



**SPECIAL CALLED MEETING OF THE MADISONVILLE, KENTUCKY CITY COUNCIL
BALLARD CONVENTION CENTER, 605 E ARCH STREET, MADISONVILLE, KY 42431**

October 7, 2019 at 4:30 PM

AGENDA

- 1. CALL TO ORDER BY MAYOR KEVIN COTTON**
- 2. PLEDGE OF ALLEGIANCE**
- 3. INVOCATION BY KEVIN MAPLES, PASTOR OF FIRST BAPTIST CHURCH**
- 4. ROLL CALL**
- 5. APPROVAL OF MINUTES OF SEPTEMBER 16, 2019**
 - A. City Council - Regular Meeting - Sep 16, 2019 4:30 PM
- 6. APPROVAL OF MINUTES OF SEPTEMBER 20, 2019**
 - A. City Council - Special Called Meeting - Sep 20, 2019 11:30 AM
- 7. APPROVAL OF BILLS AND PAYROLL**
 - A. Bills & Payroll
- 8. CITY COUNCIL COMMITTEE REPORTS: REPORT FROM TOURISM ADVISORY BOARD COMMITTEE**
- 9. OLD BUSINESS**
 - A. *Second Reading Ordinances*
 - A. *Ordinances*
 - B. THE MATTER OF A REQUEST FOR A CHANGE IN ZONING CLASSIFICATION FROM LOW DENSITY RESIDENTIAL (LDR) TO MEDIUM DENSITY RESIDENTIAL (MDR) RELATING TO A 9.77 ACRE PARCEL OF REAL ESTATE
- 10. NEW BUSINESS**
 - A. *First Reading Ordinances*
 - A. AN ORDINANCE AMENDING SECTION 123.07(8) OF THE CITY OF MADISONVILLE CODE OF ORDINANCES RELATING TO RESTAURANT TAXES

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. Resolutions

- A. A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF MADISONVILLE TO EXECUTE ON BEHALF OF THE CITY A PROPOSED LEASE OF APPROXIMATELY 10.7 ACRES OF REAL ESTATE LOCATED IN THE MADISONVILLE INDUSTRIAL PARK TO BE PRESENTED FOR CONSIDERATION TO A BUSINESS OR INDUSTRY WHERE NO PREVIOUS PUBLIC DISCLOSURE HAS BEEN MADE OF THE BUSINESS' OR INDUSTRY'S INTEREST IN LOCATING IN, RELOCATING WITHIN OR EXPANDING WITHIN THE COMMONWEALTH, AND AUTHORIZING THE PUBLIC DISCLOSURE OF ALL TERMS AND CONDITIONS SET FORTH IN THE LEASE UPON EXECUTION THEREOF BY THE PROSPECTIVE TENANT.

C. Items for Discussion

- A. Water & Sewer Connection for Groves Sharber Properties

11. AWARDS AND RECOGNITIONS

- A. Presentation from JD Chaney, Deputy Executive Director of Kentucky League of Cities

12. ADJOURNMENT

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

September 16, 2019 at 4:30 PM

MINUTES

1. **CALL TO ORDER BY MAYOR KEVIN COTTON**
2. **PLEDGE OF ALLEGIANCE**
3. **INVOCATION BY LOLETUTH KALZ OF FIRST UNITED METHODIST CHURCH**
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	Absent	

5. **APPROVAL OF MINUTES**

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

A. City Council - Regular Meeting - Sep 3, 2019 4:30 PM

6. **APPROVAL OF BILLS AND PAYROLL**

A. Bills & Payroll

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

7. **DEPARTMENT REPORTS**

A. Fire Department Report

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

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Minutes Acceptance: Minutes of Sep 16, 2019 4:30 PM (Approval of Minutes of September 16, 2019)

B. Police Department Report

8. COUNCIL COMMITTEE REPORTS

- A. Motion to review audio tape from Hopkins County Joint Planning Commission to review Zoning Request change for 9.773 acres off of Cottonwood Drive from Low Density to Medium Density

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

9. OLD BUSINESS

A. *Second Reading Ordinances*

- A. AN ORDINANCE AMENDING CHAPTER 96 OF THE CODE OF ORDINANCES OF THE CITY OF MADISONVILLE (RELATING TO PROPERTY TAX)

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

- B. AN ORDINANCE AMENDING CHAPTER 159 OF THE CITY OF MADISONVILLE CODE OF ORDINANCES RELATING TO THE DESIGNATION OF A HISTORIC DISTRICT

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

10. NEW BUSINESS

A. *First Reading Ordinances*

- A. AN ORDINANCE DECLARING THE EXISTENCE OF AN EMERGENCY AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO PURCHASE BITUMINOUS ASPHALT THROUGH COMPETITIVE NEGOTIATIONS FOR USE AT THE MADISONVILLE REGIONAL AIRPORT

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

B. Resolutions

A. Accept Bid for De-Icing Road Salt

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

B. Accept bid for Surplus Mack Trucks

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

11. ANNOUNCEMENTS

1. City Government Proclamation

12. ADJOURNMENT

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

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

September 20, 2019 at 11:30 AM

MINUTES

I. CALL TO ORDER

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	

II. PUBLIC PORTION

1. Accept Bid for the lot located at 126 North Kentucky, Madisonville, KY

RESULT: ADOPTED [UNANIMOUS]
MOVER: Tony Space, Ward 2
SECONDER: Bobby Johnson, Ward 6
AYES: Cavanaugh, Space, Townsend, Noffsinger, Stevenson, Johnson

2. 1664 : AN ORDINANCE DECLARING THE EXISTENCE OF AN EMERGENCY (T-HANGER PROJECT AT THE AIRPORT)

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

3. THE MATTER OF A REQUEST FOR A CHANGE IN ZONING CLASSIFICATION FROM LOW DENSITY RESIDENTIAL (LDR) TO MEDIUM DENSITY RESIDENTIAL (MDR) RELATING TO A 9.77 ACRE PARCEL OF REAL ESTATE

