLE
RESOLUTION**

RESOLUTION TO ACCEPT BIDS FOR THE FOLLOWING LOTS: 164 MURRAY, 118 OAKDALE & 143 OAKDALE

WHEREAS, the City of Madisonville opened bids for surplus lots located at 164 Murray Street; 118 Oakdale; and 143 Oakdale on Monday, July 29, 2019 at 10:00 a.m.; and

WHEREAS, the City of Madisonville received only one bid on each lot as follows:

Name	Bid Amount
Candy Phillips - 164 Murray Street	\$1001.00
Candy Phillips - 118 Oakdale	\$1005.00
Candy Phillips - 143 Oakdale	\$1005.00

WHEREAS, Candy Phillips was the only bid received on each lot

NOW THEREFORE, BE IT RESOLVED that the City Council accepts the bids of Candy Phillips for the surplus lots located at 164 Murray Street; 118 Oakdale and 143 Oakdale.

ADOPTED on this 5th day of August, 2019.

ATTEST:

Bid price: 1,005

lot located @ 143 Oakdale

Bidder: Candy Phillips
4499 Brown Road
P.O. Box 846
Madisonville, Ky. 42431
270.875.9555
cphillips1300@yahoo.com

Bid price: \$1,001

Lot located @ 164 Murray Street

Bidder: Candy Phillips
P.O. Box 846
Madisonville, Ky. 42431

270.875.9555

cphillips1300@yahoo.com

Bid price: \$1,005

Lot located @, 118 Oakdale

Bidder: Candy Phillips
4499 Brown Road
P.O. Box 846
Madisonville, Ky. 42431
270.875.9555
cphillips1300@yahoo.com



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

SCHEDULED

ITEM FOR DISCUSSION (ID # 1641)

Meeting: 08/05/19 04:30 PM
Department: City Clerk Department
Category: Agreement
Prepared By: Kim Blue
Initiator: Kim Blue
Sponsors:
DOC ID: 1641

9.B.1

Interlocal Cooperative Agreement to Establish a Revenue Sharing Arrangement

In the matter of authorizing the mayor, or his/her, designated authority to execute an interlocal cooperative agreement to establish a revenue sharing arrangement with the Hopkins County Fiscal Court.

INTERLOCAL COOPERATION AGREEMENT

This Interlocal Cooperation Agreement (the "Agreement") is made and entered into by and between HOPKINS COUNTY, KENTUCKY and the CITY OF MADISONVILLE, KENTUCKY on this _____ day of _____, 2019;

WITNESSETH: Section 181 of the Kentucky Constitution delegates to counties, towns, cities and other municipal corporations the authority to impose and collect fees on trades, occupations and professions; and

WHEREAS, KRS 92.281 provides that cities of all classes are authorized to levy and collect any and all taxes provided for in Section 181 of the Constitution of the Commonwealth of Kentucky, and to use the revenue therefrom for such purposes as may be provided by the legislative body of the city; and

WHEREAS, KRS 68.197 provides that the fiscal court of each county having a population of 30,000 or more may by ordinance impose license fees on businesses, trades, occupations and professions for revenue purposes not to exceed one percent (1%) of salaries, wages, commissions, or other compensation earned by persons within the county for work done and services performed or rendered in the county, and the net profits of self-employed individuals, partnerships, professional associations or joint ventures resulting from trades, professions, occupations, businesses, or activities conducted in that county; and

WHEREAS, on June 16, 2008, the City of Madisonville enacted and adopted Ordinance No. 08-9 providing for the imposition of Occupational and Business License Fees (net profits) for the privilege of engaging in business within the city limits equal to 1.5% of all wages and compensation paid or payable in the City for work done or services performed or rendered in the City and 1.5% of the net profits from business conducted within the City, said Ordinance being set forth in Chapter 110 of the City of Madisonville Code of Ordinances which is incorporated herein by reference; and

WHEREAS, on October 6, 2015, the Hopkins Fiscal Court enacted and adopted Ordinance No. 2015-5 relating to the Imposition and Administration of an Occupational License Requirement, and Payment of Occupational and Net Profits License Fees by persons and business entities conducting businesses, occupations and professions within Hopkins County, Kentucky, equal to 0.5% of all wages and compensation paid or payable in the County for work done or services performed or rendered in the County and 0.5% of the net profit from business conducted in the County subject to the limitations set forth in said Ordinance, which is incorporated herein by reference; and

WHEREAS, pursuant to the Interlocal Cooperation Act (the "Act"), KRS Section 65.210 to 65.300, inclusive, any power or powers, privileges or authority exercised or capable of exercise by a public agency (including a city, a county or any other political subdivision of the Commonwealth) may be exercised jointly with another public agency under an agreement (an "interlocal cooperation agreement") for joint or cooperative action pursuant to the provisions of the Act to accomplish the public purposes set forth in such interlocal cooperation agreement; and

WHEREAS, Hopkins County and the City of Madisonville desire to enter into an interlocal cooperation agreement to suspend the application of KRS 67.198(7) and to eliminate any credit or offset of any occupational license fee paid to the City of Madisonville against any occupational license fee imposed by Hopkins County, Kentucky; and

WHEREAS, the respective legislative bodies of the County and the City believe that the public interest will be served by the execution of this Interlocal Cooperation Agreement;

NOW, THEREFORE, in consideration of the mutual promises and agreements of the parties set forth herein, the receipt and sufficiency of said consideration being hereby acknowledged, the parties do hereby agree as follows:

1. The City of Madisonville shall continue to collect all occupational and business license fees (net profits) imposed by Chapter 110 of the City of Madisonville Code of

Ordinances. No portion of the funds collected by the City of Madisonville shall be shared with or paid to Hopkins County, Kentucky.

2. Hopkins County, Kentucky shall continue to collect all occupational and business license fees (net profits) imposed by Ordinance No. 2015-5. No portion of the funds collected by Hopkins County, Kentucky shall be shared with or paid to the City of Madisonville.

3. There shall be no credit or offset for any occupational and business license fee (net profits) paid to the City of Madisonville against any occupational license fee owed to Hopkins County, Kentucky.

4. In consideration of the foregoing, Hopkins County, Kentucky agrees that it will not increase its occupational license fee (net profits) above 0.5% during the term of this Interlocal Cooperation Agreement or any extension thereof.

5. This Interlocal Cooperation Agreement shall be effective from and after (1) the execution by each party; (2) the approval of this Agreement by the Governor's Office for Local Development for the Commonwealth of Kentucky as required by KRS 65.260(2); and (3) the filing of a certified copy of this Agreement with the Hopkins County Clerk and the Secretary of State's Office as required by KRS 65.290.

6. This Agreement shall remain in effect for a period of two (2) years and will automatically be renewed and extended for successive two year terms unless terminated by either party upon ninety (90) days written notice given prior to the expiration of the two year term or any renewal term.

7. The parties agree to engage in a joint and cooperative undertaking only within the scope set out in this Agreement and do not intend to create among them any relationship of surety, indemnification, or responsibility for debts or claims, or liabilities incurred by any party in its governmental operation. Furthermore, the execution of this Agreement shall not constitute a waiver of any defense or immunity that either party would otherwise be entitled to under applicable law.

8. This Agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Kentucky. If any provision of this Agreement should be held to be in conflict with or violate any applicable statute, constitutional provision, law or regulation, or should be held by a court of competent jurisdiction to be unenforceable, the invalidity or unenforceability of such provision shall not affect any of the remaining portions of this Agreement.

HOPKINS COUNTY, KENTUCKY

CITY OF MADISONVILLE, KENTUCKY

By: _____
Jack Whitfield, Jr., County Judge Executive

By: _____
Kevin Cotton, Mayor

Attest:

Attest:

Keenan Cloren, County Clerk

Kim Blue, City Clerk

Approved as to form in compliance with
appropriate Kentucky Statutes:

Sandy Dunahoo, Commissioner
Department for Local Government

Attachment: Interlocal agreement (1641 : Interlocal Cooperative Agreement to Establish a Revenue Sharing Arrangement)



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

SCHEDULED

ITEM FOR DISCUSSION (ID # 1643)

Meeting: 08/05/19 04:30 PM
Department: City Clerk Department
Category: Grant
Prepared By: Kim Blue
Initiator: Kim Blue
Sponsors:
DOC ID: 1643

9.B.2

Permission for Fire Department to apply for a grant

Fire Chief John Dunning is requesting permission to apply for a grant for a fire hose in the amount of \$14,106.40. The Grant is a 50% match with the PRP.



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

SCHEDULED

ITEM FOR DISCUSSION (ID # 1646)

9.B.3

Meeting: 08/05/19 04:30 PM
Department: City Clerk Department
Category: Bid
Prepared By: Kim Blue
Initiator: Kim Blue
Sponsors:
DOC ID: 1646

Permission to Bid Rubber Mulch for playground equipment at Festus Claybon Park



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

July 15, 2019 at 4:30 PM

MINUTES

1. **CALL TO ORDER BY MAYOR KEVIN COTTON**
2. **PLEDGE OF ALLEGIANCE**
3. **INVOCATION BY TONY SPACE**
4. **ROLL CALL**

Attendee Name	Title	Status	Arrived
Kevin Cotton	Mayor	Present	
Misty Cavanaugh	Ward 1	Present	
Tony Space	Ward 2	Present	
Adam Townsend	Ward 3	Present	
Larry Noffsinger	Ward 4	Present	
Frank Stevenson	Ward 5	Present	
Bobby Johnson	Ward 6	Present	

5. **APPROVAL OF MINUTES**

RESULT: ADOPTED [UNANIMOUS]
MOVER: Larry Noffsinger, Ward 4
SECONDER: Tony Space, Ward 2
AYES: Cavanaugh, Space, Townsend, Noffsinger, Stevenson, Johnson

A. City Council - Regular Meeting - Jul 1, 2019 4:30 PM

6. **APPROVAL OF BILLS AND PAYROLL**

A. Bills & Payroll

RESULT: APPROVED [UNANIMOUS]
MOVER: Frank Stevenson, Ward 5
SECONDER: Larry Noffsinger, Ward 4
AYES: Cavanaugh, Space, Townsend, Noffsinger, Stevenson, Johnson

7. **EXECUTIVE ORDER**

1. Executive Order for appointment of a Maintenance of Facility/Coordinator for the Boy Scout Camp located on Ferris Lane, Madisonville, Kentucky

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

8. NEW BUSINESS

1. Items for Discussion

1. Motion to remove from the table the reading of bids received for surplus lots.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Frank Stevenson, Ward 5
SECONDER:	Larry Noffsinger, Ward 4
AYES:	Cavanaugh, Space, Townsend, Noffsinger, Stevenson, Johnson

2. 1634 : Reading of Bids received for surplus lots from Melinda Tyrie: Motion to reject the bids

RESULT:	ADOPTED [5 TO 1]
MOVER:	Larry Noffsinger, Ward 4
SECONDER:	Tony Space, Ward 2
AYES:	Cavanaugh, Space, Noffsinger, Stevenson, Johnson
NAYS:	Townsend

3. Request to close Railroad Street for Pennyriple Area Cyclists

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Adam Townsend, Ward 3
SECONDER:	Larry Noffsinger, Ward 4
AYES:	Cavanaugh, Space, Townsend, Noffsinger, Stevenson, Johnson

2. Resolutions

- A. RESOLUTION TO ACCEPT BID FOR BROWN ROAD SEWER REPLACEMENT PROJECT

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tony Space, Ward 2
SECONDER:	Frank Stevenson, Ward 5
AYES:	Cavanaugh, Space, Townsend, Noffsinger, Stevenson, Johnson

- B. Accept Bid for 624 Victoria Street, Madisonville, Kentucky

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

3. *Motion for Council to review audiotape of hearing before Hokins County Joint Planning Commission concerning the proposed zoning classification for property owned by Jerry T. Markham and Tyra L. Markham, co-trustees, containing 8.44 acres under consideration to be*

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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Minutes Acceptance: Minutes of Jul 15, 2019 4:30 PM (Approval of Minutes)

annexed and to make its own findings of fact, conclusions of law and to assign a zoning classification for the property (There will be no public comment concerning the zoning classification) .

