



AGENDA

- 1. CALL TO ORDER BY MAYOR KEVIN COTTON**
- 2. PLEDGE OF ALLEGIANCE**
- 3. INVOCATION**
- 4. ROLL CALL**
- 5. APPROVAL OF MINUTES**
 - A. Minutes of January 16, 2024
- 6. APPROVAL OF BILLS AND PAYROLL**
 - A. Bills and Payroll
- 7. DEPARTMENT REPORTS**
 - A. Business License Report
- 8. Council Committee Report**
 - A. Discussion related to Tourism Committee
- 9. NEW BUSINESS**
 - A. Resolutions
 - A. Declare Equipment as Surplus Property
 - B. Adoption of the 2024 Personnel Policy
 - C. Resolution to Accept Bids for Franchises to operate Telecommunications systems within the city limits of Madisonville
 - B. Municipal Orders
 - A. Re-appointment of Lee Riddle to Historic District Commission
 - C. Item for Discussion
- 10. Proclamation - American Heart Month**
 - A. Proclamation
- 11. ADJOURNMENT**



MINUTES

1. CALL TO ORDER BY MAYOR KEVIN COTTON

2. PLEDGE OF ALLEGIANCE

3. INVOCATION

4. ROLL CALL

Present: Council Member Misty Cavanaugh, Council Member Tony Space, Council Member Adam Townsend, City Council Member Larry Noffsinger, Council Member Frank Stevenson, Council Member Chad Menser

Absent:

5. APPROVAL OF MINUTES

A. Minutes of December 18, 2023

RESULT: Approval of Minutes of December 18, 2023

MOVER: City Council Member Larry Noffsinger

SECONDER: Council Member Tony Space

AYES: Misty Cavanaugh, Tony Space, Adam Townsend, Larry Noffsinger, Frank Stevenson, Chad Menser

NOES: None

ABSTAIN: None

6. APPROVAL OF BILLS AND PAYROLL

A. Bills and Payroll

RESULT: Approval of Bills and Payroll

MOVER: Council Member Frank Stevenson

SECONDER: City Council Member Larry Noffsinger

AYES: Misty Cavanaugh, Tony Space, Adam Townsend, Larry Noffsinger, Frank Stevenson, Chad Menser

NOES: None

ABSTAIN: None

7. Council Committee Report

A. Appointment of Chairperson of City Council

RESULT: Motion to appoint Frank Stevenson - Chairperson for City Council
MOVER: Council Member Adam Townsend
SECONDER: Council Member Tony Space
AYES: Misty Cavanaugh, Tony Space, Adam Townsend, Larry Noffsinger, Frank Stevenson, Chad Menser
NOES: None
ABSTAIN: None

B. Discussion related to Annexation and Zoning Committee Meeting
No Action taken

C. Discussion related to Water/Wastewater/Stormwater/Engineering Committee Meeting

RESULT: Motion to approve a change order of \$1,814,076.00 for Noel Avenue Sewer Interceptor
MOVER: Council Member Misty Cavanaugh
SECONDER: Council Member Tony Space
AYES: Misty Cavanaugh, Tony Space, Adam Townsend, Larry Noffsinger, Frank Stevenson, Chad Menser
NOES: None
ABSTAIN: None

8. DEPARTMENT REPORTS

A. Planning & Zoning Report
Zoning Administrator Debbie Todd

B. Business License Report

C. Fire Department Report
Assistant Fire Chief Jeff Mayfield

D. Police Department Report
Police Chief Steve Bryan

9. NEW BUSINESS

A. Resolutions

A. Resolution to declare vehicles as surplus property

RESULT: Motion to declare vehicles as surplus property and dispose of per KRS 82.083
MOVER: City Council Member Larry Noffsinger
SECONDER: Council Member Tony Space
AYES: Misty Cavanaugh, Tony Space, Adam Townsend, Larry Noffsinger, Frank Stevenson, Chad Menser
NOES: None
ABSTAIN: None

B. Municipal Orders

A. Re-Appointments to Tourism Advisory Board

RESULT: Motion to approve the re-appointment of Karen Tapp to Tourism Advisory Board
MOVER: Council Member Adam Townsend
SECONDER: City Council Member Larry Noffsinger
AYES: Misty Cavanaugh, Tony Space, Adam Townsend, Larry Noffsinger, Frank Stevenson
NOES: Chad Menser
ABSTAIN: None

RESULT: Motion to approve the re-appointment of Tim Whitsell to Tourism Advisory Board
MOVER: Council Member Adam Townsend
SECONDER: City Council Member Frank Stevenson
AYES: Misty Cavanaugh, Tony Space, Adam Townsend, Larry Noffsinger, Frank Stevenson
NOES: Chad Menser
ABSTAIN: None