RESULT: FIRST READING **Next: 10/7/2019 4:30 PM**

III. ADJOURNMENT

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

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

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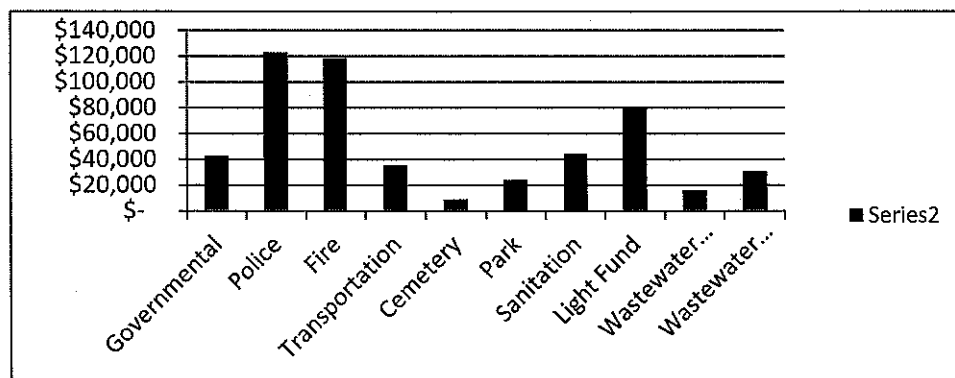
Bills and Payroll for Council Meeting 10/7/19

7.A

Co#	Bank#	Fund Name	
100	1	General Fund	\$ 64,880.22
			\$ 71,193.85
			\$ 75,072.05
		Total General Fund	\$ 211,146.12
190	9	Sanitation	\$ 35,489.19
			\$ 17,490.84
		Total Sanitation	\$ 52,980.03
200	9	Electric/Utility Office	\$ 27,352.26
			\$ 10,257.72
2			
		Total Electric/Utility Office	\$ 37,609.98
210	8	Water and Filter	\$ 135,465.30
			\$ 23,318.37
		Total Water Filter	\$ 158,783.67
	9	Waste Water Collection and Treatment	\$ 38,210.86
			\$ 132,683.67
		Total Wastewater Collection and Treatment	\$ 170,894.53

Estimated Payroll

Co#	Dept #	Department Name	Amount
100	Various	Governmental	\$ 42,278
100	2100	Police	\$ 122,184
100	2300	Fire	\$ 117,717
100	3300	Transportation	\$ 34,864
100	5000	Cemetery	\$ 8,523
100	7000	Park	\$ 23,626
190	3100	Sanitation	\$ 43,597
200	1000/4500	Light Fund	\$ 78,830
200	2000	Wastewater Treatment	\$ 15,584
200	2001	Wastewater Collection	\$ 30,049
200	4700/4600	Water and Filter	\$ 45,635
		Total Payroll	\$ 562,888



Number of Employees paid October 4 , 2019
See next page

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

CMP	DEPT	NAME	DATE	TOTAL	FULL	PART
100	1100	ELECTED OFFICIALS	10/04/19	7	1	6
100	1200	ADMINISTRATION	10/04/19	7	6	1
100	1400	FINANCE	10/04/19	5	5	
100	1500	CITY CLERK	10/04/19	3	3	
100	1600	AIRPORT	10/04/19	3	3	
100	1700	ZONING	10/04/19	2	2	
100	2100	POLICE DEPT-MADISONVILLE	10/04/19	49	45	4
100	2150	POLICE FICA	10/04/19	6	2	4
100	2151	DISPATCH	10/04/19	11	11	
100	2200	ALCOHOLIC BEVERAGE CONTROL	10/04/19	1		1
100	2300	FIRE DEPT-MADISONVILLE	10/04/19	59	59	
100	2350	FIRE FICA/NON HAZARDOUS	10/04/19	1	1	
100	3300	TRANSPORTATION DEPT	10/04/19	27	19	8
100	5000	CEMETERY DEPARTMENT	10/04/19	9	5	4
100	7000	PARK DEPARTMENT	10/04/19	21	14	7
100	7100	POOL EMPLOYEES	10/04/19	1		1
190	3100	SANITATION DEPARTMENT	10/04/19	30	29	1
200	1000	UTILITY OFFICE	10/04/19	13	13	
200	4500	LIGHT DISTRIBUTION DEPT	10/04/19	21	21	
210	2000	WASTEWATER TREATMENT	10/04/19	8	8	
210	2001	WASTEWATER COLLECTION	10/04/19	20	19	1
211	4600	FILTER DEPARTMENT	10/04/19	12	11	1
211	4700	WATER DEPARTMENT	10/04/19	16	16	
Totals				332	293	39

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	139.25	.25	.00	139.50
100	1400	FINANCE	160.00	2.50	.00	162.50
100	1500	CITY CLERK	116.25	.00	.00	116.25
100	1700	ZONING	70.75	.00	.00	70.75
100	1900	CITY ENGINEER	.00	.00	.00	.00
100	2200	ALCOHOLIC BEVERAGE	.00	.00	.00	.00
		Total Government	486.25	2.75	.00	489.00
100	2100	POLICE DEPT-MADISO	3,733.25	649.25	.00	4,382.50
100	2150	POLICE FICA	284.00	32.50	.00	316.50
		Total Police	4,017.25	681.75	.00	4,699.00
100	2300	FIRE DEPT-MADISONV	4,592.00	1,715.75	264.25	6,572.00
100	2350	FIRE FICA/NON HAZA	69.75	.00	.00	69.75
		Total Fire	4,661.75	1,715.75	264.25	6,641.75
100	3300	TRANSPORTATION DEP	2,202.25	136.50	.00	2,338.75
		Total Transportati	2,202.25	136.50	.00	2,338.75
100	5000	CEMETERY DEPARTMEN	699.25	14.75	.00	714.00
		Total Cemetery	699.25	14.75	.00	714.00
100	7000	PARK DEPARTMENT	1,339.00	127.75	.00	1,466.75
100	7100	POOL EMPLOYEES	6.75	.00	.00	6.75
		Total Park	1,345.75	127.75	.00	1,473.50
190	3100	SANITATION DEPARTM	2,267.75	59.25	.00	2,327.00
		Total Sanitation	2,267.75	59.25	.00	2,327.00
200	1000	UTILITY OFFICE	874.96	30.25	.00	905.21
200	1001	METER READING	.00	.00	.00	.00
200	4500	LIGHT DISTRIBUTION	1,570.75	45.00	.00	1,615.75
		Total Utility Offi	2,445.71	75.25	.00	2,520.96
210	2000	WASTEWATER TREATME	600.25	8.75	.00	609.00
210	2001	WASTEWATER COLLECT	1,462.25	26.25	.00	1,488.50
		Total Wastewater T	2,062.50	35.00	.00	2,097.50
211	4600	FILTER DEPARTMENT	803.50	42.75	.00	846.25
211	4700	WATER DEPARTMENT	1,251.25	82.25	.00	1,333.50
		Total Water	2,054.75	125.00	.00	2,179.75
		Grand Totals	22,243.21	2,973.75	264.25	25,481.21

