



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

December 2, 2019 at 4:30 PM

AGENDA

1. CALL TO ORDER BY MAYOR KEVIN COTTON

2. PLEDGE OF ALLEGIANCE

3. INVOCATION

4. ROLL CALL

5. APPROVAL OF MINUTES

A. City Council - Special Called Meeting - Nov 18, 2019 4:30 PM

6. APPROVAL OF BILLS AND PAYROLL

A. Bills & Payroll

7. COUNCIL COMMITTEE REPORTS

8. NEW BUSINESS

A. First Reading Ordinances

- A. AN ORDINANCE CREATING CHAPTER 54 OF THE CITY OF MADISONVILLE CODE OF ORDINANCES RELATING TO STORMWATER CONVEYANCE, MANAGEMENT & QUALITY
- B. AN ORDINANCE AMENDING CHAPTER 160 OF THE CITY OF MADISONVILLE CODE OF ORDINANCES RELATING TO EROSION PREVENTION AND SEDIMENT CONTROL (EPSC)
- C. AN ORDINANCE AMENDING CHAPTER 53 OF THE CITY OF MADISONVILLE CODE OF ORDINANCES RELATING TO ILLICIT DISCHARGES AND CONNECTIONS
- D. An Ordinance repealing Section 34.06 of the City of Madisonville Code of Ordinances relating to the Personnel and Pay Classification Plan and adopting a new Personnel and Pay Classification Plan

B. Resolutions

- A. Accept Bid for Water Meters

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



**SPECIAL CALLED MEETING OF THE MADISONVILLE, KENTUCKY CITY COUNCIL
HOPKINS COUNTY CAREER & TECHNOLOGY CENTER, 1775 PATRIOT DRIVE,
MADISONVILLE, KY 42431**

November 18, 2019 at 4:30 PM

MINUTES

1. **CALL TO ORDER BY MAYOR KEVIN COTTON**
2. **PLEDGE OF ALLEGIANCE**
3. **INVOCATION BY BILL SMITH**
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: Adam Townsend, Ward 3
SECONDER: Tony Space, Ward 2
AYES: Cavanaugh, Space, Townsend, Noffsinger, Stevenson

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

6. **APPROVAL OF BILLS AND PAYROLL**

A. Bills & Payroll

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

7. **DEPARTMENT REPORTS**

A. Fire Report

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B. Police Report

8. NEW BUSINESS

A. Resolutions

A. Resolution to enter into a contract with the Kentucky Transportation Cabinet

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

B. Accept Bid for Police Vehicles

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

B. Items for Discussion

1. Approval of Interlocal Cooperation Agreement with the KY Dept for Libraries and Archives

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

9. ADJOURNMENT

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

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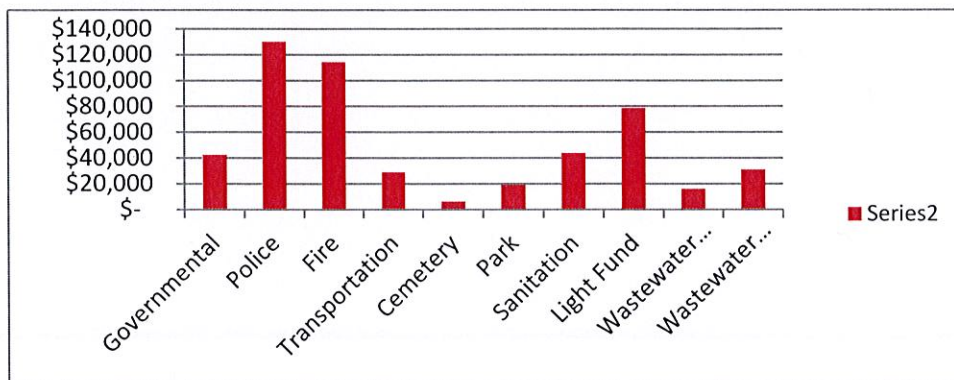
Bills and Payroll for Council Meeting 12/02/19

6.A

Co#	Bank#	Fund Name	
100	1	General Fund	\$ 51,054.10
			\$ 26,141.62
			\$ 80,216.75
		Total General Fund	\$ 157,412.47
190	9	Sanitation	\$ 28,393.66
		Total Sanitation	\$ 28,393.66
200	9	Electric/Utility Office	\$ 13,754.45
2			
		Total Electric/Utility Office	\$ 13,754.45
210	8	Water and Filter	\$ 35,746.89
		Total Water Filter	\$ 35,746.89
	9	Waste Water Collection and Treatment	\$ 7,632.94
		Total Wastewater Collection and Treatment	\$ 7,632.94

Estimated Payroll

Co#	Dept #	Department Name	Amount
100	Various	Governmental	\$ 41,875
100	2100	Police	\$ 129,278
100	2300	Fire	\$ 113,832
100	3300	Transportation	\$ 28,595
100	5000	Cemetery	\$ 6,163
100	7000	Park	\$ 18,971
190	3100	Sanitation	\$ 43,460
200	1000/4500	Light Fund	\$ 78,239
200	2000	Wastewater Treatment	\$ 15,650
200	2001	Wastewater Collection	\$ 30,718
200	4700/4600	Water and Filter	\$ 43,396
		Total Payroll	\$ 550,177



Number of Employees paid November 27, 2019

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

CMP	DEPT	NAME	REGULAR	OVERTIME	SPC-OVT	TOT
100	1100	ELECTED OFFICIALS	4,316.56	.00	.00	4,316.56
100	1200	ADMINISTRATION	15,755.47	.00	.00	15,755.47
100	1400	FINANCE	11,338.37	110.12	.00	11,448.49
100	1500	CITY CLERK	5,141.85	105.00	.00	5,246.85
100	1700	ZONING	3,835.63	.00	.00	3,835.63
100	1900	CITY ENGINEER	.00	.00	.00	.00
100	2200	ALCOHOLIC BEVERAGE	1,271.55	.00	.00	1,271.55
		Total Government	41,659.43	215.12	.00	41,874.55
100	2100	POLICE DEPT-MADISO	110,239.27	14,059.17	.00	124,298.44
100	2150	POLICE FICA	4,710.30	269.30	.00	4,979.60
		Total Police	114,949.57	14,328.47	.00	129,278.04
100	2300	FIRE DEPT-MADISONV	72,497.45	34,155.10	6,249.39	112,901.94
100	2350	FIRE FICA/NON HAZA	930.32	.00	.00	930.32
		Total Fire	73,427.77	34,155.10	6,249.39	113,832.26
100	3300	TRANSPORTATION DEP	28,098.17	497.01	.00	28,595.18
		Total Transportati	28,098.17	497.01	.00	28,595.18
100	5000	CEMETERY DEPARTMEN	6,107.74	55.63	.00	6,163.37
		Total Cemetery	6,107.74	55.63	.00	6,163.37
100	7000	PARK DEPARTMENT	18,602.62	286.34	.00	18,888.96
100	7100	POOL EMPLOYEES	81.60	.00	.00	81.60
		Total Park	18,684.22	286.34	.00	18,970.56
190	3100	SANITATION DEPARTM	42,437.49	1,022.51	.00	43,460.00
		Total Sanitation	42,437.49	1,022.51	.00	43,460.00
200	1000	UTILITY OFFICE	21,087.56	396.27	.00	21,483.83
200	1001	METER READING	.00	.00	.00	.00
200	4500	LIGHT DISTRIBUTION	55,308.40	1,446.78	.00	56,755.18
		Total Utility Offi	76,395.96	1,843.05	.00	78,239.01
210	2000	WASTEWATER TREATME	15,525.14	124.55	.00	15,649.69
210	2001	WASTEWATER COLLECT	30,343.66	374.60	.00	30,718.26
		Total Wastewater T	45,868.80	499.15	.00	46,367.95
211	4600	FILTER DEPARTMENT	15,737.51	918.83	.00	16,656.34
211	4700	WATER DEPARTMENT	25,498.37	1,241.73	.00	26,740.10
		Total Water	41,235.88	2,160.56	.00	43,396.44
		Grand Totals	488,865.03	55,062.94	6,249.39	550,177.36