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Frank Stevenson, Ward 5
SECONDER:	Adam Townsend, Ward 3
AYES:	Cavanaugh, Space, Townsend, Noffsinger, Stevenson, Johnson

- 4. Motion by Frank Stevenson to adopt the Findings of Fact that a zoning classification for the property of Jerry T. Markham and Tyra L. Markham, Co-Trustees of the Jerry and Tyra Markham Living Trust to be Low Density Residential. Motion was seconded by Tony Space. All members voted in favor. Motion adopted.**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Frank Stevenson, Ward 5
SECONDER:	Tony Space, Ward 2
AYES:	Cavanaugh, Space, Townsend, Noffsinger, Stevenson, Johnson

5. First Reading Ordinances

- A. 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 ESTABLISHING THE ZONING CLASSIFICATION OF 8.44 ACRES LOCATED BETWEEN 4193 & 4175 BUFFALO TRACE

RESULT:	FIRST READING	Next: 8/5/2019 4:30 PM
----------------	----------------------	-------------------------------

9. ADJOURNMENT

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

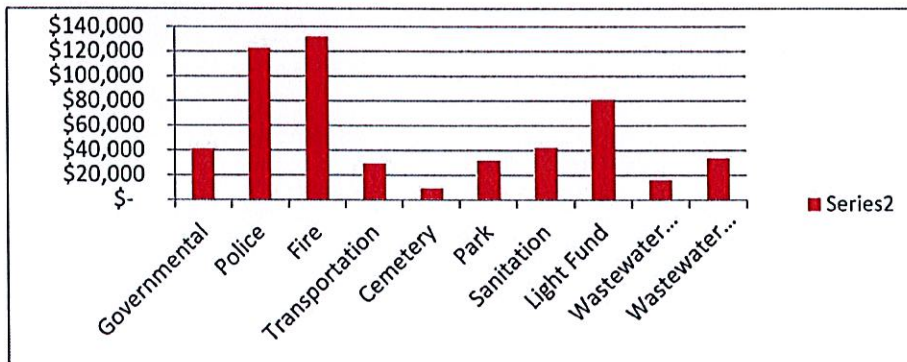
Bills and Payroll for Council Meeting 08/05/19

6.A

Co#	Bank#	Fund Name	
100	1	General Fund	\$ 90,848.22
			\$ 104,221.64
			\$ 35,025.69
		Total General Fund	\$ 230,095.55
190	9	Sanitation	\$ 56,663.09
			\$ 59,434.92
		Total Sanitation	\$ 116,098.01
200	9	Electric/Utility Office	\$ 32,885.09
			\$ 15,280.38
2			
		Total Electric/Utility Office	\$ 48,165.47
210	8	Water and Filter	\$ 19,606.88
			\$ 40,616.56
		Total Water Filter	\$ 60,223.44
	9	Waste Water Collection and Treatment	\$ 198,710.04
			\$ 40,901.77
		Total Wastewater Collection and Treatment	\$ 239,611.81

Estimated Payroll

Co#	Dept #	Department Name	Amount
100	Various	Governmental	\$ 41,084
100	2100	Police	\$ 122,008
100	2300	Fire	\$ 131,058
100	3300	Transportation	\$ 29,056
100	5000	Cemetery	\$ 8,787
100	7000	Park	\$ 31,435
190	3100	Sanitation	\$ 41,769
200	1000/4500	Light Fund	\$ 80,252
200	2000	Wastewater Treatment	\$ 15,383
200	2001	Wastewater Collection	\$ 33,220
200	4700/4600	Water and Filter	\$ 47,454
		Total Payroll	\$ 581,507



Number of Employees paid July 26, 2019

See next page

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

CMP	DEPT	NAME	DATE	TOTAL	FULL	PART
100	1100	ELECTED OFFICIALS	7/26/19	7	1	6
100	1200	ADMINISTRATION	7/26/19	7	5	2
100	1400	FINANCE	7/26/19	5	5	
100	1500	CITY CLERK	7/26/19	3	3	
100	1600	AIRPORT	7/26/19	3	3	
100	1700	ZONING	7/26/19	2	2	
100	2100	POLICE DEPT-MADISONVILLE	7/26/19	51	47	4
100	2150	POLICE FICA	7/26/19	3	2	1
100	2151	DISPATCH	7/26/19	13	12	1
100	2200	ALCOHOLIC BEVERAGE CONTROL	7/26/19	1		1
100	2300	FIRE DEPT-MADISONVILLE	7/26/19	61	61	
100	2350	FIRE FICA/NON HAZARDOUS	7/26/19	1	1	
100	3300	TRANSPORTATION DEPT	7/26/19	24	21	3
100	5000	CEMETERY DEPARTMENT	7/26/19	9	5	4
100	7000	PARK DEPARTMENT	7/26/19	24	13	11
100	7100	POOL EMPLOYEES	7/26/19	15		15
190	3100	SANITATION DEPARTMENT	7/26/19	27	26	1
200	1000	UTILITY OFFICE	7/26/19	13	13	
200	4500	LIGHT DISTRIBUTION DEPT	7/26/19	22	22	
210	2000	WASTEWATER TREATMENT	7/26/19	8	8	
210	2001	WASTEWATER COLLECTION	7/26/19	23	21	2
211	4600	FILTER DEPARTMENT	7/26/19	13	12	1
211	4700	WATER DEPARTMENT	7/26/19	18	18	
		Totals		353	301	52

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	196.00	1.50	.00	197.50
100	1400	FINANCE	215.00	4.00	.00	219.00
100	1500	CITY CLERK	86.25	.00	.00	86.25
100	1700	ZONING	78.50	.00	.00	78.50
100	1900	CITY ENGINEER	.00	.00	.00	.00
100	2200	ALCOHOLIC BEVERAGE	.00	.00	.00	.00
		Total Government	575.75	5.50	.00	581.25
100	2100	POLICE DEPT-MADISO	3,725.50	434.25	.00	4,159.75
100	2150	POLICE FICA	204.00	31.25	.00	235.25
		Total Police	3,929.50	465.50	.00	4,395.00
100	2300	FIRE DEPT-MADISONV	4,688.00	1,765.75	118.00	6,571.75
100	2350	FIRE FICA/NON HAZA	70.00	.00	.00	70.00
		Total Fire	4,758.00	1,765.75	118.00	6,641.75
100	3300	TRANSPORTATION DEP	1,845.75	37.50	.00	1,883.25
		Total Transportati	1,845.75	37.50	.00	1,883.25
100	5000	CEMETERY DEPARTMEN	687.75	23.75	.00	711.50
		Total Cemetery	687.75	23.75	.00	711.50
100	7000	PARK DEPARTMENT	1,322.00	54.00	.00	1,376.00
100	7100	POOL EMPLOYEES	937.50	73.50	.00	1,011.00
		Total Park	2,259.50	127.50	.00	2,387.00
190	3100	SANITATION DEPARTM	2,054.25	94.50	.00	2,148.75
		Total Sanitation	2,054.25	94.50	.00	2,148.75
200	1000	UTILITY OFFICE	907.75	29.50	.00	937.25
200	1001	METER READING	.00	.00	.00	.00
200	4500	LIGHT DISTRIBUTION	1,726.50	77.00	.00	1,803.50
		Total Utility Offi	2,634.25	106.50	.00	2,740.75
210	2000	WASTEWATER TREATME	598.75	7.50	.00	606.25
210	2001	WASTEWATER COLLECT	1,706.75	42.00	.00	1,748.75
		Total Wastewater T	2,305.50	49.50	.00	2,355.00
211	4600	FILTER DEPARTMENT	895.25	91.77	.00	987.02
211	4700	WATER DEPARTMENT	1,412.78	28.50	.00	1,441.28
		Total Water	2,308.03	120.27	.00	2,428.30
		Grand Totals	23,358.28	2,796.27	118.00	26,272.55

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

CMP	DEPT	NAME	REGULAR	OVERTIME	SPC-OVT	TOTAL
100	1100	ELECTED OFFICIALS	4,316.56	.00	.00	4,316.56
100	1200	ADMINISTRATION	15,185.31	26.39	.00	15,211.70
100	1400	FINANCE	11,327.11	118.88	.00	11,445.99
100	1500	CITY CLERK	5,020.41	.00	.00	5,020.41
100	1700	ZONING	3,818.24	.00	.00	3,818.24
100	1900	CITY ENGINEER	.00	.00	.00	.00
100	2200	ALCOHOLIC BEVERAGE	1,271.55	.00	.00	1,271.55
		Total Government	40,939.18	145.27	.00	41,084.45
100	2100	POLICE DEPT-MADISO	101,290.98	16,253.06	.00	117,544.04
100	2150	POLICE FICA	3,604.06	860.23	.00	4,464.29
		Total Police	104,895.04	17,113.29	.00	122,008.33
100	2300	FIRE DEPT-MADISONV	90,503.21	36,947.57	2,692.82	130,143.60
100	2350	FIRE FICA/NON HAZA	913.99	.00	.00	913.99
		Total Fire	91,417.20	36,947.57	2,692.82	131,057.59
100	3300	TRANSPORTATION DEP	28,105.40	950.75	.00	29,056.15
		Total Transportati	28,105.40	950.75	.00	29,056.15
100	5000	CEMETERY DEPARTMEN	8,326.41	460.56	.00	8,786.97
		Total Cemetery	8,326.41	460.56	.00	8,786.97
100	7000	PARK DEPARTMENT	21,672.68	824.52	.00	22,497.20
100	7100	POOL EMPLOYEES	8,022.24	915.55	.00	8,937.79
		Total Park	29,694.92	1,740.07	.00	31,434.99
190	3100	SANITATION DEPARTM	38,929.48	2,839.46	.00	41,768.94
		Total Sanitation	38,929.48	2,839.46	.00	41,768.94
200	1000	UTILITY OFFICE	18,281.16	605.70	.00	18,886.86
200	1001	METER READING	.00	.00	.00	.00
200	4500	LIGHT DISTRIBUTION	57,397.36	3,968.07	.00	61,365.43
		Total Utility Offi	75,678.52	4,573.77	.00	80,252.29
210	2000	WASTEWATER TREATME	15,166.85	216.58	.00	15,383.43
210	2001	WASTEWATER COLLECT	32,225.54	994.43	.00	33,219.97
		Total Wastewater T	47,392.39	1,211.01	.00	48,603.40
211	4600	FILTER DEPARTMENT	18,028.27	2,236.73	.00	20,265.00
211	4700	WATER DEPARTMENT	26,487.41	701.12	.00	27,188.53
		Total Water	44,515.68	2,937.85	.00	47,453.53
		Grand Totals	509,894.22	68,919.60	2,692.82	581,506.64

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

CITY OF MADISONVILLE
OFFICE OF THE MAYOR
EXECUTIVE ORDER

EXECUTIVE ORDER RELATING TO THE APPOINTMENT OF CHARLIE FRANKLIN TO
THE AIRPORT BOARD

KNOW ALL MEN BY THESE PRESENTS:

That I, Kevin Cotton, Mayor of the City of Madisonville, Kentucky, pursuant to the authority vested in me by applicable law, **DO HEREBY ORDER** as follows:

- 1) That Charlie Franklin is hereby appointed to the Airport Board; and
- 2) That the term of Charlie Franklin shall be for a period of 4 years concluding on July 31, 2023;
and
- 3) That Charlie Franklin shall serve in accordance with the Laws of the United States of America and the Commonwealth of Kentucky, and the ordinances of the City of Madisonville.