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

**CITY OF MADISONVILLE, KY
ORDINANCE O-2019-17**

**THE MATTER OF A REQUEST FOR A CHANGE IN ZONING CLASSIFICATION FROM
LOW DENSITY RESIDENTIAL (LDR) TO MEDIUM DENSITY RESIDENTIAL (MDR)
RELATING TO A 9.77 ACRE PARCEL OF REAL ESTATE**

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

After giving due consideration to the application filed by Mid Town Commons, LLC requesting a change in the zoning classification of a parcel of real estate containing 9.773 acres located at the end of the cul-de-sac of Cottonwood Drive (PVA Map: M-42-1-1) from Low Density Residential (LDR) to Medium Density Residential (MDR), the staff report of the Hopkins County Joint Planning Commission with reference to said request, the comments made at the public hearing held on August 22, 2019, the staff recommendation in support of the requested change in the zoning classification, the Madisonville City Council does hereby adopt in their entirety the Findings of Fact and Conclusions of Law of the Hopkins County Joint Planning Commission in their report dated August 26, 2019, and the Madisonville City Council does hereby approve the change in the zoning classification for said 9.773 acre tract from Low Density Residential (LDR) to Medium Density Residential (MDR). The existing Zoning Map shall be modified to reflect the change.

The foregoing Ordinance is read to and presented to a regular meeting of the City Council of Madisonville, Kentucky, for first reading on the 20th day of September, 2019 and the second reading on the 7th day of October, 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 7th day of October, 2019

City of Madisonville, KY

ATTEST:

City of Madisonville, KY

**CITY OF MADISONVILLE, KY
ORDINANCE**

**AN ORDINANCE AMENDING SECTION 123.07(8) OF THE CITY OF MADISONVILLE
CODE OF ORDINANCES RELATING TO RESTAURANT TAXES**

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

Section 123.07(8) of the City of Madisonville Code of Ordinances is hereby amended as follows:

§123.07 INTEREST AND PENALTIES.

(B) All restaurant taxes imposed by this chapter which remain unpaid after they become due shall bear interest at the rate of 1.0% [~~1.5%~~] per month or any part thereof.

The foregoing Ordinance is read to and presented to a regular meeting of the City Council of Madisonville, Kentucky, for first reading on the 7th day of October, 2019 and the second reading on the 21st day of October, 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 21st day of October, 2019

City of Madisonville, KY

ATTEST:

City of Madisonville, KY

**CITY OF MADISONVILLE
RESOLUTION**

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF MADISONVILLE TO EXECUTE ON BEHALF OF THE CITY A PROPOSED LEASE OF APPROXIMATELY 10.7 ACRES OF REAL ESTATE LOCATED IN THE MADISONVILLE INDUSTRIAL PARK TO BE PRESENTED FOR CONSIDERATION TO A BUSINESS OR INDUSTRY WHERE NO PREVIOUS PUBLIC DISCLOSURE HAS BEEN MADE OF THE BUSINESS' OR INDUSTRY'S INTEREST IN LOCATING IN, RELOCATING WITHIN OR EXPANDING WITHIN THE COMMONWEALTH, AND AUTHORIZING THE PUBLIC DISCLOSURE OF ALL TERMS AND CONDITIONS SET FORTH IN THE LEASE UPON EXECUTION THEREOF BY THE PROSPECTIVE TENANT.

The City of Madisonville owns certain property located in the Madisonville Industrial Park and proposes to lease approximately 10.7 acres of undeveloped land to a business which has expressed an interest in expanding its operations in the city. Under the terms of the proposed the lease the tenant would construct on the leased premises a facility containing approximately _____ square feet which the City would own at the expiration of the lease. The proposed lease is for an initial term of 10 years commencing upon completion of construction with the tenant having the right to extend the lease for 4 additional 10 years terms. Nominal rent would be paid for the initial term of the lease and any extension thereof. The tenant would be responsible for the payment of the ad valorem property taxes assessed against the tenant's improvements, all costs of construction, maintenance and repairs of the facility, all utilities, and all costs associated with maintaining insurance on the premises.

ADOPTED on this 7th day of October, 2019.

ATTEST:



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

SCHEDULED

Meeting: 10/07/19 04:30 PM
Department: City Clerk Department
Category: Utility Connection
Prepared By: Kim Blue
Initiator: Kim Blue
Sponsors:
DOC ID: 1667

ITEM FOR DISCUSSION (ID # 1667)

Water & Sewer Connection for Groves Sharber Properties

APPLICATION FOR UTILITY CONNECTION

CITY OF MADISONVILLE

67 North Main Street, Madisonville, KY 42431

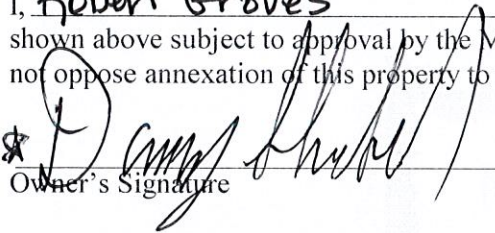
Phone: 270-824-2108

Fax: 270-824-2168

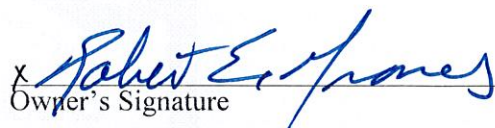
10.C.A.a

Date 9/23/19Owner's Name Groves Sharber Properties Phone (270) 825-1437Owner's Address 3135 Grapevine Rd - Madisonville, Ky 42431Address of Proposed Utility 3135 GRAPEVINE ROAD

I, Robert Groves hereby apply for (water) (sewer) or service to property shown above subject to approval by the Madisonville City Council. If this application is approved, I agree I will not oppose annexation of this property to the City of Madisonville.



Owner's Signature



Owner's Signature

(Applicant must provide a copy of their deed and an application fee of \$25.00 made payable to the City of Madisonville)

For Official Use Only

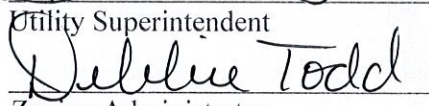
Statement of Utility Superintendent

I recommend approval of the utility connection.