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

CMP	DEPT	NAME	DATE	TOTAL	FULL	PART
100	1100	ELECTED OFFICIALS	11/27/19	7	1	6
100	1200	ADMINISTRATION	11/27/19	7	6	1
100	1400	FINANCE	11/27/19	5	5	
100	1500	CITY CLERK	11/27/19	3	3	
100	1600	AIRPORT	11/27/19	3	3	
100	1700	ZONING	11/27/19	2	2	
100	2100	POLICE DEPT-MADISONVILLE	11/27/19	51	47	4
100	2150	POLICE FICA	11/27/19	6	2	4
100	2151	DISPATCH	11/27/19	13	13	
100	2200	ALCOHOLIC BEVERAGE CONTROL	11/27/19	1		1
100	2300	FIRE DEPT-MADISONVILLE	11/27/19	55	55	
100	2350	FIRE FICA/NON HAZARDOUS	11/27/19	1	1	
100	3300	TRANSPORTATION DEPT	11/27/19	26	19	7
100	5000	CEMETERY DEPARTMENT	11/27/19	6	5	1
100	7000	PARK DEPARTMENT	11/27/19	17	14	3
100	7100	POOL EMPLOYEES	11/27/19	1		1
190	3100	SANITATION DEPARTMENT	11/27/19	30	28	2
200	1000	UTILITY OFFICE	11/27/19	15	15	
200	4500	LIGHT DISTRIBUTION DEPT	11/27/19	20	20	
210	2000	WASTEWATER TREATMENT	11/27/19	8	8	
210	2001	WASTEWATER COLLECTION	11/27/19	21	20	1
211	4600	FILTER DEPARTMENT	11/27/19	11	10	1
211	4700	WATER DEPARTMENT	11/27/19	16	16	
Totals				325	293	32

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

CMP	DEPT	NAME	REGULAR	OVERTIME	SPC-OVT	TOTAL
100	1100	ELECTED OFFICIALS	.00	.00	.00	.0
100	1200	ADMINISTRATION	186.00	.00	.00	186.0
100	1400	FINANCE	220.25	3.75	.00	224.0
100	1500	CITY CLERK	103.00	5.00	.00	108.0
100	1700	ZONING	94.50	.00	.00	94.5
100	1900	CITY ENGINEER	.00	.00	.00	.0
100	2200	ALCOHOLIC BEVERAGE	.00	.00	.00	.0
		Total Government	603.75	8.75	.00	612.5
100	2100	POLICE DEPT-MADISO	4,220.25	382.75	.00	4,603.0
100	2150	POLICE FICA	279.00	10.00	.00	289.0
		Total Police	4,499.25	392.75	.00	4,892.0
100	2300	FIRE DEPT-MADISONV	4,804.00	1,625.75	257.00	6,686.7
100	2350	FIRE FICA/NON HAZA	71.25	.00	.00	71.2
		Total Fire	4,875.25	1,625.75	257.00	6,758.0
100	3300	TRANSPORTATION DEP	1,916.00	17.75	.00	1,933.7
		Total Transportati	1,916.00	17.75	.00	1,933.7
100	5000	CEMETERY DEPARTMEN	460.50	3.00	.00	463.5
		Total Cemetery	460.50	3.00	.00	463.5
100	7000	PARK DEPARTMENT	1,016.75	14.50	.00	1,031.2
100	7100	POOL EMPLOYEES	10.00	.00	.00	10.0
		Total Park	1,026.75	14.50	.00	1,041.2
190	3100	SANITATION DEPARTM	2,283.25	39.00	.00	2,322.2
		Total Sanitation	2,283.25	39.00	.00	2,322.2
200	1000	UTILITY OFFICE	1,049.00	17.75	.00	1,066.7
200	1001	METER READING	.00	.00	.00	.0
200	4500	LIGHT DISTRIBUTION	1,569.75	28.00	.00	1,597.7
		Total Utility Offi	2,618.75	45.75	.00	2,664.5
210	2000	WASTEWATER TREATME	619.25	3.75	.00	623.0
210	2001	WASTEWATER COLLECT	1,557.00	14.75	.00	1,571.7
		Total Wastewater T	2,176.25	18.50	.00	2,194.7
211	4600	FILTER DEPARTMENT	921.50	36.25	.00	957.7
211	4700	WATER DEPARTMENT	1,315.25	51.25	.00	1,366.5
		Total Water	2,236.75	87.50	.00	2,324.2
		Grand Totals	22,696.50	2,253.25	257.00	25,206.7

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

**CITY OF MADISONVILLE, KY
ORDINANCE**

**AN ORDINANCE CREATING CHAPTER 54 OF THE CITY OF MADISONVILLE CODE OF
ORDINANCES RELATING TO STORMWATER CONVEYANCE, MANAGEMENT &
QUALITY**

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

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

WHEREAS, this Ordinance is being enacted pursuant to mandates imposed by the Federal Clean Water Act (33 U.S.C. §1251 et seq. as may be amended) (“CWA”), the National Pollution Discharge Elimination System (33 U.S.C. §1342 as may be amended) (“NPDES”), and the Kentucky Pollutant Discharge Elimination System (401 KAR 5:050 to 401 KAR 5:080 as may be amended) in particular those parts that require local governments to comply with water pollution control requirements.

NOW THEREFORE be it ordained by the City Council of the City of Madisonville as follows:

ARTICLE I. STORMWATER CONVEYANCE, MANAGEMENT, AND QUALITY

Sec. I. Purpose and scope of article.

Proper stormwater management and good water quality are vital in promoting the health, safety and general welfare of the public. It is the intent of this ordinance to minimize the dangers of flooding to life and property; to protect local water quality; to maintain the integrity of stream channels; and that runoff controls be provided as land areas are developed or redeveloped. The design criteria for stormwater conveyance and water quality structures are outlined in this ordinance.

Sec. II. Definitions.

For the purpose of this ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

80th Percentile Rainfall Event. The rainfall event, based on historical rainfall records, that represents an event that is equal to or greater than 80 percent of the rainfall events that would be expected to occur in a typical year. Based on an analysis of precipitation records, it has been determined that for the City of Madisonville, this event corresponds to the runoff volume from a 0.61 inch rainfall event.

Best Management Practices or BMPs. Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the Commonwealth. BMPs also include treatment requirements, operating procedures, and practices to control stormwater runoff.

City plan review staff. The City Engineer and/or other designated officials.

Controlled release structure. A facility constructed to regulate the volume of stormwater runoff that is conveyed during a specific length of time.

Conveyance structures. Water-carrying devices or improvements such as channels, ditches, storm sewers, culverts, inlets, and the like.

Detention or retention. Restraining the rate of stormwater runoff with some natural or manmade devices.

Developed. Conditions after construction or other manmade change to improved or unimproved land, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations.

Excess stormwater. The calculated runoff produced under a natural or pre-developed condition versus the calculated runoff produced under an altered or post-developed condition, or that portion of stormwater runoff which exceeds the capacity of the storm sewers or natural drainage channels serving a specific watershed.

Green Infrastructure. An adaptable term used to describe an array of products, technologies, and practices that use natural systems - or engineered systems that mimic natural processes - to enhance overall environmental quality and provide utility services. As a general principal, Green Infrastructure techniques use soils and vegetation infiltrate, evapotranspire, and/or recycle stormwater runoff. When used as components of a stormwater management system, Green Infrastructure practices such as green roofs, porous pavement, rain gardens, and vegetated swales can produce a variety of environmental benefits. In addition to effectively retaining and infiltrating rainfall, these technologies can simultaneously help filter air pollutants, reduce energy demands, mitigate urban heat islands, and sequester carbon while also providing communities with aesthetic and natural resource benefits.

High Quality Waters or HQW. Those "Waters of the Commonwealth" that have been categorized by the Kentucky Division of Water as high quality pursuant to the requirements of 401 KAR 10:030, Section 1(3).

Impaired Waters or IW. Those "Waters of the Commonwealth" that have been categorized by the Kentucky Division of Water as impaired for applicable designated uses and have been identified pursuant to 33 U.S.C. 1315 (b) and listed in the most recent 305 (b) report.

Impervious surface. Asphalt, concrete or any other surface which does not allow measurable infiltration of stormwater.

"Kentucky Pollutant Discharge Elimination System" or "KPDES" means the Kentucky program for issuing, modifying, revoking and reissuing, revoking, monitoring and enforcing permits to discharge, and imposing and enforcing pretreatment requirements.