On this 5th day of August, 2019

ATTEST:

**CITY OF MADISONVILLE, KY
ORDINANCE**

**ORDINANCE ANNEXING CERTAIN REAL ESTATE INTO THE CITY LIMITS OF
MADISONVILLE, KENTUCKY KNOWN AS LOT 5, OAKWOOD HILLS SUBDIVISION**

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

Section 1: The City of Madisonville, Kentucky, pursuant to KRS 81A.412, does hereby annex certain unincorporated territory into the city limits of Madisonville. The unincorporated territory hereby annexed is more particularly described on Exhibit A, attached hereto and incorporated herein by reference.

Section 2: Jerry T. Markham and Tyra L. Markham, Co-Trustees of the Jerry and Tyra Markham Living Trust dated May 18, 2016, are the record title owners of the property to be annexed and they have given their written notarized consent to the annexation of the subject property. Since the owners of the subject property to be annexed have consented in writing to the proposed annexation pursuant to the provisions of KRS 81A.412, there is no requirement for a notification ordinance as required by KRS 81A.420(1), or a notice requirement pursuant to KRS 81A.425, or a waiting period of 60 days as provided in KRS 81A.420(2) prior to enacting a final ordinance annexing the subject area.

Section 3: The area hereby annexed is adjacent or contiguous to the City's boundaries and, by reason of population density, commercial, industrial, institutional, or governmental use of land or subdivision of land, is urban in character and suitable for development for urban purposes without unreasonable delay.

Section 4: No portion of the area to be annexed is included within the boundary of another incorporated city.

Section 5: The City of Madisonville hereby finds it to be desirable to annex the unincorporated territory described in Exhibit A.

Section 6: The unincorporated territory hereby annexed has been assigned a zoning classification of Low Density Residential as established by the Madisonville City Council on July 15, 2019. A map reflecting the area hereby annexed and the zoning classification relating thereto is attached hereto as

required by KRS 81A.412 and is further identified as set forth on the official zoning map on file in the Office of the City Clerk which map is also incorporated herein by reference.

The foregoing Ordinance is read to and presented to a regular meeting of the City Council of Madisonville, Kentucky, for first reading on the 1st day of July, 2019 and the second reading on the 5th day of August, 2019. 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:

It appearing that the Councilmembers voted the Mayor announced that the Motion was 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 5th day of August, 2019

City of Madisonville, KY

ATTEST:

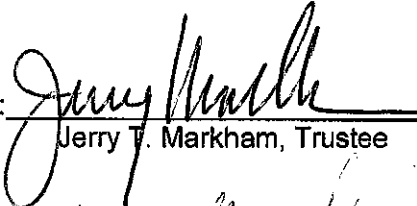
City of Madisonville, KY

CONSENT TO ANNEXATION PURSUANT TO KRS 81A.412

Jerry T. Markham and Tyra L. Markham, Co-Trustees of the Jerry and Tyra Markham Living Trust dated May 18, 2016, P. O. Box 431, Madisonville, Kentucky 42431, do hereby consent to and request the City of Madisonville to annex all of Lot No. 5 of the Oakwood Hills Subdivision as recorded in Plat Cabinet 3, Slide 52, Hopkins County Court Clerk's Office, in the city limits of the City of Madisonville. The plat of the property which we are requesting to be annexed is attached hereto and incorporated herein. The property to be annexed is a part of Parcel III and Parcel IV set forth in a deed of conveyance executed by Jerry T. Markham and his wife, Tyra L. Markham, to Jerry T. Markham and Tyra L. Markham, Co-Trustees of the Jerry and Tyra Markham Living Trust dated May 18, 2016, dated October 20, 2016 and of record in Deed Book 751, page 176, Hopkins County Court Clerk's Office. A copy of said deed of conveyance is attached herewith and incorporated herein.

This 20th day of June, 2019.

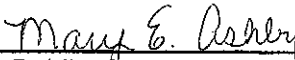
JERRY AND TYRA MARKHAM LIVING TRUST
DATED MAY 18, 2016

By: 
Jerry T. Markham, Trustee

By: 
Tyra L. Markham, Trustee

STATE OF KENTUCKY)
)
COUNTY OF HOPKINS)

Subscribed and sworn to before me by Jerry T. Markham and Tyra L. Markham, Co-Trustees of the Jerry and Tyra Markham Living Trust dated May 18, 2016, persons known to me or presenting sufficient evidence of their identifications, on this 20 day of June, 2019.


Notary Public, State at Large, KY
My Commission Expires: 8-13-2019
Notary No: 446999

Attachment: 07012019 (1627 : ORDINANCE ANNEXING CERTAIN REAL ESTATE INTO THE CITY LIMITS OF MADISONVILLE;)



OAKWOOD HILLS SUBDIVISION – LOT NO. 5 BOUNDARY DESCRIPTION

Beginning at an existing iron pin in the West Right-of-Way of Buffalo Trace, said iron pin being the Northeast corner of Lot No. 5 of Oakwood Hills Subdivision as recorded in Plat Cabinet 3 Slide 052 in the Hopkins County Clerk's Office and the Southeast corner of Lot No. 8 of Oakwood Hills Subdivision as recorded in Plat Cabinet 2 Slide 169 in the Hopkins County Clerk's Office, Thence with the said West Right-of-Way of Buffalo Trace the following calls: S 08° 32' 58" W – 150.00 feet, S 08° 33' 09" W – 57.02 feet and S 09° 25' 11" W – 220.89 feet to a 5/8" x 24" rebar with 1 1/2" aluminum cap stamped "AEI #2286", said 5/8" rebar corner being the Northeast corner of Lot No. 3 of Oakwood Hills Subdivision as recorded in Plat Cabinet 3 Slide 052 in the Hopkins County Clerk's Office, Thence leaving the West Right-of-Way of Buffalo Trace and the following the North line of Lot No. 3 of Oakwood Hills Subdivision N 79° 20' 24" W – 741.76 feet to a 5/8" x 24" rebar with 1 1/2" aluminum cap stamped "AEI #2286", said 5/8" rebar corner being the Northwest corner of Lot No. 3 of Oakwood Hills Subdivision, Thence leaving the North line of Lot No. 3 of Oakwood Hills Subdivision and following the West line of Lot No. 3 of Oakwood Hills Subdivision S 20° 10' 40" W – 375.72 feet to a 5/8" x 24" rebar with 1 1/2" aluminum cap stamped "AEI #2286", said 5/8" rebar corner being the in the North line of Lot No. 2 of Oakwood Hills Subdivision as recorded in Plat Cabinet 3 Slide 320 in the Hopkins County Clerk's Office, Thence with the North line of Lot No. 2 of Oakwood Hills Subdivision N 71° 23' 05" W – 174.22 feet to a 5/8" x 24" rebar with 1 1/2" aluminum cap stamped "AEI #2286", said 5/8" rebar corner being the Northwest corner of Lot No. 2 of Oakwood Hills Subdivision and being a common corner with property belonging to Jerry and Tyra Markham, Co-Trustees as recorded in Deed Book 751 Page 176, Parcels I and II in the Hopkins County Clerk's Office, Thence leaving the North line of Lot No. 2 of Oakwood Hills Subdivision and following the East line of the Jerry and Tyra Markham Co-Trustee tract (Deed Book 751 Page 176, Parcel I) N 23° 14' 22" W – 29.71 feet to a 2" pipe corner, said 2" pipe corner being the Northeast corner of the Jerry and Tyra Markham, Co-Trustees tract (Deed Book 751 Page 176, Parcel I) and also being the Southeast corner of the Jerry and Tyra Markham, Co-Trustees tract (Deed Book 751 Page 176, Tract II), Thence leaving the East line of the Jerry and Tyra Markham, Co-Trustees tract (Deed Book 751 Page 176, Parcel I) and following the east line of the Jerry and Tyra Markham, Co-Trustees tract (Deed Book 751 Page 176, Tract II) N 36° 03' 33" E – 828.65 feet to a pipe corner, said pipe corner being the Northwest corner of Lot No. 5 of Oakwood Hills Subdivision and a

Owensboro, Kentucky
Phone: (270) 684-8450

2740 North Main Street, Madisonville, Kentucky 42431
Phone: (270) 821-7732 • Fax: (270) 821-7789

Lexington, Kentucky
Phone: (859) 286-3000

Civil • Structural • Mining • Geotechnical • Forensic • Land Surveying
Construction Monitoring • Environmental • Drilling • Laboratory Services
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Attachment: Oakwood Hills Subdivision (1627 : ORDINANCE ANNEXING CERTAIN REAL ESTATE INTO THE CITY LIMITS OF MADISONVILLE;)



common corner with Lot No. 8 of Oakwood Hills Subdivision as recorded in Plat Cabinet 2 Slide 169 in the Hopkins County Clerk's Office and a common corner with Lot No. 9 of Oakwood Hills Subdivision as recorded in Plat Cabinet 2 Slide 178 in the Hopkins County Clerk's Office, Thence leaving the East line of the Jerry and Tyra Markham, Co-Trustees tract (Deed Book 751 Page 176, Tract II) and following the South line of Lot No. 8 of Oakwood Hills Subdivision S 79° 25' 34" E – 625.15 feet to the Beginning and Containing 8.44 Acres.

Owensboro, Kentucky
Phone: (270) 684-8450

2740 North Main Street, Madisonville, Kentucky 42431
Phone: (270) 821-7732 • Fax: (270) 821-7789

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Attachment: Oakwood Hills Subdivision (1627 : ORDINANCE ANNEXING CERTAIN REAL ESTATE INTO THE CITY LIMITS OF MADISONVILLE;)

Packet Pg. 47

**CITY OF MADISONVILLE, KY
ORDINANCE**

**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 ESTABLISHING THE ZONING
CLASSIFICATION OF 8.44 ACRES LOCATED BETWEEN 4193 & 4175 BUFFALO TRACE**

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 consisting of 8.44 acres located between 4193 & 4175 Buffalo Trace owned by Jerry T. Markham and Tyra L. Markham, Co-Trustees of the Jerry and Tyra Markham Living Trust. For a description of the boundary of the area to be zoned, see Exhibit A attached hereto and incorporated herein by reference. The zoning classification given to this property is Low Density Residential and is set forth on the Official Zoning Map on file in the office of the City Clerk, which map is also incorporated herein by reference.