Utility Superintendent
10/3/19

Date



Zoning Administrator
10/3/19

Date



Utility Superintendent
10-3-19

Date

Approved by the City Council on _____
DateAttest: City Clerk _____
Date

Notes, if any

THIS CONTRACT AND AGREEMENT made and entered into in Madisonville, Hopkins County, Kentucky, by and between the City of Madisonville, organized under the laws of the Commonwealth of Kentucky, with its principal place of business at the 67 North Main Street, Madisonville, Kentucky, hereinafter Madisonville, and Groves Sharber Properties, whose address is 3135 Grapevine Rd. Madisonville hereinafter purchaser whether one or more.

WHEREAS, the City of Madisonville maintains and operates a (water) (sewer) service for residents of the City of Madisonville, and

WHEREAS, the City of Madisonville, in an effort to encourage growth of areas around the corporate limits of the City of Madisonville, desires to make available (water) (sewer) service to persons outside the City limits of Madisonville, and

WHEREAS, said purchaser is desirous of purchasing (water) (sewer) service from Madisonville,

NOW THEREFORE, in consideration of Madisonville selling (water) (sewer) service to the purchaser the parties hereto agree as follows:

1. The rate for said utility service paid by purchaser, its successors or assigns, shall be as set from time to time by Madisonville by ordinance;
2. All fees for hook up and installation of said utility service paid by purchaser shall be as set by Madisonville from time to time by ordinance;
3. The purchaser, its successors or assigns, shall never resist annexation into the City of Madisonville of the property to which said utility service is supplied and if the purchaser, its successors or assigns, shall resist annexation, this contract shall be terminated by Madisonville with 30 days notice to purchaser or its successors or assigns at their address by certified mail;
4. If the property, or any part thereof, to which (water) (sewer) service is provided by Madisonville, is ever conveyed or leased by the said purchaser, then the purchaser shall in their deed of conveyance or lease make provision that the grantee or lessee shall never oppose annexation of the said real property into the City of Madisonville, and said covenant not to oppose annexation shall be included in any deed purporting to convey said real property and if it is not, this agreement shall be terminated and there shall be no damages due purchaser, its successors or assigns, because of said termination from Madisonville.
5. In addition, the purchaser shall execute herewith a covenant running with the land to be recorded in the Hopkins County Court Clerk's Office herewith. Said covenant will be provided by Madisonville and a copy of same is attached hereto.

For Official Use Only

IN WITNESS WHEREOF on this the _____ day of _____, 20____, the parties hereto set their respective hands.

BY: _____
Mayor

ATTEST: _____
City Clerk

X Robert E. [Signature]
Owner
X Danny [Signature]
Owner

Attachment: Utility Connection (1667 : Water & Sewer Connection)

THIS AGREEMENT made and entered into on this the 23 day of September, 20 19, by and between Groves & Sharber Properties, LLC, whose address is 3135 Grapevine Rd., Madisonville, Ky, hereinafter called the First Party, and the City of Madisonville, Kentucky, a municipal corporation, hereinafter called the Second Party;

WITNESSETH: That whereas the First Party is the owner of a certain tract of land more particularly described in Deed Book 560 Page 43, Hopkins County Court Clerk's Office, reference to which is hereby made for a more detailed description, and:

WHEREAS, the First Party has made application to the Second Party for Water/sewer beyond the city limit, at the following address 3135 Grapevine Road.

NOW THEREFORE, in consideration of the agreement by the Second Party to furnish water/sewer to the property of the First Party, which is located beyond the city limits, the First Party covenants and agrees (he) (she) (they) will not oppose any future attempt to annex the property herein mentioned to the city limits of the Second Party.

This agreement shall be covenant to run with the land herein above described.

x Robert Ed Groves
Owner
* Danny Sharber
Owner

For Official Use Only

STATE OF KENTUCKY COUNTY
OF HOPKINS A SCT.

This agreement was acknowledged before me by Robert Groves / Danny Sharber / Sharber Properties on this the 23rd day of Sept, 20 19.