RESULT: Motion to approve the re-appointment of Michael Hunt to Tourism Advisory Board
MOVER: Council Member Adam Townsend
SECONDER: City Council Member Tony Space
AYES: Misty Cavanaugh, Tony Space, Adam Townsend, Larry Noffsinger, Frank Stevenson
NOES: Chad Menser
ABSTAIN: None

RESULT: Motion to approve the re-appointment of Elizabeth Oldham to Tourism Advisory Board
MOVER: Council Member Adam Townsend
SECONDER: City Council Member Chad Menser
AYES: Misty Cavanaugh, Tony Space, Adam Townsend, Larry Noffsinger, Frank Stevenson, Chad Menser
NOES: None
ABSTAIN: None

RESULT: Motion to approve the re-appointment of LaBarron McAdoo to Tourism Advisory Board
MOVER: Council Member Adam Townsend
SECONDER: City Council Member Chad Menser
AYES: Misty Cavanaugh, Tony Space, Adam Townsend, Larry Noffsinger, Frank Stevenson, Chad Menser
NOES: None

ABSTAIN: None

RESULT: Motion to approve the re-appointment of Lyle Crouch to Tourism Advisory Board

MOVER: Council Member Adam Townsend

SECONDER: City Council Member Chad Menser

AYES: Misty Cavanaugh, Tony Space, Adam Townsend, Larry Noffsinger, Frank Stevenson, Chad Menser

NOES: None

ABSTAIN: None

RESULT: Motion to approve the re-appointment of Chip Tate to Tourism Advisory Board

MOVER: Council Member Adam Townsend

SECONDER: City Council Member Chad Menser

AYES: Misty Cavanaugh, Tony Space, Adam Townsend, Larry Noffsinger, Frank Stevenson, Chad Menser

NOES: None

ABSTAIN: None

RESULT: Motion to approve the re-appointment of Genia Matchem to Tourism Advisory Board

MOVER: Council Member Adam Townsend

SECONDER: City Council Member Chad Menser

AYES: Misty Cavanaugh, Tony Space, Adam Townsend, Larry Noffsinger, Frank Stevenson, Chad Menser

NOES: None

ABSTAIN: None

B. Appointment of Glenda Seaton to the Tourism Advisory Board

RESULT: Approval to appoint Glenda Seaton to Tourism Advisory Board

MOVER: Council Member Adam Townsend

SECONDER: Council Member Tony Space

AYES: Misty Cavanaugh, Tony Space, Adam Townsend, Larry Noffsinger, Frank Stevenson, Chad Menser

NOES: None

ABSTAIN: None

C. Appointment to Historic District Commission

RESULT: Approval to appoint Stephanie Townsell Bowles to Historic District Commission

MOVER: Council Member Adam Townsend

SECONDER: Council Member Chad Menser

AYES: Misty Cavanaugh, Tony Space, Adam Townsend, Larry Noffsinger, Frank Stevenson, Chad Menser

NOES: None

ABSTAIN: None

D. Appointment of Fire Chief

RESULT: Motion to approve Jason Eli as Fire Chief upon retirement of Fire Chief John Dunning
MOVER: Council Member Frank Stevenson
SECONDER: Council Member Tony Space
AYES: Misty Cavanaugh, Tony Space, Adam Townsend, Larry Noffsinger, Frank Stevenson, Chad Menser
NOES: None
ABSTAIN: None

10. EXECUTIVE ORDERS

A. Appointment of City Council Committee Assignments

11. ITEM FOR DISCUSSION

A. Closed Session: Pursuant to KRS 61.810(1) (b) for discussions concerning deliberations on the future acquisition or sale of real property when publicity would be likely to affect the value of the property.

RESULT: Motion to go in closed session pursuant to KRS 61.810(1)(b) for discussions concerning deliberations on the future acquisition or sale of real property when publicity would be likely to affect the value of the property.
MOVER: Council Member Frank Stevenson
SECONDER: Council Member Larry Noffsinger
AYES: Misty Cavanaugh, Tony Space, Adam Townsend, Larry Noffsinger, Frank Stevenson, Chad Menser
NOES: None
ABSTAIN: None

RESULT: Motion to return from closed session
MOVER: Council Member Frank Stevenson
SECONDER: City Council Member Adam Townsend
AYES: Misty Cavanaugh, Tony Space, Adam Townsend, Larry Noffsinger, Frank Stevenson, Chad Menser
NOES: None
ABSTAIN: None

RESULT: Motion to authorize Mayor Cotton to negotiate the potential purchase of property.
MOVER: Council Member Frank Stevenson
SECONDER: City Council Member Adam Townsend
AYES: Misty Cavanaugh, Tony Space, Adam Townsend, Larry Noffsinger, Frank Stevenson, Chad Menser
NOES: None

ABSTAIN: None

12. PROCLAMATION

A. Family Resources and Youth Services Coordinators Appreciation Week

13. RECOGNITION

Recognition of Debbie Todd on her service to the City of Madisonville for 29 years and to wish her well on her retirement.