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 15th day of July, 2019 and the second reading on the 5th day of August, 2019. 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:

It appearing that the Councilmembers voted the Mayor announced that the Motion was 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 5th day of August, 2019

City of Madisonville, KY

ATTEST:

City of Madisonville, KY

Total Annexation
8.44 Acres

OAKWOOD HILLS SUBDIVISION
LOT No. 5
Plat Cabinet 3 Slide 052
Jerry & Tyra Markham, Co-Trustees
Deed Book 751 Page 176 - Parcels III & IV
PVA ID NOS.: M-8-1-4-5 & M-8-1-4-3-1

Markham, Co-Trustees
Page 176 - Tract II
D.: M-8-1-4-2

OAKWOOD HILLS SUBDIVISION
LOT No. 3
Plat Cabinet 3 Slide 052
J. Todd & Shannon P'Pool
Deed Book 669 Page 527 & Deed Book 725 Page 576
PVA ID NO.: M-8-1-4-3

BUFFALO TRACE

**CITY OF MADISONVILLE
RESOLUTION**

**RESOLUTION TO PURCHASE THE PROPERTY LOCATED AT 140 NISBET STREET,
MADISONVILLE, KENTUCKY**

WHEREAS, the City of Madisonville had accepted a bid on November 28, 2019 for the property located at 140 Nisbet Street, Madisonville, Kentucky from Harold Peyton for the sales price of \$2,100.00;

WHEREAS, Harold Peyton has contacted the City of Madisonville concerning a pipe on the property;

WHEREAS, Eric Hickman, the City Engineer has advised there is a drainage pipe that crosses through this property, connects into a storm inlet, and it is not currently mapped. He recommended at a minimum a 15' drainage easement be dedicated for this storm sewer, 7.5' centerline either side of pipe and restrict any permanent structures within this easement. Mr. Hickman further recommended to keep the lot and deed restrict to open lawn/green space to eliminate future potential flooding problems.

NOW THEREFORE, BE IT RESOLVED that the City Council authorizes the City to purchase the property from Harold Peyton for the price of \$2100.00 and further authorizes the mayor, or his designee, to execute a deed of conveyance to Harold Peyton.

ADOPTED on this 5th day of August, 2019.

ATTEST:

BOOK 770 PAGE 748

THIS DEED OF CONVEYANCE made and entered into by and between the CITY OF MADISONVILLE, KENTUCKY, P. O. Box 705, Madisonville, Kentucky 42431, hereinafter referred to as the "Grantor", and HAROLD D. PEYTON, 3453 Rosecreek Road, Madisonville, Kentucky 42431, hereinafter referred to as the "Grantee";

WITNESSETH: That for and in consideration of the sum of Two Thousand One Hundred Dollars (\$2,100.00) cash in hand paid, the receipt and sufficiency of which is hereby acknowledged, the Grantor does hereby grant, bargain, sell and convey unto the Grantee, his heirs and assigns, the following described real estate located at 140 Nisbet Street, Madisonville, Hopkins County, Kentucky, more particularly bounded and described as follows:

Beginning at an iron pin on the south edge of Nisbet Street, same being 115.6 feet east of the east edge of Seminary Street and running thence S. 66-32 E. 60.00 feet with the south edge of Nisbet Street to an iron pin in the south edge of said street and in the west edge of a 15 foot alley; thence with the west edge of said alley S. 0-42 E. 70.50 feet to an iron pin in the north line of Orvil Uzzle; thence with his line N. 66-22 W. 60.00 feet to an iron pin in the east line of Orvil Uzzle; thence N. 0-42 W. 70.50 feet to the beginning.

Being the same real estate conveyed by L. Rush Hunt, Master Commissioner of the Hopkins Circuit Court, et al., to the City of Madisonville, Kentucky, by deed dated September 14, 2018, and of record in Deed Book 769, page 448, Hopkins County Court Clerk's Office.

TO HAVE AND TO HOLD the above described real estate, together with all of the appurtenances thereunto belonging unto the Grantee, his heirs and assigns forever, with Covenant of Special Warranty of Title.

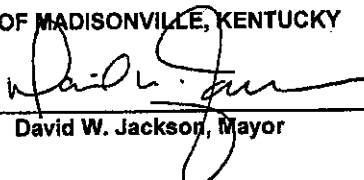
The parties hereto state that the consideration reflected in this deed is the full consideration paid for the property. The Grantee joins in the execution of this deed for the sole purpose of certifying the consideration pursuant to KRS Chapter 382.

IN TESTIMONY WHEREOF, witness the signatures of the parties on this 20th day of December, 2018.

GRANTEE:

CITY OF MADISONVILLE, KENTUCKY

By:


David W. Jackson, Mayor

Attested:


Kim Blue, City Clerk

GRANTEE:

Harold D. Peyton 749

STATE OF KENTUCKY)
COUNTY OF HOPKINS) SCT.

The foregoing Deed and Consideration Certificate was subscribed, acknowledged and sworn to before me by David W. Jackson and Kim Blue, who holds the office of Mayor and City Clerk of the City of Madisonville, persons known to me or presenting sufficient evidence of their identification, on this _____ day of December, 2018.

Quinn A. Cordwell
Notary Public, State at Large, KY
My commission expires: 5-1-2021
Notary ID: 578548

STATE OF KENTUCKY)
COUNTY OF HOPKINS) SCT.

The foregoing Deed and Consideration Certificate was subscribed, acknowledged and sworn to before me by Harold D. Peyton, a person known to me or presenting sufficient evidence of his identification, on this 28 day of December, 2018.

Donna S. H. H.
Notary Public, State at Large, KY
My commission expires: 1-13-20
Notary ID: 598619

Prepared by:
FRYMIRE, EVANS, PEYTON,
TEAGUE & CARTWRIGHT
Post Office Box 695
Madisonville, KY 42431
(270) 821-6165

Joe A. Evans III
Attorney at Law

JAE.mea.2018COM.Deed.1204COM.PeytonI.Deed



2018014641
HOPKINS CO, KY FEE \$17.00
PRESENTED / LODGED: 12-28-2018 01:25:14 PM
RECORDED: 12-28-2018
KEENAN CLOERN
CLERK
BY: DONALD ETHRIDGE
DEPUTY CLERK
BK: DEED 770
PG: 748-749

Attachment: Deed Peyton (1642 : Resolution to purchase the property located 140 Nisbet Street, Madisonville, Kentucky)

**CITY OF MADISONVILLE
RESOLUTION**

RESOLUTION TO ACCEPT BIDS FOR THE FOLLOWING LOTS: 164 MURRAY, 118 OAKDALE & 143 OAKDALE

WHEREAS, the City of Madisonville opened bids for surplus lots located at 164 Murray Street; 118 Oakdale; and 143 Oakdale on Monday, July 29, 2019 at 10:00 a.m.; and

WHEREAS, the City of Madisonville received only one bid on each lot as follows:

Name	Bid Amount
Candy Phillips - 164 Murray Street	\$1001.00
Candy Phillips - 118 Oakdale	\$1005.00
Candy Phillips - 143 Oakdale	\$1005.00

WHEREAS, Candy Phillips was the only bid received on each lot

NOW THEREFORE, BE IT RESOLVED that the City Council accepts the bids of Candy Phillips for the surplus lots located at 164 Murray Street; 118 Oakdale and 143 Oakdale.

ADOPTED on this 5th day of August, 2019.

ATTEST:

Bid price: 1,005

lot located @ 143 Oakdale

Bidder: Candy Phillips
4499 Brown Road
P.O. Box 846
Madisonville, Ky. 42431
270.875.9555
cphillips1300@yahoo.com

Bid price: \$1,001

Lot located @ 164 Murray Street

Bidder: Candy Phillips

P.O. Box 846

Madisonville, Ky. 42431

270.875.9555

cphillips1300@yahoo.com

Bid price: \$1,005

Lot located @, 118 Oakdale

Bidder: Candy Phillips
4499 Brown Road
P.O. Box 846
Madisonville, Ky. 42431
270.875.9555
cphillips1300@yahoo.com



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

SCHEDULED

ITEM FOR DISCUSSION (ID # 1641)

Meeting: 08/05/19 04:30 PM
Department: City Clerk Department
Category: Agreement
Prepared By: Kim Blue
Initiator: Kim Blue
Sponsors:
DOC ID: 1641

9.B.1

Interlocal Cooperative Agreement to Establish a Revenue Sharing Arrangement

In the matter of authorizing the mayor, or his/her, designated authority to execute an interlocal cooperative agreement to establish a revenue sharing arrangement with the Hopkins County Fiscal Court.

INTERLOCAL COOPERATION AGREEMENT

This Interlocal Cooperation Agreement (the "Agreement") is made and entered into by and between HOPKINS COUNTY, KENTUCKY and the CITY OF MADISONVILLE, KENTUCKY on this _____ day of _____, 2019;

WITNESSETH: Section 181 of the Kentucky Constitution delegates to counties, towns, cities and other municipal corporations the authority to impose and collect fees on trades, occupations and professions; and

WHEREAS, KRS 92.281 provides that cities of all classes are authorized to levy and collect any and all taxes provided for in Section 181 of the Constitution of the Commonwealth of Kentucky, and to use the revenue therefrom for such purposes as may be provided by the legislative body of the city; and

WHEREAS, KRS 68.197 provides that the fiscal court of each county having a population of 30,000 or more may by ordinance impose license fees on businesses, trades, occupations and professions for revenue purposes not to exceed one percent (1%) of salaries, wages, commissions, or other compensation earned by persons within the county for work done and services performed or rendered in the county, and the net profits of self-employed individuals, partnerships, professional associations or joint ventures resulting from trades, professions, occupations, businesses, or activities conducted in that county; and

WHEREAS, on June 16, 2008, the City of Madisonville enacted and adopted Ordinance No. 08-9 providing for the imposition of Occupational and Business License Fees (net profits) for the privilege of engaging in business within the city limits equal to 1.5% of all wages and compensation paid or payable in the City for work done or services performed or rendered in the City and 1.5% of the net profits from business conducted within the City, said Ordinance being set forth in Chapter 110 of the City of Madisonville Code of Ordinances which is incorporated herein by reference; and

WHEREAS, on October 6, 2015, the Hopkins Fiscal Court enacted and adopted Ordinance No. 2015-5 relating to the Imposition and Administration of an Occupational License Requirement, and Payment of Occupational and Net Profits License Fees by persons and business entities conducting businesses, occupations and professions within Hopkins County, Kentucky, equal to 0.5% of all wages and compensation paid or payable in the County for work done or services performed or rendered in the County and 0.5% of the net profit from business conducted in the County subject to the limitations set forth in said Ordinance, which is incorporated herein by reference; and

WHEREAS, pursuant to the Interlocal Cooperation Act (the "Act"), KRS Section 65.210 to 65.300, inclusive, any power or powers, privileges or authority exercised or capable of exercise by a public agency (including a city, a county or any other political subdivision of the Commonwealth) may be exercised jointly with another public agency under an agreement (an "interlocal cooperation agreement") for joint or cooperative action pursuant to the provisions of the Act to accomplish the public purposes set forth in such interlocal cooperation agreement; and

WHEREAS, Hopkins County and the City of Madisonville desire to enter into an interlocal cooperation agreement to suspend the application of KRS 67.198(7) and to eliminate any credit or offset of any occupational license fee paid to the City of Madisonville against any occupational license fee imposed by Hopkins County, Kentucky; and

WHEREAS, the respective legislative bodies of the County and the City believe that the public interest will be served by the execution of this Interlocal Cooperation Agreement;

NOW, THEREFORE, in consideration of the mutual promises and agreements of the parties set forth herein, the receipt and sufficiency of said consideration being hereby acknowledged, the parties do hereby agree as follows:

1. The City of Madisonville shall continue to collect all occupational and business license fees (net profits) imposed by Chapter 110 of the City of Madisonville Code of

Ordinances. No portion of the funds collected by the City of Madisonville shall be shared with or paid to Hopkins County, Kentucky.