[Signature]
Notary Public

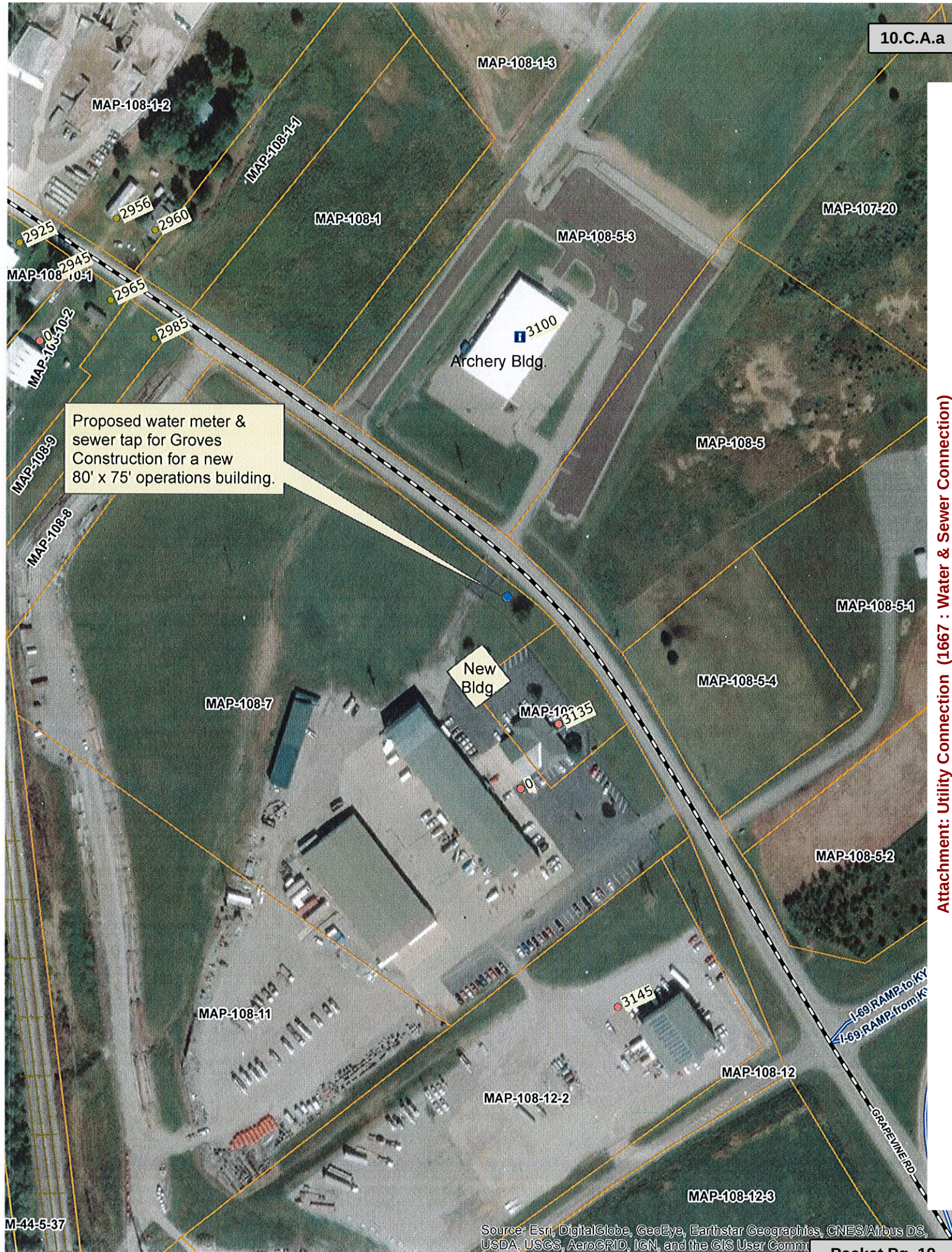
My Commission Expires: 8/19/23

Notary ID: 629585

Notes _____

Prepared by _____
Debbie Todd, Zoning Administrator, City of Madisonville

Attachment: Utility Connection (1667 : Water & Sewer Connection)





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

September 16, 2019 at 4:30 PM

MINUTES

1. **CALL TO ORDER BY MAYOR KEVIN COTTON**
2. **PLEDGE OF ALLEGIANCE**
3. **INVOCATION BY LOLETUTH KALZ OF FIRST UNITED METHODIST CHURCH**
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	Absent	

5. **APPROVAL OF MINUTES**

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

A. City Council - Regular Meeting - Sep 3, 2019 4:30 PM

6. **APPROVAL OF BILLS AND PAYROLL**

A. Bills & Payroll

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

7. **DEPARTMENT REPORTS**

A. Fire Department Report

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

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

Minutes Acceptance: Minutes of Sep 16, 2019 4:30 PM (Approval of Minutes of September 16, 2019)

B. Police Department Report

8. COUNCIL COMMITTEE REPORTS

- A. Motion to review audio tape from Hopkins County Joint Planning Commission to review Zoning Request change for 9.773 acres off of Cottonwood Drive from Low Density to Medium Density

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

9. OLD BUSINESS

A. *Second Reading Ordinances*

- A. AN ORDINANCE AMENDING CHAPTER 96 OF THE CODE OF ORDINANCES OF THE CITY OF MADISONVILLE (RELATING TO PROPERTY TAX)

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

- B. AN ORDINANCE AMENDING CHAPTER 159 OF THE CITY OF MADISONVILLE CODE OF ORDINANCES RELATING TO THE DESIGNATION OF A HISTORIC DISTRICT

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

10. NEW BUSINESS

A. *First Reading Ordinances*

- A. AN ORDINANCE DECLARING THE EXISTENCE OF AN EMERGENCY AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO PURCHASE BITUMINOUS ASPHALT THROUGH COMPETITIVE NEGOTIATIONS FOR USE AT THE MADISONVILLE REGIONAL AIRPORT

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

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

B. Resolutions

A. Accept Bid for De-Icing Road Salt

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

B. Accept bid for Surplus Mack Trucks

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

11. ANNOUNCEMENTS

1. City Government Proclamation

12. ADJOURNMENT

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

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



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

September 20, 2019 at 11:30 AM

MINUTES

I. CALL TO ORDER

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	

II. PUBLIC PORTION

1. Accept Bid for the lot located at 126 North Kentucky, Madisonville, KY

RESULT: ADOPTED [UNANIMOUS]
MOVER: Tony Space, Ward 2
SECONDER: Bobby Johnson, Ward 6
AYES: Cavanaugh, Space, Townsend, Noffsinger, Stevenson, Johnson

2. 1664 : AN ORDINANCE DECLARING THE EXISTENCE OF AN EMERGENCY (T-HANGER PROJECT AT THE AIRPORT)

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

3. THE MATTER OF A REQUEST FOR A CHANGE IN ZONING CLASSIFICATION FROM LOW DENSITY RESIDENTIAL (LDR) TO MEDIUM DENSITY RESIDENTIAL (MDR) RELATING TO A 9.77 ACRE PARCEL OF REAL ESTATE

RESULT: FIRST READING **Next: 10/7/2019 4:30 PM**

III. 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

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

Minutes Acceptance: Minutes of Sep 20, 2019 11:30 AM (Approval of Minutes of September 20, 2019)

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

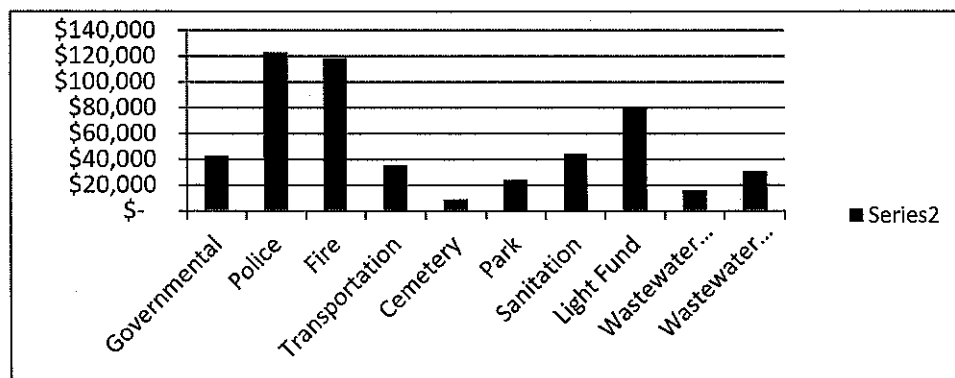
Bills and Payroll for Council Meeting 10/7/19

7.A

Co#	Bank#	Fund Name	
100	1	General Fund	\$ 64,880.22
			\$ 71,193.85
			\$ 75,072.05
		Total General Fund	\$ 211,146.12
190	9	Sanitation	\$ 35,489.19
			\$ 17,490.84
		Total Sanitation	\$ 52,980.03
200	9	Electric/Utility Office	\$ 27,352.26
			\$ 10,257.72
2			
		Total Electric/Utility Office	\$ 37,609.98
210	8	Water and Filter	\$ 135,465.30
			\$ 23,318.37
		Total Water Filter	\$ 158,783.67
	9	Waste Water Collection and Treatment	\$ 38,210.86
			\$ 132,683.67
		Total Wastewater Collection and Treatment	\$ 170,894.53