KPDES SMS4 permit means the general permit issued by the Kentucky Division of Water (KDOW) that authorizes small Municipal Separate Storm Sewer Systems (SMS4) to discharge stormwater runoff from a small Municipal Separate Storm Sewer System (MS4) to the receiving waters of the Commonwealth in accordance with effluent limitations, monitoring requirements, and other conditions set forth in the permit authorizing the MS4 to discharge under the Kentucky Pollutant Discharge Elimination System.

Land disturbance activity or Land disturbing activity is any clearing, grubbing, grading, excavating, filling, or other alteration of the earth's surface where natural or manmade ground cover is destroyed. Land disturbance activity does not include the following:

- (1) Minor land disturbance activities including, but not limited to, activities specific to underground utility repairs, replacement of existing utilities, home gardens, minor repairs, and maintenance work.
- (2) Installation of fence, sign, telephone, and electric poles and other kinds of posts or poles.
- (3) Emergency work to protect life, limb, or property and emergency repairs.

Larger common plan of development or sale means a contiguous area where multiple separate and distinct construction activities are planned to occur at different times on different schedules under one plan, e.g., a housing development of 5 1/4-acre lots.

MS4 is an acronym for a “municipal separate storm sewer system.”

Municipal Separate Storm Sewer System means a conveyance, or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, and storm drains) owned or operated by a state, city, town, county, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of sewage, industrial water, stormwater, or other wastes, that discharges to waters of the United States;

- i. designed or used for collecting or conveying stormwater;
- ii. which is not a combined sewer; and
- iii. which is not part of a Publically Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

SMS4 is an acronym for a “small municipal separate storm sewer system.”

Natural drainage. Water which flows by gravity in channels formed by the surface topography of the earth prior to changes made by the efforts of humans.

NPDES is an acronym for “National Pollutant Discharge Elimination System,” the effluent permitting program for point source discharges that is administered by the United States Environmental Protection Agency (USEPA).

Off-site. External to the boundary of a development.

On-site. Internal to the boundary of a development.

Point discharge. Release of stormwater at a specific location.

Runoff. Rainfall excess after natural losses from infiltration, evaporation, transportation or incidental poundage.

Stormwater. Stormwater runoff, snowmelt runoff, surface runoff and drainage.

Stormwater runoff release rate. The rate at which stormwater runoff is released from dominant to servient land.

Stormwater storage area. An area designed to temporarily accumulate excess stormwater.

Swale. Surface-type conveyance for stormwater, usually designated to carry incidental, localized runoff.

TMDL. Is an acronym for “Total Maximum Daily Load”, a federally mandated program for impaired waters of the Commonwealth to determine the maximum assimilative capacity of a water for a specified pollutant and to allocate allowable pollutant loads to sources in the watershed.

Waters of the Commonwealth. Means and includes any and all rivers, streams, creeks, lakes, ponds, impounding reservoirs, springs, wells, marshes, and all other bodies of surface or underground water, natural or artificial, situated wholly or partly within or bordering upon the Commonwealth or within its jurisdiction.

Waters of the United States. As defined by the Clean Water Act, applies only to surface waters, rivers, lakes, estuaries, coastal waters and wetlands. Not all surface waters are legally “Waters of the United States”. Generally those waters include the following:

- a. All interstate waters
- b. Intrastate waters used in interstate and/or foreign commerce
- c. Tributaries of the above
- d. Territorial seas at the cyclical high tide mark, and
- e. Wetlands adjacent to all of the above.

Water-Quality Control Structure. The structures (e.g. grass swales, filter strips, infiltration basins, detention ponds, stormwater wetlands, natural filtration areas, sand filters, and rain gardens, etc.), used to slow runoff, promote infiltration, and reduce sediments and other pollutants in stormwater runoff.

Water Quality Runoff Volume (WQv). The stormwater volume to be treated through a water quality control structure based on the surface runoff produced by an 80th percentile rainfall event.

Sec. III. Stormwater conveyance, management, and water quality facilities required.

The requirements in this Ordinance shall apply to:

- (1) All land-disturbing activities and all development or redevelopment activities that disturb an area greater than or equal to one acre.
- (2) Sites that are smaller than one acre shall also be covered by these regulations if they are a part of a larger common plan of development or sale.
- (3) Stormwater management facilities will be required for any nonresidential development for which the area paved and under roof is equal to or greater than 10,000 square feet

These regulations shall apply to land-disturbing activities within the jurisdictional boundaries of the City of Madisonville designated by the Kentucky Division of Water for coverage under the KPDES SMS4 permit.

Unless included in exemptions listed in section V.(6) or a waiver granted, all development occurring within the City and subject to this article shall provide for properly sized stormwater conveyance and water quality facilities and shall contain on-site, or provide off-site, stormwater management facilities capable of controlling peak discharge rates for selected design storms to at or less than pre-developed conditions, and water quality control structures capable of managing the stormwater runoff quality produced from an 80th percentile rainfall event under post-construction conditions.

The use of other methods of controlling peak discharge rates and pollutant removal, such as bio-retention swales, infiltration ditches, hydrodynamic separators, and created wetlands may be required by the city, in its sole discretion, for new and redevelopment projects that are subject to the land development requirements of this article. Additionally, the city will promote conservation measures such as buffer strips and greenways as acceptable techniques toward the protection and improvement of local waterways.

Sec. IV. Stormwater conveyance facilities and structures design criteria.

The following criteria shall control when designing stormwater conveyance facilities and water quality control structures:

(1) *Open channels and roadside ditches.* The design storm for the design of open channels and roadside ditches shall be a storm with a recurrence frequency of ten years. The time of concentration for open channel and roadside ditches shall be calculated with a minimum of 10 minutes. In all cases, the 100-year discharge elevation must be checked to ensure that adjacent structures do not suffer flood damage.

(2) *Storm sewers and inlets.* The design storm for the design of storm sewers and inlets shall be the ten-year storm. Storm sewers and inlets shall be checked under 25-year storm loading conditions for ponding limits and ensure the system does not surcharge out of any inlets creating potential structure hazards. The ponding limit for streets with curb and gutter shall be an eight-foot spread measured from gutter to driving lane. Spread calculations shall be based on the design for the ten year storm with a minimum intensity of 4 inches per hour. Pipes should be sized based upon the actual time of concentration. The minimum time of concentration used should be no less than ten minutes.

(3) *Driveway entrance pipes and cross drains.* The design storm for the design of driveway entrance pipes and cross drains shall be the ten-year storm. The duration of the design storm shall be assumed to be equal to the calculated time of concentration. The minimum time of concentration shall be assumed to be ten minutes. Entrance pipes and cross drains shall be checked under 25-year storm conditions to ensure against overtopping of roadways and flood damage to affected areas. Situations requiring pipes larger than 36 inches shall be designed using the culvert criteria in subsection (4) below. Minimum pipe size shall be 12 inches except that driveway entrance pipe may be 10 inches with prior approval by the City Engineer.

(4) *Culverts.* The design storm for the calculation of runoff for culvert design shall be the 25-year storm. The duration of the design storm shall be assumed to be equal to the calculated time of concentration. The recommended check storm is the 100-year storm. The maximum headwater under 100-year storm conditions should not be allowed to overtop roads or increase the flooding potential in the affected areas. Headwater for the 10-year discharge should not exceed 1.2 times the structure rise. Downstream channel must receive appropriate protection or energy dissipation if the design outlet discharge would cause erosive conditions. Traffic safety must be considered in the design of culvert end treatments. This may

include extending the culvert beyond the right-of-way limits, installing catch basins to intercept roadside swales, and installing guardrails. Designs must conform to meet the requirements of the agency responsible for road maintenance and safety. Follow method as described in the Kentucky Transportation Cabinet Drainage Guidance Manual.

(5) *Erosion control.* Plans for stormwater conveyance systems shall include the applicable provisions identified under Chapter 160, Erosion Prevention and Sediment Control.

(6) *Design certification.* Design of all stormwater conveyance, management and quality facilities shall be prepared and stamped by a licensed professional engineer (Kentucky registration required). Design methods shall be in accordance with the Kentucky Department of Highways' Manual of Instructions for Drainage Design, latest edition and City of Madisonville Standards Guidance for Development.

Sec. V. Stormwater management facilities design criteria.