2. Hopkins County, Kentucky shall continue to collect all occupational and business license fees (net profits) imposed by Ordinance No. 2015-5. No portion of the funds collected by Hopkins County, Kentucky shall be shared with or paid to the City of Madisonville.

3. There shall be no credit or offset for any occupational and business license fee (net profits) paid to the City of Madisonville against any occupational license fee owed to Hopkins County, Kentucky.

4. In consideration of the foregoing, Hopkins County, Kentucky agrees that it will not increase its occupational license fee (net profits) above 0.5% during the term of this Interlocal Cooperation Agreement or any extension thereof.

5. This Interlocal Cooperation Agreement shall be effective from and after (1) the execution by each party; (2) the approval of this Agreement by the Governor's Office for Local Development for the Commonwealth of Kentucky as required by KRS 65.260(2); and (3) the filing of a certified copy of this Agreement with the Hopkins County Clerk and the Secretary of State's Office as required by KRS 65.290.

6. This Agreement shall remain in effect for a period of two (2) years and will automatically be renewed and extended for successive two year terms unless terminated by either party upon ninety (90) days written notice given prior to the expiration of the two year term or any renewal term.

7. The parties agree to engage in a joint and cooperative undertaking only within the scope set out in this Agreement and do not intend to create among them any relationship of surety, indemnification, or responsibility for debts or claims, or liabilities incurred by any party in its governmental operation. Furthermore, the execution of this Agreement shall not constitute a waiver of any defense or immunity that either party would otherwise be entitled to under applicable law.

8. This Agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Kentucky. If any provision of this Agreement should be held to be in conflict with or violate any applicable statute, constitutional provision, law or regulation, or should be held by a court of competent jurisdiction to be unenforceable, the invalidity or unenforceability of such provision shall not affect any of the remaining portions of this Agreement.

HOPKINS COUNTY, KENTUCKY

CITY OF MADISONVILLE, KENTUCKY

By: _____
Jack Whitfield, Jr., County Judge Executive

By: _____
Kevin Cotton, Mayor

Attest:

Attest:

Keenan Cloren, County Clerk

Kim Blue, City Clerk

Approved as to form in compliance with
appropriate Kentucky Statutes:

Sandy Dunahoo, Commissioner
Department for Local Government

Attachment: Interlocal agreement (1641 : Interlocal Cooperative Agreement to Establish a Revenue Sharing Arrangement)



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

SCHEDULED

ITEM FOR DISCUSSION (ID # 1643)

Meeting: 08/05/19 04:30 PM
Department: City Clerk Department
Category: Grant
Prepared By: Kim Blue
Initiator: Kim Blue
Sponsors:
DOC ID: 1643

9.B.2

Permission for Fire Department to apply for a grant

Fire Chief John Dunning is requesting permission to apply for a grant for a fire hose in the amount of \$14,106.40. The Grant is a 50% match with the PRP.



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

SCHEDULED

ITEM FOR DISCUSSION (ID # 1646)

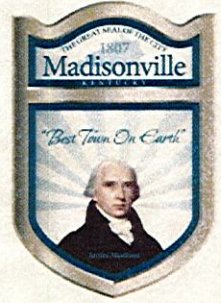
9.B.3

Meeting: 08/05/19 04:30 PM
Department: City Clerk Department
Category: Bid
Prepared By: Kim Blue
Initiator: Kim Blue
Sponsors:
DOC ID: 1646

Permission to Bid Rubber Mulch for playground equipment at Festus Claybon Park



PROCLAMATION



WHEREAS, the City of Madisonville and Hopkins County proclaim to always support, admire, and exhibit the utmost gratitude for all men and women in the Armed Forces in our city, county, state, and the United States of America; and

WHEREAS, the City of Madisonville and Hopkins County proclaim to annually submit at least one (1) military person deceased or alive from our city or county in nomination form to be inducted into the Kentucky Veterans Hall of Fame; and

WHEREAS, the vision of the Kentucky Veterans Hall of Fame is to promote Kentucky veterans and families “honoring veterans who continue to serve above and beyond.”

NOW THEREFORE, BE IT RESOLVED, that we, Kevin Cotton, Mayor of the City of Madisonville, and Jack Whitfield, Hopkins County Judge Executive, do hereby proclaim the City of Madisonville and Hopkins County to be a Kentucky Veterans Hall of Fame City and County and urge all citizens to support veterans in the City of Madisonville, the County of Hopkins, the Commonwealth of Kentucky, the United States of America, and the world.

Kevin Cotton, Mayor
Madisonville, Kentucky

Jack Whitfield, Judge/Executive
Hopkins County, Kentucky





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

July 15, 2019 at 4:30 PM

MINUTES

1. **CALL TO ORDER BY MAYOR KEVIN COTTON**
2. **PLEDGE OF ALLEGIANCE**
3. **INVOCATION BY TONY SPACE**
4. **ROLL CALL**

Attendee Name	Title	Status	Arrived
Kevin Cotton	Mayor	Present	
Misty Cavanaugh	Ward 1	Present	
Tony Space	Ward 2	Present	
Adam Townsend	Ward 3	Present	
Larry Noffsinger	Ward 4	Present	
Frank Stevenson	Ward 5	Present	
Bobby Johnson	Ward 6	Present	

5. **APPROVAL OF MINUTES**

RESULT: ADOPTED [UNANIMOUS]
MOVER: Larry Noffsinger, Ward 4
SECONDER: Tony Space, Ward 2
AYES: Cavanaugh, Space, Townsend, Noffsinger, Stevenson, Johnson

A. City Council - Regular Meeting - Jul 1, 2019 4:30 PM

6. **APPROVAL OF BILLS AND PAYROLL**

A. Bills & Payroll

RESULT: APPROVED [UNANIMOUS]
MOVER: Frank Stevenson, Ward 5
SECONDER: Larry Noffsinger, Ward 4
AYES: Cavanaugh, Space, Townsend, Noffsinger, Stevenson, Johnson

7. **EXECUTIVE ORDER**

1. Executive Order for appointment of a Maintenance of Facility/Coordinator for the Boy Scout Camp located on Ferris Lane, Madisonville, Kentucky

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 Jul 15, 2019 4:30 PM (Approval of Minutes)

8. NEW BUSINESS

1. Items for Discussion

1. Motion to remove from the table the reading of bids received for surplus lots.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Frank Stevenson, Ward 5
SECONDER:	Larry Noffsinger, Ward 4
AYES:	Cavanaugh, Space, Townsend, Noffsinger, Stevenson, Johnson

2. 1634 : Reading of Bids received for surplus lots from Melinda Tyrie: Motion to reject the bids

RESULT:	ADOPTED [5 TO 1]
MOVER:	Larry Noffsinger, Ward 4
SECONDER:	Tony Space, Ward 2
AYES:	Cavanaugh, Space, Noffsinger, Stevenson, Johnson
NAYS:	Townsend

3. Request to close Railroad Street for Pennyriple Area Cyclists

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Adam Townsend, Ward 3
SECONDER:	Larry Noffsinger, Ward 4
AYES:	Cavanaugh, Space, Townsend, Noffsinger, Stevenson, Johnson

2. Resolutions

- A. RESOLUTION TO ACCEPT BID FOR BROWN ROAD SEWER REPLACEMENT PROJECT

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tony Space, Ward 2
SECONDER:	Frank Stevenson, Ward 5
AYES:	Cavanaugh, Space, Townsend, Noffsinger, Stevenson, Johnson

- B. Accept Bid for 624 Victoria Street, Madisonville, Kentucky

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

3. *Motion for Council to review audiotape of hearing before Hokins County Joint Planning Commission concerning the proposed zoning classification for property owned by Jerry T. Markham and Tyra L. Markham, co-trustees, containing 8.44 acres under consideration to be*

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Minutes Acceptance: Minutes of Jul 15, 2019 4:30 PM (Approval of Minutes)

annexed and to make its own findings of fact, conclusions of law and to assign a zoning classification for the property (There will be no public comment concerning the zoning classification) .

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Frank Stevenson, Ward 5
SECONDER:	Adam Townsend, Ward 3
AYES:	Cavanaugh, Space, Townsend, Noffsinger, Stevenson, Johnson

- 4. Motion by Frank Stevenson to adopt the Findings of Fact that a zoning classification for the property of Jerry T. Markham and Tyra L. Markham, Co-Trustees of the Jerry and Tyra Markham Living Trust to be Low Density Residential. Motion was seconded by Tony Space. All members voted in favor. Motion adopted.**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Frank Stevenson, Ward 5
SECONDER:	Tony Space, Ward 2
AYES:	Cavanaugh, Space, Townsend, Noffsinger, Stevenson, Johnson

5. First Reading Ordinances

- A. 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 ESTABLISHING THE ZONING CLASSIFICATION OF 8.44 ACRES LOCATED BETWEEN 4193 & 4175 BUFFALO TRACE

RESULT:	FIRST READING	Next: 8/5/2019 4:30 PM
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9. ADJOURNMENT

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

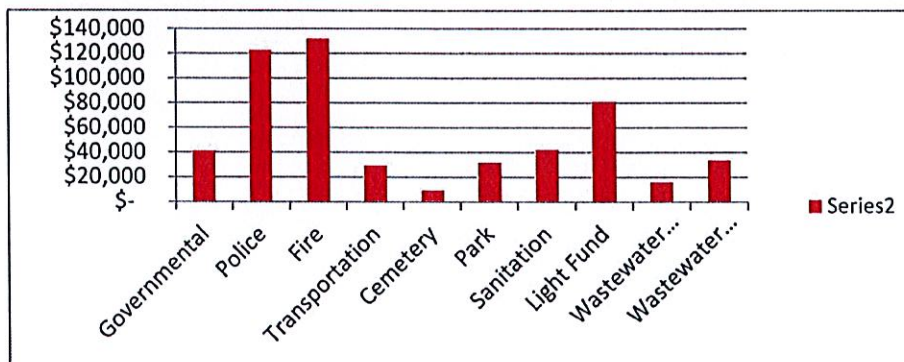
Bills and Payroll for Council Meeting 08/05/19

6.A

Co#	Bank#	Fund Name	
100	1	General Fund	\$ 90,848.22
			\$ 104,221.64
			\$ 35,025.69
		Total General Fund	\$ 230,095.55
190	9	Sanitation	\$ 56,663.09
			\$ 59,434.92
		Total Sanitation	\$ 116,098.01
200	9	Electric/Utility Office	\$ 32,885.09
			\$ 15,280.38
2			
		Total Electric/Utility Office	\$ 48,165.47
210	8	Water and Filter	\$ 19,606.88
			\$ 40,616.56
		Total Water Filter	\$ 60,223.44
	9	Waste Water Collection and Treatment	\$ 198,710.04
			\$ 40,901.77
		Total Wastewater Collection and Treatment	\$ 239,611.81

Estimated Payroll

Co#	Dept #	Department Name	Amount
100	Various	Governmental	\$ 41,084
100	2100	Police	\$ 122,008
100	2300	Fire	\$ 131,058
100	3300	Transportation	\$ 29,056
100	5000	Cemetery	\$ 8,787
100	7000	Park	\$ 31,435
190	3100	Sanitation	\$ 41,769
200	1000/4500	Light Fund	\$ 80,252
200	2000	Wastewater Treatment	\$ 15,383
200	2001	Wastewater Collection	\$ 33,220
200	4700/4600	Water and Filter	\$ 47,454
		Total Payroll	\$ 581,507