Estimated Payroll

Co#	Dept #	Department Name	Amount
100	Various	Governmental	\$ 42,278
100	2100	Police	\$ 122,184
100	2300	Fire	\$ 117,717
100	3300	Transportation	\$ 34,864
100	5000	Cemetery	\$ 8,523
100	7000	Park	\$ 23,626
190	3100	Sanitation	\$ 43,597
200	1000/4500	Light Fund	\$ 78,830
200	2000	Wastewater Treatment	\$ 15,584
200	2001	Wastewater Collection	\$ 30,049
200	4700/4600	Water and Filter	\$ 45,635
		Total Payroll	\$ 562,888



Number of Employees paid October 4 , 2019

See next page

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

CMP	DEPT	NAME	DATE	TOTAL	FULL	PART
100	1100	ELECTED OFFICIALS	10/04/19	7	1	6
100	1200	ADMINISTRATION	10/04/19	7	6	1
100	1400	FINANCE	10/04/19	5	5	
100	1500	CITY CLERK	10/04/19	3	3	
100	1600	AIRPORT	10/04/19	3	3	
100	1700	ZONING	10/04/19	2	2	
100	2100	POLICE DEPT-MADISONVILLE	10/04/19	49	45	4
100	2150	POLICE FICA	10/04/19	6	2	4
100	2151	DISPATCH	10/04/19	11	11	
100	2200	ALCOHOLIC BEVERAGE CONTROL	10/04/19	1		1
100	2300	FIRE DEPT-MADISONVILLE	10/04/19	59	59	
100	2350	FIRE FICA/NON HAZARDOUS	10/04/19	1	1	
100	3300	TRANSPORTATION DEPT	10/04/19	27	19	8
100	5000	CEMETERY DEPARTMENT	10/04/19	9	5	4
100	7000	PARK DEPARTMENT	10/04/19	21	14	7
100	7100	POOL EMPLOYEES	10/04/19	1		1
190	3100	SANITATION DEPARTMENT	10/04/19	30	29	1
200	1000	UTILITY OFFICE	10/04/19	13	13	
200	4500	LIGHT DISTRIBUTION DEPT	10/04/19	21	21	
210	2000	WASTEWATER TREATMENT	10/04/19	8	8	
210	2001	WASTEWATER COLLECTION	10/04/19	20	19	1
211	4600	FILTER DEPARTMENT	10/04/19	12	11	1
211	4700	WATER DEPARTMENT	10/04/19	16	16	
Totals				332	293	39

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	139.25	.25	.00	139.50
100	1400	FINANCE	160.00	2.50	.00	162.50
100	1500	CITY CLERK	116.25	.00	.00	116.25
100	1700	ZONING	70.75	.00	.00	70.75
100	1900	CITY ENGINEER	.00	.00	.00	.00
100	2200	ALCOHOLIC BEVERAGE	.00	.00	.00	.00
		Total Government	486.25	2.75	.00	489.00
100	2100	POLICE DEPT-MADISO	3,733.25	649.25	.00	4,382.50
100	2150	POLICE FICA	284.00	32.50	.00	316.50
		Total Police	4,017.25	681.75	.00	4,699.00
100	2300	FIRE DEPT-MADISONV	4,592.00	1,715.75	264.25	6,572.00
100	2350	FIRE FICA/NON HAZA	69.75	.00	.00	69.75
		Total Fire	4,661.75	1,715.75	264.25	6,641.75
100	3300	TRANSPORTATION DEP	2,202.25	136.50	.00	2,338.75
		Total Transportati	2,202.25	136.50	.00	2,338.75
100	5000	CEMETERY DEPARTMEN	699.25	14.75	.00	714.00
		Total Cemetery	699.25	14.75	.00	714.00
100	7000	PARK DEPARTMENT	1,339.00	127.75	.00	1,466.75
100	7100	POOL EMPLOYEES	6.75	.00	.00	6.75
		Total Park	1,345.75	127.75	.00	1,473.50
190	3100	SANITATION DEPARTM	2,267.75	59.25	.00	2,327.00
		Total Sanitation	2,267.75	59.25	.00	2,327.00
200	1000	UTILITY OFFICE	874.96	30.25	.00	905.21
200	1001	METER READING	.00	.00	.00	.00
200	4500	LIGHT DISTRIBUTION	1,570.75	45.00	.00	1,615.75
		Total Utility Offi	2,445.71	75.25	.00	2,520.96
210	2000	WASTEWATER TREATME	600.25	8.75	.00	609.00
210	2001	WASTEWATER COLLECT	1,462.25	26.25	.00	1,488.50
		Total Wastewater T	2,062.50	35.00	.00	2,097.50
211	4600	FILTER DEPARTMENT	803.50	42.75	.00	846.25
211	4700	WATER DEPARTMENT	1,251.25	82.25	.00	1,333.50
		Total Water	2,054.75	125.00	.00	2,179.75
		Grand Totals	22,243.21	2,973.75	264.25	25,481.21

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

**CITY OF MADISONVILLE, KY
ORDINANCE O-2019-17**

**THE MATTER OF A REQUEST FOR A CHANGE IN ZONING CLASSIFICATION FROM
LOW DENSITY RESIDENTIAL (LDR) TO MEDIUM DENSITY RESIDENTIAL (MDR)
RELATING TO A 9.77 ACRE PARCEL OF REAL ESTATE**

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

After giving due consideration to the application filed by Mid Town Commons, LLC requesting a change in the zoning classification of a parcel of real estate containing 9.773 acres located at the end of the cul-de-sac of Cottonwood Drive (PVA Map: M-42-1-1) from Low Density Residential (LDR) to Medium Density Residential (MDR), the staff report of the Hopkins County Joint Planning Commission with reference to said request, the comments made at the public hearing held on August 22, 2019, the staff recommendation in support of the requested change in the zoning classification, the Madisonville City Council does hereby adopt in their entirety the Findings of Fact and Conclusions of Law of the Hopkins County Joint Planning Commission in their report dated August 26, 2019, and the Madisonville City Council does hereby approve the change in the zoning classification for said 9.773 acre tract from Low Density Residential (LDR) to Medium Density Residential (MDR). The existing Zoning Map shall be modified to reflect the change.