14. ADJOURNMENT

RESULT: Adjourn

MOVER: Council Member Adam Townsend

SECONDER: Council Member Frank Stevenson

AYES: Misty Cavanaugh, Tony Space, Adam Townsend, Larry Noffsinger,
Frank Stevenson, Chad Menser

NOES: None

ABSTAIN: None

	A	B	C	E
1			Bills and Payroll for Council Meeting 01/16/24	
2	Co#	Bank#	Fund Name	
3	100	1	General Fund	\$ 139,747.61
4				\$ 111,900.03
5				
6				
7			Total General Fund	\$ 251,647.64
8	190	7	Sanitation	\$ 7,344.62
9				\$ 159,560.37
10				
11				
12			Total Sanitation	\$ 166,904.99
13	200	7	Electric/Utility Office	\$ 36,372.43
14				\$ 95,161.74
15				
16				
17			Total Electric/Utility Office	\$ 131,534.17
18	210	6	Water and Filter	\$ 56,820.55
19				\$ 13,341.78
20				
21				
22			Total Water Filter	\$ 70,162.33
23		7	Waste Water Collection and Treatment	\$ 189,349.91
24				\$ 68,587.26
25				
26				
27			Total Wastewater Collection and Treatment	\$ 257,937.17
28				
29				
30	Co#	Dept #	Department Name	Amount
31	100	Various	Governmental	\$ 55,501
32	100	2100	Police	\$ 155,786
33	100	2300	Fire	\$ 159,818
34	100	3300	Transportation	\$ 32,892
35	100	5000	Cemetery	\$ 4,760
36	100	7000	Park	\$ 16,579
37	190	3100	Sanitation	\$ 54,722
38	200	1000/4500	Light Fund	\$ 93,254
39	200	2000	Wastewater Treatment	\$ 21,094
40	200	2001	Wastewater Collection	\$ 33,479
41	200	4700/4600	Water and Filter	\$ 60,895
42		330/6000	Madisonville Sport	\$ 5,008
43			Total Payroll	\$ 693,788
44				
45			Number of Employees Paid February 2, 2024	
46			See next page	

CMP	DEPT	NAME	DATE	TOTAL	FULL	PART
100	1100	ELECTED OFFICIALS	2/02/24	7	1	6
100	1200	ADMINISTRATION	2/02/24	6	6	
100	1400	FINANCE	2/02/24	7	7	
100	1500	CITY CLERK	2/02/24	4	4	
100	1600	AIRPORT	2/02/24	4	3	1
100	1700	ZONING	2/02/24	2	2	
100	1800	HUMAN RESOURCES	2/02/24	4	4	
100	2100	POLICE DEPT-MADISONVILLE	2/02/24	54	48	6
100	2150	POLICE FICA	2/02/24	6	2	4
100	2151	DISPATCH	2/02/24	15	15	
100	2200	ALCOHOLIC BEVERAGE CONTROL	2/02/24	1		1
100	2300	FIRE DEPT-MADISONVILLE	2/02/24	66	66	
100	2350	FIRE FICA/NON HAZARDOUS	2/02/24	1	1	
100	3300	TRANSPORTATION DEPT	2/02/24	19	19	
100	5000	CEMETERY DEPARTMENT	2/02/24	3	3	
100	7000	PARK DEPARTMENT	2/02/24	15	11	4
100	7200	MAHR PARK	2/02/24	9	6	3
190	3100	SANITATION DEPARTMENT	2/02/24	32	30	2
200	1000	UTILITY OFFICE	2/02/24	15	15	
200	4500	LIGHT DISTRIBUTION DEPT	2/02/24	20	20	
210	2000	WASTEWATER TREATMENT	2/02/24	9	9	
210	2001	WASTEWATER COLLECTION	2/02/24	18	18	
210	2002	ENGINEERING & STORMWATER	2/02/24	6	6	
211	4600	FILTER DEPARTMENT	2/02/24	12	12	
211	4700	WATER DEPARTMENT	2/02/24	15	15	
		Totals		350	323	27