Number of Employees paid July 26, 2019

See next page

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

CMP	DEPT	NAME	DATE	TOTAL	FULL	PART
100	1100	ELECTED OFFICIALS	7/26/19	7	1	6
100	1200	ADMINISTRATION	7/26/19	7	5	2
100	1400	FINANCE	7/26/19	5	5	
100	1500	CITY CLERK	7/26/19	3	3	
100	1600	AIRPORT	7/26/19	3	3	
100	1700	ZONING	7/26/19	2	2	
100	2100	POLICE DEPT-MADISONVILLE	7/26/19	51	47	4
100	2150	POLICE FICA	7/26/19	3	2	1
100	2151	DISPATCH	7/26/19	13	12	1
100	2200	ALCOHOLIC BEVERAGE CONTROL	7/26/19	1		1
100	2300	FIRE DEPT-MADISONVILLE	7/26/19	61	61	
100	2350	FIRE FICA/NON HAZARDOUS	7/26/19	1	1	
100	3300	TRANSPORTATION DEPT	7/26/19	24	21	3
100	5000	CEMETERY DEPARTMENT	7/26/19	9	5	4
100	7000	PARK DEPARTMENT	7/26/19	24	13	11
100	7100	POOL EMPLOYEES	7/26/19	15		15
190	3100	SANITATION DEPARTMENT	7/26/19	27	26	1
200	1000	UTILITY OFFICE	7/26/19	13	13	
200	4500	LIGHT DISTRIBUTION DEPT	7/26/19	22	22	
210	2000	WASTEWATER TREATMENT	7/26/19	8	8	
210	2001	WASTEWATER COLLECTION	7/26/19	23	21	2
211	4600	FILTER DEPARTMENT	7/26/19	13	12	1
211	4700	WATER DEPARTMENT	7/26/19	18	18	
		Totals		353	301	52

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	196.00	1.50	.00	197.50
100	1400	FINANCE	215.00	4.00	.00	219.00
100	1500	CITY CLERK	86.25	.00	.00	86.25
100	1700	ZONING	78.50	.00	.00	78.50
100	1900	CITY ENGINEER	.00	.00	.00	.00
100	2200	ALCOHOLIC BEVERAGE	.00	.00	.00	.00
		Total Government	575.75	5.50	.00	581.25
100	2100	POLICE DEPT-MADISO	3,725.50	434.25	.00	4,159.75
100	2150	POLICE FICA	204.00	31.25	.00	235.25
		Total Police	3,929.50	465.50	.00	4,395.00
100	2300	FIRE DEPT-MADISONV	4,688.00	1,765.75	118.00	6,571.75
100	2350	FIRE FICA/NON HAZA	70.00	.00	.00	70.00
		Total Fire	4,758.00	1,765.75	118.00	6,641.75
100	3300	TRANSPORTATION DEP	1,845.75	37.50	.00	1,883.25
		Total Transportati	1,845.75	37.50	.00	1,883.25
100	5000	CEMETERY DEPARTMEN	687.75	23.75	.00	711.50
		Total Cemetery	687.75	23.75	.00	711.50
100	7000	PARK DEPARTMENT	1,322.00	54.00	.00	1,376.00
100	7100	POOL EMPLOYEES	937.50	73.50	.00	1,011.00
		Total Park	2,259.50	127.50	.00	2,387.00
190	3100	SANITATION DEPARTM	2,054.25	94.50	.00	2,148.75
		Total Sanitation	2,054.25	94.50	.00	2,148.75
200	1000	UTILITY OFFICE	907.75	29.50	.00	937.25
200	1001	METER READING	.00	.00	.00	.00
200	4500	LIGHT DISTRIBUTION	1,726.50	77.00	.00	1,803.50
		Total Utility Offi	2,634.25	106.50	.00	2,740.75
210	2000	WASTEWATER TREATME	598.75	7.50	.00	606.25
210	2001	WASTEWATER COLLECT	1,706.75	42.00	.00	1,748.75
		Total Wastewater T	2,305.50	49.50	.00	2,355.00
211	4600	FILTER DEPARTMENT	895.25	91.77	.00	987.02
211	4700	WATER DEPARTMENT	1,412.78	28.50	.00	1,441.28
		Total Water	2,308.03	120.27	.00	2,428.30
		Grand Totals	23,358.28	2,796.27	118.00	26,272.55

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

CMP	DEPT	NAME	REGULAR	OVERTIME	SPC-OVT	TOTAL
100	1100	ELECTED OFFICIALS	4,316.56	.00	.00	4,316.56
100	1200	ADMINISTRATION	15,185.31	26.39	.00	15,211.70
100	1400	FINANCE	11,327.11	118.88	.00	11,445.99
100	1500	CITY CLERK	5,020.41	.00	.00	5,020.41
100	1700	ZONING	3,818.24	.00	.00	3,818.24
100	1900	CITY ENGINEER	.00	.00	.00	.00
100	2200	ALCOHOLIC BEVERAGE	1,271.55	.00	.00	1,271.55
		Total Government	40,939.18	145.27	.00	41,084.45
100	2100	POLICE DEPT-MADISO	101,290.98	16,253.06	.00	117,544.04
100	2150	POLICE FICA	3,604.06	860.23	.00	4,464.29
		Total Police	104,895.04	17,113.29	.00	122,008.33
100	2300	FIRE DEPT-MADISONV	90,503.21	36,947.57	2,692.82	130,143.60
100	2350	FIRE FICA/NON HAZA	913.99	.00	.00	913.99
		Total Fire	91,417.20	36,947.57	2,692.82	131,057.59
100	3300	TRANSPORTATION DEP	28,105.40	950.75	.00	29,056.15
		Total Transportati	28,105.40	950.75	.00	29,056.15
100	5000	CEMETERY DEPARTMEN	8,326.41	460.56	.00	8,786.97
		Total Cemetery	8,326.41	460.56	.00	8,786.97
100	7000	PARK DEPARTMENT	21,672.68	824.52	.00	22,497.20
100	7100	POOL EMPLOYEES	8,022.24	915.55	.00	8,937.79
		Total Park	29,694.92	1,740.07	.00	31,434.99
190	3100	SANITATION DEPARTM	38,929.48	2,839.46	.00	41,768.94
		Total Sanitation	38,929.48	2,839.46	.00	41,768.94
200	1000	UTILITY OFFICE	18,281.16	605.70	.00	18,886.86
200	1001	METER READING	.00	.00	.00	.00
200	4500	LIGHT DISTRIBUTION	57,397.36	3,968.07	.00	61,365.43
		Total Utility Offi	75,678.52	4,573.77	.00	80,252.29
210	2000	WASTEWATER TREATME	15,166.85	216.58	.00	15,383.43
210	2001	WASTEWATER COLLECT	32,225.54	994.43	.00	33,219.97
		Total Wastewater T	47,392.39	1,211.01	.00	48,603.40
211	4600	FILTER DEPARTMENT	18,028.27	2,236.73	.00	20,265.00
211	4700	WATER DEPARTMENT	26,487.41	701.12	.00	27,188.53
		Total Water	44,515.68	2,937.85	.00	47,453.53
		Grand Totals	509,894.22	68,919.60	2,692.82	581,506.64

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

CITY OF MADISONVILLE
OFFICE OF THE MAYOR
EXECUTIVE ORDER

EXECUTIVE ORDER RELATING TO THE APPOINTMENT OF CHARLIE FRANKLIN TO
THE AIRPORT BOARD

KNOW ALL MEN BY THESE PRESENTS:

That I, Kevin Cotton, Mayor of the City of Madisonville, Kentucky, pursuant to the authority vested in me by applicable law, **DO HEREBY ORDER** as follows:

- 1) That Charlie Franklin is hereby appointed to the Airport Board; and
- 2) That the term of Charlie Franklin shall be for a period of 4 years concluding on July 31, 2023;
and
- 3) That Charlie Franklin shall serve in accordance with the Laws of the United States of America and the Commonwealth of Kentucky, and the ordinances of the City of Madisonville.

On this 5th day of August, 2019

ATTEST:

**CITY OF MADISONVILLE, KY
ORDINANCE**

**ORDINANCE ANNEXING CERTAIN REAL ESTATE INTO THE CITY LIMITS OF
MADISONVILLE, KENTUCKY KNOWN AS LOT 5, OAKWOOD HILLS SUBDIVISION**

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

Section 1: The City of Madisonville, Kentucky, pursuant to KRS 81A.412, does hereby annex certain unincorporated territory into the city limits of Madisonville. The unincorporated territory hereby annexed is more particularly described on Exhibit A, attached hereto and incorporated herein by reference.

Section 2: Jerry T. Markham and Tyra L. Markham, Co-Trustees of the Jerry and Tyra Markham Living Trust dated May 18, 2016, are the record title owners of the property to be annexed and they have given their written notarized consent to the annexation of the subject property. Since the owners of the subject property to be annexed have consented in writing to the proposed annexation pursuant to the provisions of KRS 81A.412, there is no requirement for a notification ordinance as required by KRS 81A.420(1), or a notice requirement pursuant to KRS 81A.425, or a waiting period of 60 days as provided in KRS 81A.420(2) prior to enacting a final ordinance annexing the subject area.

Section 3: The area hereby annexed is adjacent or contiguous to the City's boundaries and, by reason of population density, commercial, industrial, institutional, or governmental use of land or subdivision of land, is urban in character and suitable for development for urban purposes without unreasonable delay.

Section 4: No portion of the area to be annexed is included within the boundary of another incorporated city.

Section 5: The City of Madisonville hereby finds it to be desirable to annex the unincorporated territory described in Exhibit A.

Section 6: The unincorporated territory hereby annexed has been assigned a zoning classification of Low Density Residential as established by the Madisonville City Council on July 15, 2019. A map reflecting the area hereby annexed and the zoning classification relating thereto is attached hereto as

required by KRS 81A.412 and is further identified as set forth on the official zoning map on file in the Office of the City Clerk which map is also incorporated herein by reference.

The foregoing Ordinance is read to and presented to a regular meeting of the City Council of Madisonville, Kentucky, for first reading on the 1st day of July, 2019 and the second reading on the 5th day of August, 2019. 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:

It appearing that the Councilmembers voted the Mayor announced that the Motion was 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 5th day of August, 2019

City of Madisonville, KY

ATTEST:

City of Madisonville, KY

CONSENT TO ANNEXATION PURSUANT TO KRS 81A.412

Jerry T. Markham and Tyra L. Markham, Co-Trustees of the Jerry and Tyra Markham Living Trust dated May 18, 2016, P. O. Box 431, Madisonville, Kentucky 42431, do hereby consent to and request the City of Madisonville to annex all of Lot No. 5 of the Oakwood Hills Subdivision as recorded in Plat Cabinet 3, Slide 52, Hopkins County Court Clerk's Office, in the city limits of the City of Madisonville. The plat of the property which we are requesting to be annexed is attached hereto and incorporated herein. The property to be annexed is a part of Parcel III and Parcel IV set forth in a deed of conveyance executed by Jerry T. Markham and his wife, Tyra L. Markham, to Jerry T. Markham and Tyra L. Markham, Co-Trustees of the Jerry and Tyra Markham Living Trust dated May 18, 2016, dated October 20, 2016 and of record in Deed Book 751, page 176, Hopkins County Court Clerk's Office. A copy of said deed of conveyance is attached herewith and incorporated herein.