The foregoing Ordinance is read to and presented to a regular meeting of the City Council of Madisonville, Kentucky, for first reading on the 20th day of September, 2019 and the second reading on the 7th day of October, 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 7th day of October, 2019

City of Madisonville, KY

ATTEST:

City of Madisonville, KY

**CITY OF MADISONVILLE, KY
ORDINANCE**

**AN ORDINANCE AMENDING SECTION 123.07(8) OF THE CITY OF MADISONVILLE
CODE OF ORDINANCES RELATING TO RESTAURANT TAXES**

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

Section 123.07(8) of the City of Madisonville Code of Ordinances is hereby amended as follows:

§123.07 INTEREST AND PENALTIES.

(B) All restaurant taxes imposed by this chapter which remain unpaid after they become due shall bear interest at the rate of 1.0% [~~1.5%~~] per month or any part thereof.

The foregoing Ordinance is read to and presented to a regular meeting of the City Council of Madisonville, Kentucky, for first reading on the 7th day of October, 2019 and the second reading on the 21st day of October, 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 21st day of October, 2019

City of Madisonville, KY

ATTEST:

City of Madisonville, KY

**CITY OF MADISONVILLE
RESOLUTION**

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF MADISONVILLE TO EXECUTE ON BEHALF OF THE CITY A PROPOSED LEASE OF APPROXIMATELY 10.7 ACRES OF REAL ESTATE LOCATED IN THE MADISONVILLE INDUSTRIAL PARK TO BE PRESENTED FOR CONSIDERATION TO A BUSINESS OR INDUSTRY WHERE NO PREVIOUS PUBLIC DISCLOSURE HAS BEEN MADE OF THE BUSINESS' OR INDUSTRY'S INTEREST IN LOCATING IN, RELOCATING WITHIN OR EXPANDING WITHIN THE COMMONWEALTH, AND AUTHORIZING THE PUBLIC DISCLOSURE OF ALL TERMS AND CONDITIONS SET FORTH IN THE LEASE UPON EXECUTION THEREOF BY THE PROSPECTIVE TENANT.

The City of Madisonville owns certain property located in the Madisonville Industrial Park and proposes to lease approximately 10.7 acres of undeveloped land to a business which has expressed an interest in expanding its operations in the city. Under the terms of the proposed the lease the tenant would construct on the leased premises a facility containing approximately _____ square feet which the City would own at the expiration of the lease. The proposed lease is for an initial term of 10 years commencing upon completion of construction with the tenant having the right to extend the lease for 4 additional 10 years terms. Nominal rent would be paid for the initial term of the lease and any extension thereof. The tenant would be responsible for the payment of the ad valorem property taxes assessed against the tenant's improvements, all costs of construction, maintenance and repairs of the facility, all utilities, and all costs associated with maintaining insurance on the premises.

ADOPTED on this 7th day of October, 2019.

ATTEST:



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

SCHEDULED

ITEM FOR DISCUSSION (ID # 1667)

Meeting: 10/07/19 04:30 PM
Department: City Clerk Department
Category: Utility Connection
Prepared By: Kim Blue
Initiator: Kim Blue
Sponsors:
DOC ID: 1667

10.C.A

Water & Sewer Connection for Groves Sharber Properties

APPLICATION FOR UTILITY CONNECTION

CITY OF MADISONVILLE

67 North Main Street, Madisonville, KY 42431

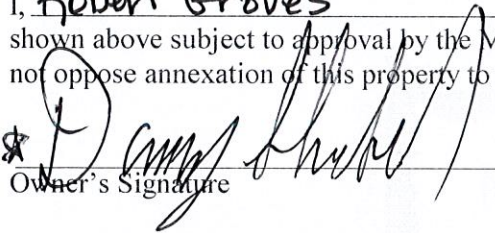
Phone: 270-824-2108

Fax: 270-824-2168

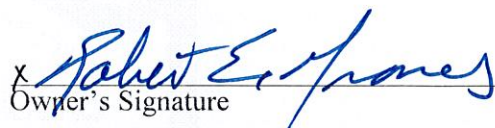
10.C.A.a

Date 9/23/19Owner's Name Groves Sharber Properties Phone (270) 825-1437Owner's Address 3135 Grapevine Rd - Madisonville, Ky 42431Address of Proposed Utility 3135 GRAPEVINE ROAD

I, Robert Groves hereby apply for (water) (sewer) or service to property shown above subject to approval by the Madisonville City Council. If this application is approved, I agree I will not oppose annexation of this property to the City of Madisonville.



Owner's Signature



Owner's Signature

(Applicant must provide a copy of their deed and an application fee of \$25.00 made payable to the City of Madisonville)

For Official Use Only

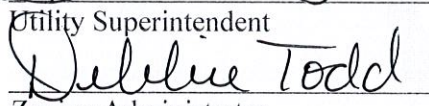
Statement of Utility Superintendent

I recommend approval of the utility connection.



Utility Superintendent
10/3/19

Date



Zoning Administrator
10/3/19

Date



Utility Superintendent
10-3-19

Date

Approved by the City Council on _____
DateAttest: City Clerk _____
Date

Notes, if any

THIS CONTRACT AND AGREEMENT made and entered into in Madisonville, Hopkins County, Kentucky, by and between the City of Madisonville, organized under the laws of the Commonwealth of Kentucky, with its principal place of business at the 67 North Main Street, Madisonville, Kentucky, hereinafter Madisonville, and Groves Sharber Properties, whose address is 3135 Grapevine Rd. Madisonville hereinafter purchaser whether one or more.

WHEREAS, the City of Madisonville maintains and operates a (water) (sewer) service for residents of the City of Madisonville, and

WHEREAS, the City of Madisonville, in an effort to encourage growth of areas around the corporate limits of the City of Madisonville, desires to make available (water) (sewer) service to persons outside the City limits of Madisonville, and

WHEREAS, said purchaser is desirous of purchasing (water) (sewer) service from Madisonville,

NOW THEREFORE, in consideration of Madisonville selling (water) (sewer) service to the purchaser the parties hereto agree as follows:

1. The rate for said utility service paid by purchaser, its successors or assigns, shall be as set from time to time by Madisonville by ordinance;
2. All fees for hook up and installation of said utility service paid by purchaser shall be as set by Madisonville from time to time by ordinance;
3. The purchaser, its successors or assigns, shall never resist annexation into the City of Madisonville of the property to which said utility service is supplied and if the purchaser, its successors or assigns, shall resist annexation, this contract shall be terminated by Madisonville with 30 days notice to purchaser or its successors or assigns at their address by certified mail;
4. If the property, or any part thereof, to which (water) (sewer) service is provided by Madisonville, is ever conveyed or leased by the said purchaser, then the purchaser shall in their deed of conveyance or lease make provision that the grantee or lessee shall never oppose annexation of the said real property into the City of Madisonville, and said covenant not to oppose annexation shall be included in any deed purporting to convey said real property and if it is not, this agreement shall be terminated and there shall be no damages due purchaser, its successors or assigns, because of said termination from Madisonville.
5. In addition, the purchaser shall execute herewith a covenant running with the land to be recorded in the Hopkins County Court Clerk's Office herewith. Said covenant will be provided by Madisonville and a copy of same is attached hereto.