As a minimum, the following criteria shall be followed when designing a stormwater management facilities and control structures:

(1) *Design storm.* Water quantity controls shall be implemented so that post-development peak discharges for three design storms are no more than the pre-development peak discharge. The 1-year, 2-year, 10-year, 25-year, and 100-year 24-hour duration storm events must be analyzed for any proposed construction and no increase in discharge rate from the pre-developed site must take place. Additionally, the 100-year event must be analyzed to ensure no adverse impacts on other properties occur. In the event a development is upstream of a structure located in a special flood hazard area as defined by FEMA FIRM Maps adopted by the City, the post development run off rates shall be reduced from the pre-development run off rate by ten percent (10%).

For those areas of development and re-development that result in a new or expanded discharge from the MS4 to high-quality waters, the Design Engineer must perform a critical storm analysis by considering multiple durations (1-hour, 3-hour, 6-hour, 12-hour, and 24-hour) for different return intervals (1-year, 2-year, 10-year, 25-year and 100-year), to establish the worst case scenario for the given circumstance under consideration. Engineering judgement may be used in some cases to make determinations and will be coordinated with the City Engineer.

(2) *Emergency spillways.* The emergency spillway shall be sized to accommodate a flow equal to the design overflow of the 100-year storm post-development discharge, assuming all other outlets are completely blocked, without overtopping the dam. Discharge must be conveyed to a public outlet of sufficient capacity. Erosion protection must be provided for the spillway and receiving stream and energy dissipation must be employed.

(3) *Design calculations.* Design calculations submitted must include, but are not limited to, the following:

- a. Contributing drainage area, in acres show pre-development and post-development watershed areas and how they differ.
- b. A breakdown of surface type for pre-development and post-development conditions (such as grassed, paved, roofed, and the like) as the weighted curve numbers are calculated.

- c. Stage-storage curve for the proposed stormwater management facility.
 - d. Stage-discharge curve for the outlet structure of the proposed stormwater management facility.
 - e. Inflow and outflow hydrographs for pre-development and post-development conditions.
 - f. Emergency spillway design calculations.
 - g. Embankment design criteria as it relates to slope stability and compaction requirements during construction.
- (4) *Gradient.* All detention basins having a vegetative cover shall be designed, constructed, and maintained equal to or greater than one percent throughout to the point of discharge.
- (5) *Stormwater management plan.* The final stormwater management plan for the entire development shall include, but not be limited to, the following:
- a. All calculations, assumptions and criteria used in the design of the stormwater management facilities and control structures.
 - b. All plans and profiles of proposed storm sewers and open channels including horizontal and vertical controls, elevations, sizes, slopes and materials.
 - c. Location, dimensions and design details required for the construction of all facilities.
 - d. A description of the operation and maintenance needs for the stormwater management facilities.
 - e. All information relative to the design and operation of emergency spillways.
 - f. Project specifications relative to erosion and sedimentation control.
 - g. All deed restrictions, easements and rights-of-way.
 - h. The ownership and maintenance responsibilities for all stormwater management control structures during and after development. The identity of the responsible individual, corporation, association or other specific entity and the specific maintenance activities and schedule must be outlined on the plan.
 - i. Stormwater management and control devices shall be designed to minimize water quality impacts and shall attempt to maintain pre-development runoff conditions.
 - j. Project narrative and summary from existing conditions to proposed conditions showing that applicable Ordinances are met.
- (6) *Exemptions.* Exemptions from the stormwater management requirements contained herein shall be granted to the following:

- a. Land-disturbing activities on property used for agricultural, horticultural or botanical production of plants and animals useful to man, including but not limited to: forages and sod crops, grains and feed crops, tobacco, cotton and peanuts; dairy animals and dairy products; poultry and poultry products; livestock, including beef cattle, sheep, swine, horses, ponies, mules or goats, including the breeding and grazing of these animals; bees; fur animals and aquaculture, except that the construction of a structure used for agricultural purposes of one or more acres, such as broiler houses, machine sheds, repair shops and other major buildings and which require the issuance of a building permit shall require the submittal and approval of a stormwater management plan prior to the start of the land-disturbing activity.
- b. Land-disturbing activities undertaken on forestland for the production and harvesting of timber and timber products.
- c. Minor land-disturbing activities such as residential gardens, individual residential or commercial landscaping, minor home repairs, or maintenance work, and construction or maintenance of individual underground utility connections.
- d. Activities undertaken by local governments or special purpose or public service districts relating to the emergency repair and maintenance of existing facilities and structures. These activities will be carried out using appropriate best management practices to minimize the impact on the environment and surrounding properties.
- e. Any nonresidential development for which the area paved and under roof is less than 10,000 square feet.
- f. Waivers may also be granted if, in other cases, the developer can provide sufficient documentation that the proposed development will not result in an adverse impact either upstream or downstream of the proposed site. Waivers shall be granted solely at the discretion of the City Engineer, based upon interpretation of the documentation presented by the developer in conjunction with his or her knowledge of the relationship of the proposed development to the adjacent property.

(7) *Design certification.* Design of all stormwater management, conveyance facilities and water quality control structures shall be prepared and stamped by a licensed professional engineer (Kentucky registration required).

(8) *Construction certification.* Prior to final approval of the development, the licensed professional engineer must submit certification that the stormwater management, conveyance facilities and water quality control structures were constructed in accordance with the approved plan. Final approval shall also provide evidence of the recording of all stormwater conveyance, management, and water quality facilities deed restrictions, easements and rights-of-way. Any request for deviation from the approved plan during construction shall be submitted to the City Engineer in writing for approval.

(9) *Ownership, operation and maintenance of stormwater management facilities.* For all developments requiring stormwater management facilities, ownership and maintenance responsibilities remain with the property owner/developer. The Stormwater Management/BMP Facilities Long-term Maintenance Agreement must be signed, notarized, and submitted with the stormwater quality management plan.

Sec. VI. Stormwater quality control structures design criteria.

The following criteria shall control when designing stormwater quality control structures:

(1) *Water Quality Control Structures.* In addition to carrying pollutants, stormwater runoff from developed areas increases the frequency and duration of full-bank flows in the receiving streams, causing increased erosion of the stream banks and further degradation of in-stream water quality, on-site infiltration, designed for the increased runoff due to development, is the preferred solution to this impact. A water quality control facility must capture and treat the 80th percentile rainfall event “first flush”, or the runoff volume corresponding with a 0.61 - inch rainfall event. The water quality volume for sizing green infrastructure BMPs shall be computed as follows:

$$R_v = 0.009(I) + 0.05$$

Where:

R_v = volumetric runoff coefficient; and

I = the percent imperviousness of the drainage area.

$$WQ_v = 3,630 \times R_v \times P \times A$$

Where:

3,630 = conversion factor from acre - inches to cubic feet

WQ_v = water quality volume (ft³)

R_v = volumetric runoff coefficient;

P = rainfall depth associated with the 80th percentile precipitation event (in.), equivalent to a rainfall event of 0.61 inches; and

A = drainage area to BMP (acres).

(2) *Stormwater quality plan.* The final stormwater quality plan for the entire development shall include, but not be limited to, the following:

- a. All calculations, assumptions and criteria used in the design of the stormwater quality control structures.
- b. Location, dimensions and design details required for the construction of all facilities.
- c. A description of the operation and maintenance needs for the stormwater quality control structures.
- d. All deed restrictions, easements and rights-of-way.
- e. The ownership and maintenance responsibilities for all stormwater quality control structures during and after development. The identity of the responsible individual, corporation, association or other specific entity and the specific maintenance activities and schedule must be outlined on the plan.

f. Stormwater quality management facilities shall be designed to effectively treat the required amount of water quality runoff volume for the developed site.

g. Project narrative and summary from existing conditions to proposed conditions showing that applicable Ordinances are met.

(3) *Design certification.* Design of all stormwater quality facilities shall be prepared and stamped by a licensed professional engineer (Kentucky registration required). Design methods shall be in accordance with the Kentucky Department of Highways' Manual of Instructions for Drainage Design, latest edition and City of Madisonville Standards Guidance for Development.

(4) *Construction certification.* Prior to final approval of the development, the licensed professional engineer must submit certification that the stormwater quality control structures were constructed in accordance with the approved plan. Final approval shall also provide evidence of the recording of all stormwater conveyance, management, and water quality facilities deed restrictions, easements and rights-of-way. Any request for deviation from the approved plan during construction shall be submitted to the City Engineer in writing for approval.

(5) *Ownership, operation and maintenance of stormwater control and water quality management facilities.* For all developments requiring stormwater control and water quality management facilities, ownership and maintenance responsibilities remain with the property owner/developer. The Stormwater Management/BMP Facilities Long-term Maintenance Agreement must be signed, notarized, and submitted with the stormwater quality management plan.