This 20th day of June, 2019.

JERRY AND TYRA MARKHAM LIVING TRUST
DATED MAY 18, 2016

By: Jerry Markham
Jerry T. Markham, Trustee

By: Tyra Markham
Tyra L. Markham, Trustee

STATE OF KENTUCKY)
)
COUNTY OF HOPKINS)

Subscribed and sworn to before me by Jerry T. Markham and Tyra L. Markham, Co-Trustees of the Jerry and Tyra Markham Living Trust dated May 18, 2016, persons known to me or presenting sufficient evidence of their identifications, on this 20 day of June, 2019.

Mary E. Ashery
Notary Public, State at Large, KY
My Commission Expires: 8-13-2019
Notary No: 446999

JAE.srp.COM.2019.Agreements.0528Markham.consent



OAKWOOD HILLS SUBDIVISION – LOT NO. 5 BOUNDARY DESCRIPTION

Beginning at an existing iron pin in the West Right-of-Way of Buffalo Trace, said iron pin being the Northeast corner of Lot No. 5 of Oakwood Hills Subdivision as recorded in Plat Cabinet 3 Slide 052 in the Hopkins County Clerk's Office and the Southeast corner of Lot No. 8 of Oakwood Hills Subdivision as recorded in Plat Cabinet 2 Slide 169 in the Hopkins County Clerk's Office, Thence with the said West Right-of-Way of Buffalo Trace the following calls: S 08° 32' 58" W – 150.00 feet, S 08° 33' 09" W – 57.02 feet and S 09° 25' 11" W – 220.89 feet to a 5/8" x 24" rebar with 1 1/2" aluminum cap stamped "AEI #2286", said 5/8" rebar corner being the Northeast corner of Lot No. 3 of Oakwood Hills Subdivision as recorded in Plat Cabinet 3 Slide 052 in the Hopkins County Clerk's Office, Thence leaving the West Right-of-Way of Buffalo Trace and the following the North line of Lot No. 3 of Oakwood Hills Subdivision N 79° 20' 24" W – 741.76 feet to a 5/8" x 24" rebar with 1 1/2" aluminum cap stamped "AEI #2286", said 5/8" rebar corner being the Northwest corner of Lot No. 3 of Oakwood Hills Subdivision, Thence leaving the North line of Lot No. 3 of Oakwood Hills Subdivision and following the West line of Lot No. 3 of Oakwood Hills Subdivision S 20° 10' 40" W – 375.72 feet to a 5/8" x 24" rebar with 1 1/2" aluminum cap stamped "AEI #2286", said 5/8" rebar corner being the in the North line of Lot No. 2 of Oakwood Hills Subdivision as recorded in Plat Cabinet 3 Slide 320 in the Hopkins County Clerk's Office, Thence with the North line of Lot No. 2 of Oakwood Hills Subdivision N 71° 23' 05" W – 174.22 feet to a 5/8" x 24" rebar with 1 1/2" aluminum cap stamped "AEI #2286", said 5/8" rebar corner being the Northwest corner of Lot No. 2 of Oakwood Hills Subdivision and being a common corner with property belonging to Jerry and Tyra Markham, Co-Trustees as recorded in Deed Book 751 Page 176, Parcels I and II in the Hopkins County Clerk's Office, Thence leaving the North line of Lot No. 2 of Oakwood Hills Subdivision and following the East line of the Jerry and Tyra Markham Co-Trustee tract (Deed Book 751 Page 176, Parcel I) N 23° 14' 22" W – 29.71 feet to a 2" pipe corner, said 2" pipe corner being the Northeast corner of the Jerry and Tyra Markham, Co-Trustees tract (Deed Book 751 Page 176, Parcel I) and also being the Southeast corner of the Jerry and Tyra Markham, Co-Trustees tract (Deed Book 751 Page 176, Tract II), Thence leaving the East line of the Jerry and Tyra Markham, Co-Trustees tract (Deed Book 751 Page 176, Parcel I) and following the east line of the Jerry and Tyra Markham, Co-Trustees tract (Deed Book 751 Page 176, Tract II) N 36° 03' 33" E – 828.65 feet to a pipe corner, said pipe corner being the Northwest corner of Lot No. 5 of Oakwood Hills Subdivision and a

Owensboro, Kentucky
Phone: (270) 684-8450

2740 North Main Street, Madisonville, Kentucky 42431
Phone: (270) 821-7732 • Fax: (270) 821-7789

Lexington, Kentucky
Phone: (859) 286-3000

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Attachment: Oakwood Hills Subdivision (1627 : ORDINANCE ANNEXING CERTAIN REAL ESTATE INTO THE CITY LIMITS OF MADISONVILLE;)



common corner with Lot No. 8 of Oakwood Hills Subdivision as recorded in Plat Cabinet 2 Slide 169 in the Hopkins County Clerk's Office and a common corner with Lot No. 9 of Oakwood Hills Subdivision as recorded in Plat Cabinet 2 Slide 178 in the Hopkins County Clerk's Office, Thence leaving the East line of the Jerry and Tyra Markham, Co-Trustees tract (Deed Book 751 Page 176, Tract II) and following the South line of Lot No. 8 of Oakwood Hills Subdivision S 79° 25' 34" E – 625.15 feet to the Beginning and Containing 8.44 Acres.

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Attachment: Oakwood Hills Subdivision (1627 : ORDINANCE ANNEXING CERTAIN REAL ESTATE INTO THE CITY LIMITS OF MADISONVILLE;)

**CITY OF MADISONVILLE, KY
ORDINANCE**

**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 ESTABLISHING THE ZONING
CLASSIFICATION OF 8.44 ACRES LOCATED BETWEEN 4193 & 4175 BUFFALO TRACE**

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 consisting of 8.44 acres located between 4193 & 4175 Buffalo Trace owned by Jerry T. Markham and Tyra L. Markham, Co-Trustees of the Jerry and Tyra Markham Living Trust. For a description of the boundary of the area to be zoned, see Exhibit A attached hereto and incorporated herein by reference. The zoning classification given to this property is Low Density Residential and is set forth on the Official Zoning Map on file in the office of the City Clerk, which map is also incorporated herein by reference.

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 15th day of July, 2019 and the second reading on the 5th day of August, 2019. 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:

It appearing that the Councilmembers voted the Mayor announced that the Motion was 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 5th day of August, 2019

City of Madisonville, KY

ATTEST:

City of Madisonville, KY

Total Annexation
8.44 Acres

OAKWOOD HILLS SUBDIVISION
LOT No. 5
Plat Cabinet 3 Slide 052
Jerry & Tyra Markham, Co-Trustees
Deed Book 751 Page 176 - Parcels III & IV
PVA ID NOS.: M-8-1-4-5 & M-8-1-4-3-1

Markham, Co-Trustees
Page 176 - Tract II
O.: M-8-1-4-2

OAKWOOD HILLS SUBDIVISION
LOT No. 3
Plat Cabinet 3 Slide 052
J. Todd & Shannon P'Pool
Deed Book 669 Page 527 & Deed Book 725 Page 576
PVA ID NO.: M-8-1-4-3

BUFFALO TRACE

**CITY OF MADISONVILLE
RESOLUTION**

**RESOLUTION TO PURCHASE THE PROPERTY LOCATED AT 140 NISBET STREET,
MADISONVILLE, KENTUCKY**

WHEREAS, the City of Madisonville had accepted a bid on November 29, 2018 for the property located at 140 Nisbet Street, Madisonville, Kentucky from Harold Peyton for the sales price of \$2,100.00;

WHEREAS, Harold Peyton has contacted the City of Madisonville concerning a pipe on the property;

WHEREAS, Eric Hickman, the City Engineer has advised there is a drainage pipe that crosses through this property, connects into a storm inlet, and it is not currently mapped. He recommended at a minimum a 15' drainage easement be dedicated for this storm sewer, 7.5' centerline either side of pipe and restrict any permanent structures within this easement. Mr. Hickman further recommended to keep the lot and deed restrict to open lawn/green space to eliminate future potential flooding problems.

NOW THEREFORE, BE IT RESOLVED that the City Council authorizes the Mayor, or his designee, to execute a deed of conveyance to Harold Peyton for the price of \$2100.00.

ADOPTED on this 5th day of August, 2019.

ATTEST:

BOOK 770 PAGE 748

THIS DEED OF CONVEYANCE made and entered into by and between the CITY OF MADISONVILLE, KENTUCKY, P. O. Box 705, Madisonville, Kentucky 42431, hereinafter referred to as the "Grantor", and HAROLD D. PEYTON, 3453 Rosecreek Road, Madisonville, Kentucky 42431, hereinafter referred to as the "Grantee";

WITNESSETH: That for and in consideration of the sum of Two Thousand One Hundred Dollars (\$2,100.00) cash in hand paid, the receipt and sufficiency of which is hereby acknowledged, the Grantor does hereby grant, bargain, sell and convey unto the Grantee, his heirs and assigns, the following described real estate located at 140 Nisbet Street, Madisonville, Hopkins County, Kentucky, more particularly bounded and described as follows:

Beginning at an iron pin on the south edge of Nisbet Street, same being 115.6 feet east of the east edge of Seminary Street and running thence S. 66-32 E. 60.00 feet with the south edge of Nisbet Street to an iron pin in the south edge of said street and in the west edge of a 15 foot alley; thence with the west edge of said alley S. 0-42 E. 70.50 feet to an iron pin in the north line of Orvil Uzzle; thence with his line N. 66-22 W. 60.00 feet to an iron pin in the east line of Orvil Uzzle; thence N. 0-42 W. 70.50 feet to the beginning.

Being the same real estate conveyed by L. Rush Hunt, Master Commissioner of the Hopkins Circuit Court, et al., to the City of Madisonville, Kentucky, by deed dated September 14, 2018, and of record in Deed Book 769, page 448, Hopkins County Court Clerk's Office.

TO HAVE AND TO HOLD the above described real estate, together with all of the appurtenances thereunto belonging unto the Grantee, his heirs and assigns forever, with Covenant of Special Warranty of Title.

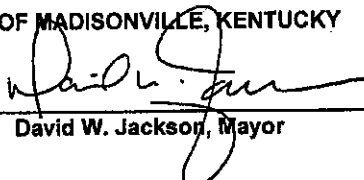
The parties hereto state that the consideration reflected in this deed is the full consideration paid for the property. The Grantee joins in the execution of this deed for the sole purpose of certifying the consideration pursuant to KRS Chapter 382.

IN TESTIMONY WHEREOF, witness the signatures of the parties on this 20th day of December, 2018.

GRANTEE:

CITY OF MADISONVILLE, KENTUCKY

By:


David W. Jackson, Mayor

Attested:


Kim Blue, City Clerk

GRANTEE:

Harold D. Peyton 749

STATE OF KENTUCKY)
COUNTY OF HOPKINS) SCT.

The foregoing Deed and Consideration Certificate was subscribed, acknowledged and sworn to before me by David W. Jackson and Kim Blue, who holds the office of Mayor and City Clerk of the City of Madisonville, persons known to me or presenting sufficient evidence of their identification, on this _____ day of December, 2018.