For Official Use Only

IN WITNESS WHEREOF on this the _____ day of _____, 20____, the parties hereto set their respective hands.

BY: _____
Mayor

ATTEST: _____
City Clerk

X Robert E. [Signature]
Owner
X Danny [Signature]
Owner

Attachment: Utility Connection (1667 : Water & Sewer Connection)

THIS AGREEMENT made and entered into on this the 23 day of September, 20 19, by and between Groves & Sharber Properties, LLC, whose address is 3135 Grapevine Rd., Madisonville, Ky, hereinafter called the First Party, and the City of Madisonville, Kentucky, a municipal corporation, hereinafter called the Second Party;

WITNESSETH: That whereas the First Party is the owner of a certain tract of land more particularly described in Deed Book 560 Page 43, Hopkins County Court Clerk's Office, reference to which is hereby made for a more detailed description, and:

WHEREAS, the First Party has made application to the Second Party for Water/sewer beyond the city limit, at the following address 3135 Grapevine Road.

NOW THEREFORE, in consideration of the agreement by the Second Party to furnish water/sewer to the property of the First Party, which is located beyond the city limits, the First Party covenants and agrees (he) (she) (they) will not oppose any future attempt to annex the property herein mentioned to the city limits of the Second Party.

This agreement shall be covenant to run with the land herein above described.

x Robert Ed Groves
Owner
* Danny Sharber
Owner

For Official Use Only

STATE OF KENTUCKY COUNTY
OF HOPKINS A SCT.

This agreement was acknowledged before me by Robert Groves / Danny Sharber / Sharber Properties on this the 23rd day of Sept, 20 19.

[Signature]
Notary Public

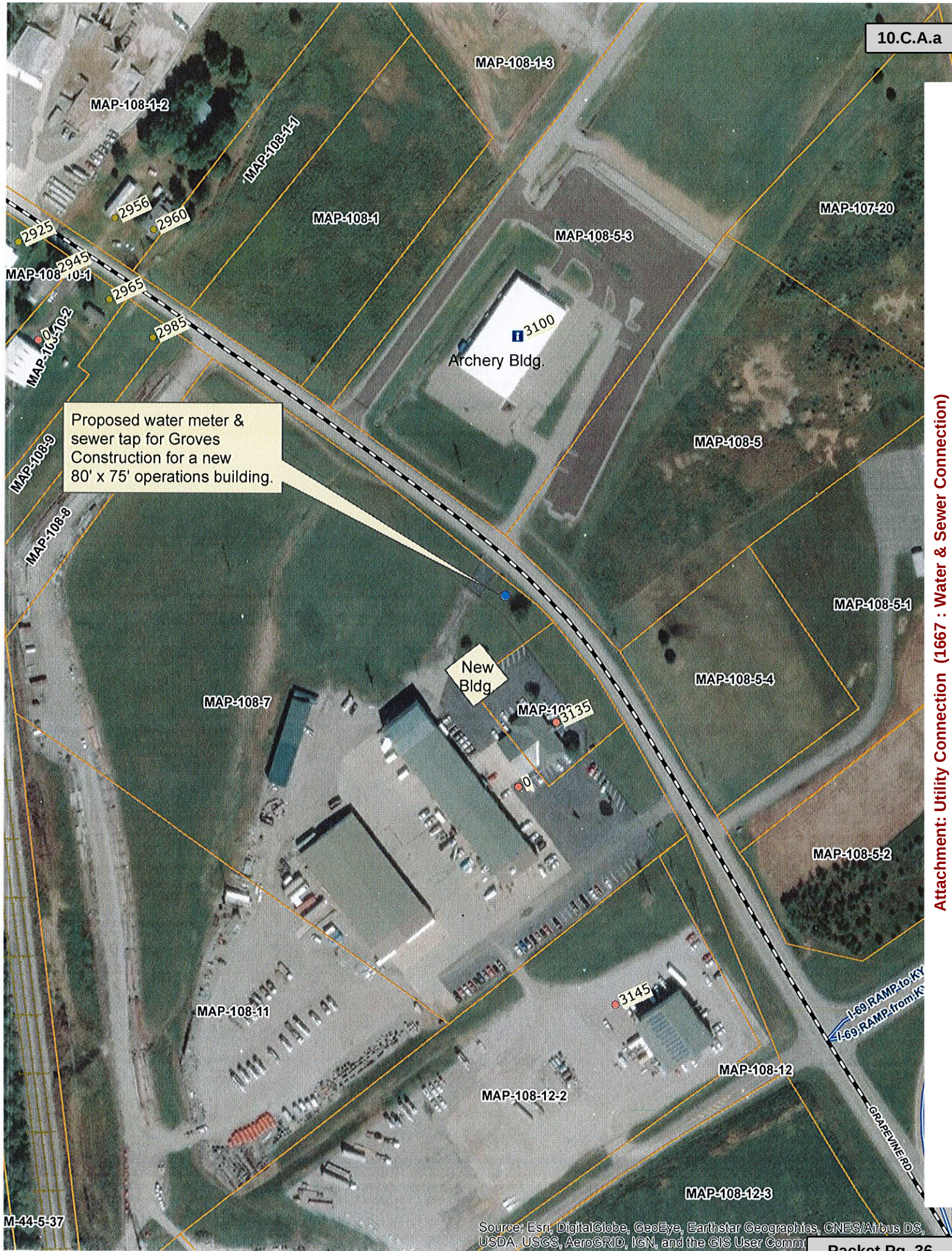
My Commission Expires: 8/19/23

Notary ID: 629585

Notes _____

Prepared by _____
Debbie Todd, Zoning Administrator, City of Madisonville

Attachment: Utility Connection (1667 : Water & Sewer Connection)



Proposed water meter & sewer tap for Groves Construction for a new 80' x 75' operations building.

Attachment: Utility Connection (1667 : Water & Sewer Connection)