(6) *Additional Treatment And Monitoring May Be Required.* The City reserves the right to require for new and redeveloped properties superseding or additional treatment criteria or objectives for specific pollutant(s) as necessary to meet overall stormwater quality management program objectives or directives under a watershed improvement or Total Maximum Daily Load (TMDL) program or KPDES/NPDES permit program as administered by the USEPA or Commonwealth of Kentucky.

(7) *Self Inspection Required.* The property owner shall provide annual self-inspection documentation for water quality management facilities as outlined in the Stormwater Management/BMP Facilities Agreement. The City Engineer or his/her designee will periodically inspect water quality management facilities for the purpose of identifying maintenance and structural deficiencies and if required proof of monitoring. If additional treatment and or monitoring is required, the property owner shall be fully responsible for monitoring their stormwater management and water quality facilities in accordance with the most recent directives under a watershed improvement or Total Maximum Daily Load Program or KPDES/NPDES permit program as administered by the USEPA or Commonwealth of Kentucky. In the event a deficiency is discovered a Notice of Violation will be issued and shall be enforced under the City of Madisonville Code of Ordinances.

(8) *In Lieu of Fee or Off Site Mitigation Program May Be Established.* The City of Madisonville Engineering Department may develop a payment-in-lieu program to allow property owners/developers make payment to the City in lieu of constructing stormwater quality management structures. The in lieu of fee funds shall be applied to public stormwater projects. Another option is to allow the property owner/developer to provide off site mitigation in the same watershed. Both of these options may be developed by the City of Madisonville Engineering Department following the permit requirements of the KPDES Permit For Small Municipal Separate Storm Sewer Systems..

Sec. VII. Issuance of certificate of occupancy.

No certificate of occupancy shall be issued for any development which is subject to the regulations of this article unless and until all requirements and criteria of this article are fully complied with.

Sec. VIII. Penalty.

Any person, firm, corporation or agency acting as principal, agent, employee or otherwise, who fails to comply with the provisions of this article shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not less than \$100.00 per day and not more than \$500.00 per day, or by imprisonment for not more than 90 days, or both, for each separate offense. Each day there is a violation of any part of this article shall constitute a separate offense.

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

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

EFFECTIVE DATE. This Ordinance shall be read on two separate days and will become effective upon summary publication pursuant to KRS Chapter 424.

The foregoing Ordinance is read to and presented to a regular meeting of the City Council of Madisonville, Kentucky, for first reading on the 2nd day of December, 2019 and the second reading on the 16th day of December, 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 16th day of December, 2019

City of Madisonville, KY

ATTEST:

City of Madisonville, KY

**CITY OF MADISONVILLE, KY
ORDINANCE**

**AN ORDINANCE AMENDING CHAPTER 160 OF THE CITY OF MADISONVILLE CODE OF
ORDINANCES RELATING TO EROSION PREVENTION AND SEDIMENT CONTROL
(EPSC)**

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

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

Chapter 160 of the City of Madisonville Code of Ordinances is hereby amended as follows:

Section

160.01 Definitions

160.02 Introduction

160.03 Authority

160.04 Purpose

~~[160.05 Phasing of implementation]~~

160.06 Administration

160.07 Applicability

160.08 Exemptions

160.09 Permits

160.10 Application required

160.11 Review and acceptance

160.12 Erosion Prevention and Sediment Control Plan

160.13 Design Requirements

160.14 Inspection

§ 160.02 INTRODUCTION.

(A) In compliance with our National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Phase II program, the city has created this chapter to provide a comprehensive stormwater management program. The requirements herein are applicable to all stormwater infrastructure owned or regulated by the city.

(B) During the construction process, soil is highly vulnerable to erosion by wind and water. Eroded soil endangers water resources by reducing water quality and causing the siltation of aquatic habitat for fish and other desirable species. Eroded soil also necessitates repair of sewers, ditches and the dredging of lakes. In addition, clearing and grading during construction cause the loss of native vegetation necessary for terrestrial and aquatic habitat.

(C) Construction site operators must implement appropriate erosion and sediment control (BMPS) that, at a minimum, shall be protective of Kentucky's General Permit for Stormwater Construction Site (KYR100000).

(Ord. 2006-26, passed 12-4-06)

§ 160.03 AUTHORITY.

Madisonville is empowered to regulate land use activities that affect stormwater runoff by the authority of Madisonville as a Municipal Separate Storm Sewer System under Phase II of the National Pollution Discharge Elimination System (NPDES) Stormwater Program of the Environmental Protection Agency (EPA). The city is empowered to regulate stormwater by the authority of the Clean Water Act, 33 U.S.C. § 1251, et seq. The City has the authority to receive and consider information submitted by the public related to erosion prevention and sediment control issues.

(Ord. 2006-26, passed 12-4-06)

~~§160.05 PHASING OF IMPLEMENTATION.~~

~~—(A) This section addresses the applicability of new procedurals and substantive standards enacted by this chapter to activities, actions, and other matters that are pending or occurring as of the effective date of this chapter.~~

~~—(B) Implementation schedule—completion of land alteration or development commenced or approved prior to the effective date of this chapter.~~

~~—(1) Buildings or developments with previously issued building permits or approved construction plans. Any building, structure, development, or land disturbing activity for which a valid building permit was issued or for which construction plans were approved prior to the effective date of this chapter shall be permitted to proceed with construction under the rules, regulations, and standards in effect at the time of the permitted activity. If construction is not completed within the time allowed under the original building or development permit, then the building or development shall be constructed only in compliance with all requirements of this chapter.~~

~~—(2) Buildings or developments with complete applications for construction plan approval. Any building, structure, development, or land disturbing activity for which a complete application for construction plan approval has been submitted prior to the effective date of this chapter shall be permitted to finish the approval process, and if approved, proceed according to the approved plans according to standards in place at the time of permit application. If construction is not completed within the time allowed under the original building or development permit, then the building or development shall be constructed only in compliance with all requirements of this chapter.~~

~~—(3) Developments or other activities with applications for approval pending. Any development or land disturbing activity that has submitted an application for a preliminary subdivision, development plan, conditional use, or any other type of land clearing/grading approval other than for construction plan approval, but for which no final action has been taken by the appropriate reviewing body on such application prior to the effective date of this chapter, shall be approved only if the development or land disturbing activity complies with all provisions of this chapter.~~
(Ord. 2006-26, passed 12-4-06)]

§ 160.07 APPLICABILITY.

~~[Subject to the exemptions set forth below,]~~ [t]The EPSC provisions of this chapter shall apply to all land disturbing activities undertaken in the city that disturb one acre or more, and land disturbing activities less than one acre in size that are part of a larger common plan of development or sale.
(Ord. 2006-26, passed 12-4-06)

§ 160.11 REVIEW AND ACCEPTANCE.

(A) Within ten (10) ~~[five (5)]~~ business days from the receipt of a complete permit application the city will review each permit application to determine its conformance with the provisions of this chapter. Acceptance indicates that minimum requirements or intent are met and does not imply a guarantee of performance. Based on the review of the permit application, the city will take one of the following actions:

§ 160.12 EROSION PREVENTION AND SEDIMENT CONTROL PLAN.

(A) The Erosion Prevention and Sediment Control (EPSC) Plan shall include the following:

(13) Construction site operators must control waste such as discarded building materials, concrete truck washout, chemicals, litter and sanitary waste at the construction site that may cause adverse impacts to water quality.

(14) Construction site operators shall implement appropriate erosion and sediment control BMPs that, at a minimum, shall be protective as Kentucky's General Permit for Stormwater Construction sites (KYR100000).

§ 160.13 DESIGN REQUIREMENTS.

(A) Any permitted land disturbance operation shall meet or exceed the design criteria set forth in Madisonville's most recent Standards and Guidance for Development Manual and the Madisonville Best Management Practices Manual, the provisions of which are incorporated herein by reference. ~~[meet the design criteria set forth in the most recent version of the manual, and shall be adequate to prevent erosion and control sediment from the site to the satisfaction of the city. Cut and fill slopes shall be no greater than 3:1, except as approved by the city to meet other community or environmental objectives.]~~

The foregoing Ordinance is read to and presented to a regular meeting of the City Council of Madisonville, Kentucky, for first reading on the 2nd day of December, 2019 and the second reading on the 16th day of December, 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 16th day of December, 2019

City of Madisonville, KY

ATTEST:

City of Madisonville, KY

**CITY OF MADISONVILLE, KY
ORDINANCE**

**AN ORDINANCE AMENDING CHAPTER 53 OF THE CITY OF MADISONVILLE CODE OF
ORDINANCES RELATING TO ILLICIT DISCHARGES AND CONNECTIONS**

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

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

Chapter 53 of the City of Madisonville Code of Ordinances is hereby amended as follows:

§ 53.01 PURPOSE; INTENT.