Quinn A. Cordwell
Notary Public, State at Large, KY
My commission expires: 5-1-2021
Notary ID: 578548

STATE OF KENTUCKY)
COUNTY OF HOPKINS) SCT.

The foregoing Deed and Consideration Certificate was subscribed, acknowledged and sworn to before me by Harold D. Peyton, a person known to me or presenting sufficient evidence of his identification, on this 28 day of December, 2018.

Donna S. H. H.
Notary Public, State at Large, KY
My commission expires: 1-13-20
Notary ID: 598619

Prepared by:
FRYMIRE, EVANS, PEYTON,
TEAGUE & CARTWRIGHT
Post Office Box 695
Madisonville, KY 42431
(270) 821-6165

Joe A. Evans III
Attorney at Law

JAE.mea.2018COM.Deed.1204COM.PeytonI.Deed



2018014641
HOPKINS CO, KY FEE \$17.00
PRESENTED / LODGED: 12-28-2018 01:25:14 PM
RECORDED: 12-28-2018
KEENAN CLOERN
CLERK
BY: DONALD ETHRIDGE
DEPUTY CLERK
BK: DEED 770
PG: 748-749

Attachment: Deed Peyton (1642 : Resolution to purchase the property located 140 Nisbet Street, Madisonville, Kentucky)

**CITY OF MADISONVILLE
RESOLUTION**

RESOLUTION TO ACCEPT BIDS FOR THE FOLLOWING LOTS: 164 MURRAY, 118 OAKDALE & 143 OAKDALE

WHEREAS, the City of Madisonville opened bids for surplus lots located at 164 Murray Street; 118 Oakdale; and 143 Oakdale on Monday, July 29, 2019 at 10:00 a.m.; and

WHEREAS, the City of Madisonville received only one bid on each lot as follows:

Name	Bid Amount
Candy Phillips - 164 Murray Street	\$1001.00
Candy Phillips - 118 Oakdale	\$1005.00
Candy Phillips - 143 Oakdale	\$1005.00

WHEREAS, Candy Phillips was the only bid received on each lot

NOW THEREFORE, BE IT RESOLVED that the City Council accepts the bids of Candy Phillips for the surplus lots located at 164 Murray Street; 118 Oakdale and 143 Oakdale.

ADOPTED on this 5th day of August, 2019.

ATTEST:

Bid price: 1,005

lot located @ 143 Oakdale

Bidder: Candy Phillips
4499 Brown Road
P.O. Box 846
Madisonville, Ky. 42431
270. 875. 9555
cphillips1300@yahoo.com

Bid price: \$1,001

Lot located @ 164 Murray Street

Bidder: Candy Phillips

P.O. Box 846

Madisonville, Ky. 42431

270.875.9555

cphillips1300@yahoo.com

Bid price: \$1,005

Lot located @, 118 Oakdale

Bidder: Candy Phillips
4499 Brown Road
P.O. Box 846
Madisonville, Ky. 42431
270.875.9555
cphillips1300@yahoo.com



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

SCHEDULED

ITEM FOR DISCUSSION (ID # 1641)

Meeting: 08/05/19 04:30 PM
Department: City Clerk Department
Category: Agreement
Prepared By: Kim Blue
Initiator: Kim Blue
Sponsors:
DOC ID: 1641

9.B.1

Interlocal Cooperative Agreement to Establish a Revenue Sharing Arrangement

In the matter of authorizing the mayor, or his/her, designated authority to execute an interlocal cooperative agreement to establish a revenue sharing arrangement with the Hopkins County Fiscal Court.

INTERLOCAL COOPERATION AGREEMENT

This Interlocal Cooperation Agreement (the "Agreement") is made and entered into by and between HOPKINS COUNTY, KENTUCKY and the CITY OF MADISONVILLE, KENTUCKY on this _____ day of _____, 2019;

WITNESSETH: Section 181 of the Kentucky Constitution delegates to counties, towns, cities and other municipal corporations the authority to impose and collect fees on trades, occupations and professions; and

WHEREAS, KRS 92.281 provides that cities of all classes are authorized to levy and collect any and all taxes provided for in Section 181 of the Constitution of the Commonwealth of Kentucky, and to use the revenue therefrom for such purposes as may be provided by the legislative body of the city; and

WHEREAS, KRS 68.197 provides that the fiscal court of each county having a population of 30,000 or more may by ordinance impose license fees on businesses, trades, occupations and professions for revenue purposes not to exceed one percent (1%) of salaries, wages, commissions, or other compensation earned by persons within the county for work done and services performed or rendered in the county, and the net profits of self-employed individuals, partnerships, professional associations or joint ventures resulting from trades, professions, occupations, businesses, or activities conducted in that county; and

WHEREAS, on June 16, 2008, the City of Madisonville enacted and adopted Ordinance No. 08-9 providing for the imposition of Occupational and Business License Fees (net profits) for the privilege of engaging in business within the city limits equal to 1.5% of all wages and compensation paid or payable in the City for work done or services performed or rendered in the City and 1.5% of the net profits from business conducted within the City, said Ordinance being set forth in Chapter 110 of the City of Madisonville Code of Ordinances which is incorporated herein by reference; and

WHEREAS, on October 6, 2015, the Hopkins Fiscal Court enacted and adopted Ordinance No. 2015-5 relating to the Imposition and Administration of an Occupational License Requirement, and Payment of Occupational and Net Profits License Fees by persons and business entities conducting businesses, occupations and professions within Hopkins County, Kentucky, equal to 0.5% of all wages and compensation paid or payable in the County for work done or services performed or rendered in the County and 0.5% of the net profit from business conducted in the County subject to the limitations set forth in said Ordinance, which is incorporated herein by reference; and

WHEREAS, pursuant to the Interlocal Cooperation Act (the "Act"), KRS Section 65.210 to 65.300, inclusive, any power or powers, privileges or authority exercised or capable of exercise by a public agency (including a city, a county or any other political subdivision of the Commonwealth) may be exercised jointly with another public agency under an agreement (an "interlocal cooperation agreement") for joint or cooperative action pursuant to the provisions of the Act to accomplish the public purposes set forth in such interlocal cooperation agreement; and

WHEREAS, Hopkins County and the City of Madisonville desire to enter into an interlocal cooperation agreement to suspend the application of KRS 67.198(7) and to eliminate any credit or offset of any occupational license fee paid to the City of Madisonville against any occupational license fee imposed by Hopkins County, Kentucky; and

WHEREAS, the respective legislative bodies of the County and the City believe that the public interest will be served by the execution of this Interlocal Cooperation Agreement;

NOW, THEREFORE, in consideration of the mutual promises and agreements of the parties set forth herein, the receipt and sufficiency of said consideration being hereby acknowledged, the parties do hereby agree as follows:

1. The City of Madisonville shall continue to collect all occupational and business license fees (net profits) imposed by Chapter 110 of the City of Madisonville Code of

Ordinances. No portion of the funds collected by the City of Madisonville shall be shared with or paid to Hopkins County, Kentucky.

2. Hopkins County, Kentucky shall continue to collect all occupational and business license fees (net profits) imposed by Ordinance No. 2015-5. No portion of the funds collected by Hopkins County, Kentucky shall be shared with or paid to the City of Madisonville.

3. There shall be no credit or offset for any occupational and business license fee (net profits) paid to the City of Madisonville against any occupational license fee owed to Hopkins County, Kentucky.

4. In consideration of the foregoing, Hopkins County, Kentucky agrees that it will not increase its occupational license fee (net profits) above 0.5% during the term of this Interlocal Cooperation Agreement or any extension thereof.

5. This Interlocal Cooperation Agreement shall be effective from and after (1) the execution by each party; (2) the approval of this Agreement by the Governor's Office for Local Development for the Commonwealth of Kentucky as required by KRS 65.260(2); and (3) the filing of a certified copy of this Agreement with the Hopkins County Clerk and the Secretary of State's Office as required by KRS 65.290.

6. This Agreement shall remain in effect for a period of two (2) years and will automatically be renewed and extended for successive two year terms unless terminated by either party upon ninety (90) days written notice given prior to the expiration of the two year term or any renewal term.

7. The parties agree to engage in a joint and cooperative undertaking only within the scope set out in this Agreement and do not intend to create among them any relationship of surety, indemnification, or responsibility for debts or claims, or liabilities incurred by any party in its governmental operation. Furthermore, the execution of this Agreement shall not constitute a waiver of any defense or immunity that either party would otherwise be entitled to under applicable law.

8. This Agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Kentucky. If any provision of this Agreement should be held to be in conflict with or violate any applicable statute, constitutional provision, law or regulation, or should be held by a court of competent jurisdiction to be unenforceable, the invalidity or unenforceability of such provision shall not affect any of the remaining portions of this Agreement.

HOPKINS COUNTY, KENTUCKY

CITY OF MADISONVILLE, KENTUCKY

By: _____
Jack Whitfield, Jr., County Judge Executive

By: _____
Kevin Cotton, Mayor

Attest:

Attest:

Keenan Cloren, County Clerk

Kim Blue, City Clerk

Approved as to form in compliance with
appropriate Kentucky Statutes:

Sandy Dunahoo, Commissioner
Department for Local Government

Attachment: Interlocal agreement (1641 : Interlocal Cooperative Agreement to Establish a Revenue Sharing Arrangement)



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

SCHEDULED

ITEM FOR DISCUSSION (ID # 1643)

Meeting: 08/05/19 04:30 PM
Department: City Clerk Department
Category: Grant
Prepared By: Kim Blue
Initiator: Kim Blue
Sponsors:
DOC ID: 1643

9.B.2

Permission for Fire Department to apply for a grant

Fire Chief John Dunning is requesting permission to apply for a grant for a fire hose in the amount of \$14,106.40. The Grant is a 50% match with the PRP.



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

SCHEDULED

ITEM FOR DISCUSSION (ID # 1646)

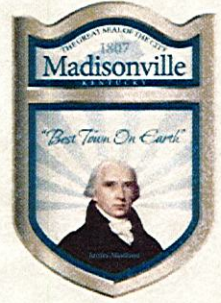
9.B.3

Meeting: 08/05/19 04:30 PM
Department: City Clerk Department
Category: Bid
Prepared By: Kim Blue
Initiator: Kim Blue
Sponsors:
DOC ID: 1646

Permission to Bid Rubber Mulch for playground equipment at Festus Claybon Park



PROCLAMATION



WHEREAS, the City of Madisonville and Hopkins County proclaim to always support, admire, and exhibit the utmost gratitude for all men and women in the Armed Forces in our city, county, state, and the United States of America; and

WHEREAS, the City of Madisonville and Hopkins County proclaim to annually submit at least one (1) military person deceased or alive from our city or county in nomination form to be inducted into the Kentucky Veterans Hall of Fame; and

WHEREAS, the vision of the Kentucky Veterans Hall of Fame is to promote Kentucky veterans and families “honoring veterans who continue to serve above and beyond.”

NOW THEREFORE, BE IT RESOLVED, that we, Kevin Cotton, Mayor of the City of Madisonville, and Jack Whitfield, Hopkins County Judge Executive, do hereby proclaim the City of Madisonville and Hopkins County to be a Kentucky Veterans Hall of Fame City and County and urge all citizens to support veterans in the City of Madisonville, the County of Hopkins, the Commonwealth of Kentucky, the United States of America, and the world.

Kevin Cotton, Mayor
Madisonville, Kentucky

Jack Whitfield, Judge/Executive
Hopkins County, Kentucky