The purpose of this chapter is to provide for the health, safety, and general welfare of the citizens of Madisonville through the regulation of non-stormwater discharges to the ~~[storm drainage system]~~ municipal separate storm sewer system to the maximum extent practicable as required by federal and state law. This ordinance establishes methods for controlling the introduction of pollutants into the municipal separate storm sewer system (MS4) in order to comply with requirements of the national pollutant discharge elimination system (NPDES) permit process. The objectives of this chapter are:

§53.02 DEFINITIONS.

ILLICIT CONNECTIONS. Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the ~~[storm drainage system]~~ municipal separate storm sewer system including but not limited to any conveyances which allow any non-stormwater discharge including sewage, process wastewater, and wash water to enter the ~~[storm drainage system]~~ municipal separate storm sewer system and any connections to the ~~[storm drainage system]~~ municipal separate storm sewer system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by the city.

NON-STORMWATER DISCHARGE. Any discharge to the ~~[storm drainage system]~~ municipal separate storm sewer system that is not composed entirely of stormwater.

~~[STORM DRAINAGE SYSTEM.]~~ **MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4).** Publicly-owned facilities by which stormwater is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures.

§ 53.03 APPLICABILITY.

This chapter shall apply to all water entering the ~~[storm drain system]~~ municipal separate storm sewer system generated on any developed and undeveloped lands unless explicitly exempted by the city.

§ 53.06 DISCHARGE PROHIBITIONS.

(A) No person shall discharge or cause to be discharged into the municipal ~~[storm drain system]~~ separate storm sewer system or watercourses any materials, including but not limited to pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than stormwater.

(B) The commencement, conduct or continuance of any illegal discharge to the ~~[storm drain system]~~ municipal separate storm sewer system is prohibited except as described as follows:

(4) The prohibition shall not apply to any non-stormwater discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the ~~[storm drain system]~~ municipal separate storm sewer system.

(C) Prohibition of Illicit Connections.

(1) The construction, use, maintenance or continued existence of illicit connections to the ~~[storm drain system]~~ municipal separate storm sewer is prohibited.

§ 53.10 REQUIREMENT TO PREVENT, CONTROL, AND REDUCE STORMWATER POLLUTANTS BY USE OF BEST MANAGEMENT PRACTICES.

The city will identify best management practices for any activity, operation, or facility which may cause or contribute to pollution or contamination of stormwater, the ~~[storm drain system]~~ municipal separate storm sewer system, or waters of the U.S. The owner or operator of a commercial or industrial establishment shall provide, at their own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the municipal ~~[storm drain system]~~ separate storm sewer system or watercourses through the use of these structural and non-structural BMPs. Further, any person responsible for a property or premise, which is, or may be, the source of an illicit discharge, may be required to implement, at that person's expense, additional structural and non-structural BMPs to prevent the further discharge of pollutants to the municipal separate ~~[storm drain system]~~ municipal separate storm sewer system. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of stormwater associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section. These BMPs shall be part of a BMP plan as necessary for compliance with requirements of the NPDES permit.

§ 53.12 NOTIFICATION OF SPILLS.

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into stormwater, the ~~[storm drain system]~~ municipal separate storm sewer system, or water of the U.S., that person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials, that person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, that person shall notify the city in person or by phone or facsimile no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the city within three (3) business days of the phone notice. If the discharge of

prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three (3) years.

The foregoing Ordinance is read to and presented to a regular meeting of the City Council of Madisonville, Kentucky, for first reading on the 2nd day of December, 2019 and the second reading on the 16th day of December, 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 16th day of December, 2019

City of Madisonville, KY

ATTEST:

City of Madisonville, KY

**CITY OF MADISONVILLE, KY
ORDINANCE**

AN ORDINANCE REPEALING SECTION 34.06 OF THE CITY OF MADISONVILLE CODE OF ORDINANCES RELATING TO THE PERSONNEL AND PAY CLASSIFICATION PLAN AND ADOPTING A NEW PERSONNEL AND PAY CLASSIFICATION PLAN

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

Section 34.06 of the City of Madisonville Code of Ordinances dated March 17, 2003 indexed as Ordinance 2003-07 (An Ordinance Amending Section 34.06 of the City of Madisonville Code of Ordinances relating to the personnel and pay classification plan) is hereby repealed in its entirety.

Whereas, Section 34.06 is being amended to adopt the authorized classes and assigned grades of City Personnel as follows:

NOW THEREFORE be it ordained by the City Council of the City of Madisonville adopt the new Personnel and Pay Classification Plan as follows:

<u>TITLE</u>	<u>GRADE</u>	<u>MIN</u>	<u>MID</u>	<u>MAX</u>
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Administration

City Administrator		37	67978	84973	101967
Deputy City Administrator		34	63679	79599	95518
HR Manager/Risk Claims Mgr.		31	59378	74223	89067
Building Inspector		31	59378	74223	89067
Community Dev. Director		22	46479	58099	69719
Executive Assistant		18	40746	50899	61121
Nurse		17	39312	49141	58972
Building Inspector Assistant		12	32146	40193	48218
Human Resources Coord.		11	30713	38391	46070
Office Assistant		5	22114	27642	33210

Finance

Director of Acct/Treasurer		34	63679	79599	95518
Staff Accountant		27	53647	67057	80468
Accounting Technician, Sr.		16	37878	47349	56819
Accounting Specialist		12	32146	40193	48218
Accounting Clerk		7	27726	34659	37470

City Clerk

City Clerk		22	46479	58099	69719
Public Relation & Customer Service Dir		22	46479	58099	69719
Office Assistant		5	22114	27642	33210

Zoning

Zoning Administrator		24	49346	61681	74019
Administrative Secretary		9	27846	34808	41770

Airport

Airport Lineman		11	30713	38391	46070
Airport Lineman	P/T	4	20681	25850	31021
Office Assistant		5	22114	27642	33210

Police

Police Chief		32	60812	76016	91219
Police Major		27	53647	67057	80468
Police Captain		25	50779	63474	76170
Police Lieutenant		18	40746	50899	61121
Police Sergeant		16	37878	47349	56819
Information Services Coor.		16	37878	47349	56819
Police Detective		15	36446	45558	54669
Evidence Technician		14	35013	43766	52520
Patrol Officer Senior		13	33579	41974	50370
School Resouce Officer/College		12	32146	40193	48218
Patrol Officer Trainee		11	30713	38391	46070
Police Records Clerk		10	29279	36601	43921
School Resouce Officer		10	29279	36601	43921
School Crossing Guards		2	17824	22266	26719
Janitor		2	17824	22266	26719

911

Telecomm. Supervisor		21	45047	56308	67570
Telecomm. Operator		10	29279	36601	43921

ABC

ABC Administrator		18	40746	50899	61121
ABC Administrator/P/T		12	32146	40193	48218

Fire

Fire Chief		32	60812	76016	91219
Assistant Fire Chief		27	53647	67057	80468
Fire Major		25	50779	63474	76170
Fire Captain/Code Enforcement		21	45047	56308	67570
Fire Lieutenant		18	40746	50899	61121
Fire Training Officer		16	37878	47349	56819
Fire Prevention Officer		15	36446	45558	54669
Fire Engineer		14	35013	43766	52520
Firefighter		12	32146	40193	48218
Firefighter Trainee		11	30713	38391	46070
Administrative Secretary		9	27846	34808	41770

Sanitation

Superintendent, Sanitation		32	60812	76016	91219
Assist Superintendent		20	43613	54505	65420
Sanitation Supervisor		15	36446	45558	54669
Equipment Mechanic		11	30713	38391	46070
Drafter		11	30713	38391	46070

Procurement Specialist		11	30713	38391	46070
Equipment Operator		9	27846	34808	41770
Administrative Secretary		9	27846	34808	41770
Office Assistant		5	22114	27642	33210
Scale Assistant		5	22114	27642	33210
Crew Worker		4	20681	25850	31021
Janitor		2	17824	22266	26719

Transportation

Superintendent, Transportation		32	60812	76016	91219
Transportation Supervisor		15	36446	45558	54669
Equipment Operator		9	27846	34808	41770
Administrative Secretary		9	27846	34808	41770
Concrete Finisher		7	27726	34659	37470
Crew Worker Senior		6	23547	29434	35320
Crew Worker		4	20681	25850	31021
Janitor		2	17824	22266	26719

Cemetery

Cemetery Caretaker		11	30713	38391	46070
Administrative Secretary		9	27846	34808	41770
Crew Worker Senior		6	23547	29434	35320
Crew Worker		4	20681	25850	31021

Park

Superintendent, Parks		32	60812	76016	91219
Pro Shop Manager		13	33579	41974	50370
Golf Course Supervisor		13	33579	41974	50370
Park Grounds Supervisor		13	33579	41974	50370
Fac & Aquatics Coord		13	33579	41974	50370
Crew Worker Senior		6	23547	29434	35320
Golf Shop Attendant		6	23547	29434	35320
Park Ranger		5	22114	27642	33210
Crew Worker		4	20681	25850	31021
Pool MGR/Lifeguards		2	17824	22266	26719
Summer Rec Dir/Counselors		2	17824	22266	26719

Utility Office

IT Director		34	63679	79599	95518
Network Engineer		27	53647	67057	80468
Accounting Technician		9	27846	34808	41770
Utility Maintenance Technician IT		9	27846	34808	41770
Accounting Clerk		7	27726	34659	37470
Cashier		5	22114	27642	33210
Janitor		2	17824	22266	26719

Wastewater Treatment

Superintendent		39	72720	90900	135500
Chief Plant Operator		21	45047	56308	67570
Plant Maintenance Supervisor		18	40746	50899	61121
Executive Assistant		18	40746	50899	61121
Wastewater Plant Operator III		14	35013	43766	52520
Lab Technician		12	32146	40193	48218
Wastewater Plant Operator II		12	32146	40193	48218
Equipment Operator Senior		11	30713	38391	46070
Administrative Secretary		9	27846	34808	41770
Crew Worker		4	20681	25850	31021

Wastewater Collection

Superintendent		32	60812	76016	91219
City Engineer		34	63679	79599	95518
Assist Superintendent		23	47912	59890	71870
Lift Station Supervisor		15	36446	45558	54669
Line Maintenance Supervisor		15	36446	45558	54669
Equipment Operator Senior		11	30713	38391	46070
Procurement Specialist		11	30713	38391	46070
Administrative Secretary		9	27846	34808	41770
Equipment Operator		9	27846	34808	41770
Line Maintenance Worker		6	23547	29434	35320
Crew Worker Senior		6	23547	29434	35320

Light Distribution

Superintendent		39	72720	90900	135500
Assistant Superintendent		34	63679	79599	95518
Line Supervisor		31	59378	74223	89067
Lead Lineman		29	56511	70639	84768
Utility Maintenance Tech, Sr.		28	55079	68848	82618
1st Class Lineman		28	55079	68848	82618
2nd Class Lineman		25	50779	63474	76710
Executive Assistant		18	40746	50899	61121
Electrician		17	39312	49141	58972
Transformer Maint Tech		16	37878	47349	56819
Line Clearing Tech/Arborist		16	37878	47349	56819
Meter Reader		11	30713	38391	46070
Utility Maintenance Technician		9	27846	34808	41770
Janitor		2	17824	22266	26719

Water Filtration

Superintendent		32	60812	76016	91219
Assistant Superintendent		24	49346	61681	74019
Maintenance Mechanic		14	35013	43766	52520

Water Plant Operator IV		14	35013	43766	52520
Water Plant Operator III		12	32146	40193	48218
Lab Technician		12	32146	40193	48218
Water Plant Operator Trainee		11	30713	38391	46070
Administrative Secretary		9	27846	34808	41770
Crew Worker Senior		6	23547	29434	35320
Crew Worker		4	20681	25850	31021
Janitor		2	17824	22266	26719

Water Distribution

Superintendent		32	60812	76016	91219
Assist Superintendent		24	49346	61681	74019
Water Distribution Supervisor		23	47912	59890	71870
Engineering Technician		15	36446	45558	54669
1st Class Pipefitter		14	35013	43766	52520
2nd Class Pipefitter		12	32146	40193	48218
Procurement Specialist		11	30713	38391	46070
3rd Class Pipefitter		10	29279	36601	43921
Backflow Prevention Officer		10	29279	36601	43921
Utility Maintenance Technician		9	27846	34808	41770
Administrative Secretary		9	27846	34808	41770
Crew Worker		4	20681	25850	31021
Janitor		2	17824	22266	26719

The foregoing Ordinance is read to and presented to a regular meeting of the City Council of Madisonville, Kentucky, for first reading on the 2nd day of December, 2019 and the second reading on the 16th day of December, 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 16th day of December, 2019

City of Madisonville, KY

ATTEST:

City of Madisonville, KY

34.06 PERSONNEL AND PAY CLASSIFICATION PLAN.

(A) The authorized classes and assigned grades of city personnel shall be as follows:

Pay Grade and Classification by Department

Title	Grade	Min.	Mid.	Max.
Administration				
City Administrator	37	\$61,242	\$76,553	\$91,863
Community Development Director	22	41,873	52,342	62,810
Codes Enforcement Officer	14	31,544	39,429	47,316
Executive Assistant	12	28,961	36,210	43,440
Office Assistant	5	19,923	24,903	29,919

Finance				
Finance Director	34	57,369	71,711	86,053
Accounting Specialist	12	28,961	36,210	43,440
Accounting Technician	9	25,087	31,359	37,631
Accounting Clerk	7	22,504	28,131	33,757

City Clerk				
City Clerk/Treasurer	22	41,873	52,342	62,810
Accounting Technician, Sr.	10	26,378	32,974	39,569

Zoning				
Zoning Administrator	18	36,709	45,885	55,064
Building Inspector	15	32,835	41,044	49,252
Administrative Secretary	9	11,785	14,734	17,683

Human Resources				
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Manager, Human Resources	31	53,494	66,868	80,241
Nurse	17	35,417	44,272	53,128
Human Resources Coordinator	9	25,087	31,359	37,631

City Engineer				
City Engineer	34	57,369	71,711	86,053
Staff Engineer	19	37,998	47,499	56,999
Engineering Technician	15	32,835	41,044	49,252
Inspector	11	27,670	34,587	41,505
Drafter	11	27,670	34,587	41,505
Office Assistant	5	19,923	24,903	29,919

Police				
Police Chief	32	54,786	68,483	82,180
Police Major	27	48,331	60,412	72,494
Police Captain	25	45,747	57,184	68,622
Police Lieutenant	18	36,709	45,885	55,064
Police Sergeant	16	34,125	42,657	51,189
Information Services Coordinator	16	34,125	42,657	51,189
Police Detective	15	32,835	41,044	49,252
Evidence Technician	14	31,544	39,429	47,316
Patrol Officer Senior	13	30,252	37,815	45,379
Patrol Officer	12	28,961	36,210	43,440

Patrol Officer Trainee	11	27,670	34,587	41,505
Police Records Clerk	10	26,378	32,974	39,569
Telecommunications Operator	10	26,378	32,974	39,569
School Crossing Guards	2	16,058	20,060	24,072
Janitor	2	16,058	20,060	24,072

911 Fund				
Telecommunications Supervisor	16	34,125	42,657	51,189
Telecommunications Operator	10	26,378	32,974	39,569

ABC				
ABC Administrator	18	36,709	45,885	55,064

Fire				
Fire Chief	32	54,786	68,483	82,180
Assistant Fire Chief	27	48,331	60,412	72,494
Fire Major	25	45,747	57,184	68,622

Fire Captain	21	40,583	50,728	60,874
Fire Lieutenant	18	36,709	45,885	55,064
Fire Training Officer	16	34,125	42,657	51,189
Fire Prevention Officer	15	32,835	41,044	49,252
Fire Engineer	14	31,544	39,429	47,316
Firefighter	12	28,961	36,210	43,440
Firefighter Trainee	11	27,670	34,587	41,505
Administrative Secretary	9	25,087	31,359	37,631

Sanitation				
Superintendent, Sanitation	32	54,786	68,483	82,180
Sanitation Supervisor	15	32,835	41,044	49,252
Equipment Mechanic	11	27,670	34,587	41,505
Equipment Operator	9	25,087	31,359	37,631
Administrative Secretary	9	25,087	31,359	37,631
Office Assistant	5	19,923	24,903	29,919
Scale Assistant	5	19,923	24,903	29,919
Crew Worker	4	18,632	23,289	27,947
Janitor	2	16,058	20,060	24,072

Transportation				
Superintendent, Transportation	32	54,786	68,483	82,180
Transportation Supervisor	15	32,835	41,044	49,252
Equipment Operator	9	25,087	31,359	37,631
Administrative Secretary	9	25,087	31,359	37,631
Concrete Finisher	7	22,504	28,131	33,757
Crew Worker Senior	6	21,214	26,518	31,820
Crew Worker	4	18,632	23,289	27,947
Janitor	2	16,058	20,060	24,072

Cemetery				
Cemetery Caretaker	11	27,670	34,587	41,505
Administrative Secretary	9	25,087	31,359	37,631
Crew Worker Senior	6	21,214	26,518	31,820

Park				
Superintendent, Parks	32	54,786	68,483	82,180

Pro Shop Manager	13	30,252	37,815	45,379
Greenskeeper	13	30,252	37,815	45,379
Park Maintenance Supervisor	7	22,504	28,131	33,757
Crew Worker Senior	6	21,214	26,518	31,820
Golf Shop Attendant	6	21,214	26,518	31,820
Park Ranger	5	19,923	24,903	29,919

Utility Office				
IT Director	34	57,369	71,711	86,053
Accounting Technician	9	25,087	31,359	37,631
Accounting Clerk	7	22,504	28,131	33,757
Cashier	5	19,923	24,903	29,919

Meter Reading				
Utility Maintenance Technician	9	25,087	31,359	37,631
Meter Reader	6	21,214	26,518	31,820

Wastewater Treatment				
Superintendent	32	54,786	68,483	82,180
Chief Plant Operator	21	40,583	50,728	60,874
Plant Maintenance Supervisor	16	34,125	42,657	51,189
Wastewater Plant Operator III	14	31,544	39,429	47,316
Lab Technician	12	29,981	36,210	43,440
Wastewater Plant Operator II	12	29,981	36,210	43,440
Equipment Operator Senior	11	27,670	34,587	41,505
Administrative Secretary	9	25,087	31,359	37,631

Crew Worker	4	18,632	23,289	27,947
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Wastewater Collection				
Superintendent	32	54,786	68,483	82,180
Sewer Project Construction Coord.	23	43,164	53,955	64,748
Lift Station Supervisor	15	32,835	41,044	49,252
Line Maintenance Supervisor	15	32,835	41,044	49,252

Title	Grade	Min.	Mid.	Max.
Wastewater Collection (Cont'd)				
Equipment Operator Senior	11	27,670	34,587	41,505
Procurement Specialist	11	27,670	34,587	41,505
Administrative Secretary	9	25,087	31,359	37,631
Equipment Operator	9	25,087	31,359	37,631
Line Maintenance Worker	6	21,214	26,518	31,820
Crew Worker Senior	6	21,214	26,518	31,820

Light Distribution				
Superintendent	33	56,077	70,096	84,115
Assistant Superintendent	27	48,331	60,412	72,494
Line Supervisor	23	43,164	53,955	64,748
Lead Lineman	17	35,417	44,272	53,128
Electrician	17	35,417	44,272	53,128
1st Class Lineman	16	34,125	42,657	51,189
2nd Class Lineman	13	30,252	37,815	45,379
Utility Maintenance Tech, Sr.	13	30,252	37,815	45,379
Equipment Operator, Sr.	11	27,670	34,587	41,505
3rd Class Lineman	11	27,670	34,587	41,505
Procurement Specialist	11	27,670	34,587	41,505
Line Clearing Tech/Arborist	11	27,670	34,587	41,505

Administrative Secretary	9	25,087	31,359	37,631
Utility Maintenance Technician	9	25,087	31,359	37,631
Janitor	2	16,058	20,060	24,072

Water Filtration				
Superintendent	32	54,786	68,483	82,272
Assistant Superintendent	24	44,456	55,569	66,684
Maintenance Mechanic	14	31,544	39,429	47,316
Water Plant Operator IV	14	31,544	39,429	47,316
Water Plant Operator III	12	28,961	36,210	43,440
Lab Technician	12	28,961	36,210	43,440
Water Plant Operator Trainee	11	27,670	34,587	41,505
Administrative Secretary	9	25,087	31,359	37,631
Crew Worker Senior	6	21,214	26,518	31,820
Crew Worker	4	18,632	23,289	27,947
Janitor	2	16,058	20,060	24,072

Water Distribution				
Superintendent	32	54,786	68,483	82,272
Water Distribution Supervisor	23	43,164	53,955	64,748
1st Class Pipefitter	14	31,544	39,429	47,316
2nd Class Pipefitter	12	28,961	36,210	43,440
Procurement Specialist	11	27,670	34,587	41,505
3rd Class Pipefitter	10	26,378	32,974	40,589
Backflow Prevention Officer	10	26,378	32,974	40,589
Utility Maintenance Technician	9	25,087	31,359	37,631
Administrative Secretary	9	25,087	31,359	37,631
Crew Worker	4	18,632	23,289	27,947
Janitor	2	16,058	20,060	24,072

(Ord. 2003-07, passed 3-17-03; Am. Ord. 2004-13, passed 9-13-04; Am. Ord. 2006-25, passed 12-4-06; Am. Ord. 2007-15, passed 6-18-07; Am. Ord. 2007-20, passed 8-20-07)

**CITY OF MADISONVILLE
RESOLUTION**

ACCEPT BID FOR WATER METERS

WHEREAS, the City of Madisonville advertised bids for Water Meters to be opened on November 25, 2019 at 10:30 a.m.; and

WHEREAS, the City of Madisonville received one bid as follows:

Name	Bid Amount
Vanguard Mapping	\$44,410.00

WHEREAS, Vanguard Mapping was the only bid received and met all specifications that were required by the City of Madisonville.

NOW THEREFORE, BE IT RESOLVED that the City Council accepts and awards the bid to Vanguard Mapping for water meters in the amount of \$44,410.00 for the water meters.

ADOPTED on this 2nd day of December, 2019.

ATTEST:

City of Madisonville, KY

Bid Opening Water Meters

Date of Bid Opening: 11/25/2019

Time of Bid Opening: 10:30 am local time

Location of Bid Opening: 67 N Main St, Madisonville, KY 42431

Name	Bid Amount
Vanguard Mapping	\$44,410.00

Attachment: Water Meter (1688 : Accept Bid for Water Meters)

Vanguard Mapping Solutions, LLC

Proposal

for

The City of Madisonville Water Dept

Item #	Meter - Description	Units	Installation Cost	Total Base Price
1	5/8 x 3/4	886	44.00	\$38,984.00
2	3/4"	5	44.00	\$220.00
3	1"	49	44.00	\$2,156.00
4	1-1/2" meters reduced to 1"	11	100.00	\$1100.00
5	2" reduced to 1"	9	150.00	\$1350.00
6	2" meter	4	150.00	\$600.00
7	Install radio with rebar supplied by utility	964	INCLUDED	INCLUDED
TOTAL		964		\$44,410

- AMR Project- Radios mounted under the lid.
- Price assumes labor only
- Price assumes like for like meter exchange
- Price assumes standard meter change out
- Price assumes warehousing of meters to be provided by others
- Price assumes meters are located outdoors in Pits
- Price assumes no hard surfaces
- Price assumes the utility will mark the meter location in front of install crew
- Price does not include special circumstances of meter pit repair
- 1. Meter pit requiring repair or excess excavation, or more than 30 inches deep will be an adder of \$15 p/p
- 2. Meters that are direct plumbed that require re-setters must be provided by the utility. Additions costs if pit valves fail or have to be excavated.
- Price includes standard GPS collection at 1 meter or better accuracy
- Price includes data collection by VMS, LLC and transfer to utility for billing
- Please call or email me with questions:
- Phone: [270-899-0566](tel:270-899-0566)
- Email – josh.duvall@vanguard-mapping.com

T. Josh Duvall, President
Vanguard Mapping Solutions, LLC

Attachment: Water Meter (1688 : Accept Bid for Water Meters)