CMP	DEPT	NAME	REGULAR	OVERTIME	SPC-OVT	TOTAL
100	1100	ELECTED OFFICIALS	.00	.00	.00	.00
100	1200	ADMINISTRATION	80.00	.00	.00	80.00
100	1400	FINANCE	168.87	3.50	.00	172.37
100	1500	CITY CLERK	80.50	.00	.00	80.50
100	1700	ZONING	71.25	.00	.00	71.25
100	1900	CITY ENGINEER	.00	.00	.00	.00
100	2200	ALCOHOLIC BEVERAGE	.00	.00	.00	.00
		Total Government	400.62	3.50	.00	404.12
100	2100	POLICE DEPT-MADISO	4,219.00	377.75	.00	4,596.75
100	2150	POLICE FICA	269.50	5.00	.00	274.50
		Total Police	4,488.50	382.75	.00	4,871.25
100	2300	FIRE DEPT-MADISONV	5,956.50	1,827.00	45.75	7,829.25
100	2350	FIRE FICA/NON HAZA	80.00	.00	.00	80.00
		Total Fire	6,036.50	1,827.00	45.75	7,909.25
100	3300	TRANSPORTATION DEP	1,659.50	10.75	.00	1,670.25
		Total Transportati	1,659.50	10.75	.00	1,670.25
100	5000	CEMETERY DEPARTMEN	163.00	2.00	.00	165.00
		Total Cemetery	163.00	2.00	.00	165.00
100	7000	PARK DEPARTMENT	687.13	1.00	.00	688.13
100	7100	POOL EMPLOYEES	.00	.00	.00	.00
		Total Park	687.13	1.00	.00	688.13
190	3100	SANITATION DEPARTM	2,436.50	32.50	.00	2,469.00
		Total Sanitation	2,436.50	32.50	.00	2,469.00
200	1000	UTILITY OFFICE	896.00	12.50	.00	908.50
200	1001	METER READING	.00	.00	.00	.00
200	4500	LIGHT DISTRIBUTION	1,580.75	30.25	.00	1,611.00
		Total Utility Offi	2,476.75	42.75	.00	2,519.50
210	2000	WASTEWATER TREATME	675.25	17.25	.00	692.50
210	2001	WASTEWATER COLLECT	1,341.07	57.25	.00	1,398.32
		Total Wastewater T	2,016.32	74.50	.00	2,090.82
211	4600	FILTER DEPARTMENT	921.75	117.75	.00	1,039.50
211	4700	WATER DEPARTMENT	1,123.50	224.75	.00	1,348.25
		Total Water	2,045.25	342.50	.00	2,387.75
330	6000	MADISONVILLE SPORT	.00	.00	.00	.00
		Total Sports Comp	.00	.00	.00	.00
		Grand Totals	22,410.07	2,719.25	45.75	25,175.07

CMP	DEPT	NAME	REGULAR	OVERTIME	SPC-OVT	TOTAL
100	1100	ELECTED OFFICIALS	7,478.10	.00	.00	7,478.10
100	1200	ADMINISTRATION	16,090.45	.00	.00	16,090.45
100	1400	FINANCE	17,685.13	113.56	.00	17,798.69
100	1500	CITY CLERK	8,569.08	.00	.00	8,569.08
100	1700	ZONING	4,291.78	.00	.00	4,291.78
100	1900	CITY ENGINEER	.00	.00	.00	.00
100	2200	ALCOHOLIC BEVERAGE	1,272.96	.00	.00	1,272.96
		Total Government	55,387.50	113.56	.00	55,501.06
100	2100	POLICE DEPT-MADISO	132,797.29	17,161.22	.00	149,958.51
100	2150	POLICE FICA	5,659.10	168.23	.00	5,827.33
		Total Police	138,456.39	17,329.45	.00	155,785.84
100	2300	FIRE DEPT-MADISONV	112,432.64	44,724.43	1,246.23	158,403.30
100	2350	FIRE FICA/NON HAZA	1,414.40	.00	.00	1,414.40
		Total Fire	113,847.04	44,724.43	1,246.23	159,817.70
100	3300	TRANSPORTATION DEP	32,506.92	384.91	.00	32,891.83
		Total Transportati	32,506.92	384.91	.00	32,891.83
100	5000	CEMETERY DEPARTMEN	4,711.52	48.44	.00	4,759.96
		Total Cemetery	4,711.52	48.44	.00	4,759.96
100	7000	PARK DEPARTMENT	16,557.26	22.06	.00	16,579.32
100	7100	POOL EMPLOYEES	.00	.00	.00	.00
		Total Park	16,557.26	22.06	.00	16,579.32
190	3100	SANITATION DEPARTM	53,775.16	946.83	.00	54,721.99
		Total Sanitation	53,775.16	946.83	.00	54,721.99
200	1000	UTILITY OFFICE	26,600.53	329.77	.00	26,930.30
200	1001	METER READING	.00	.00	.00	.00
200	4500	LIGHT DISTRIBUTION	64,447.22	1,876.44	.00	66,323.66
		Total Utility Offi	91,047.75	2,206.21	.00	93,253.96
210	2000	WASTEWATER TREATME	20,485.70	608.44	.00	21,094.14
210	2001	WASTEWATER COLLECT	31,738.45	1,741.03	.00	33,479.48
		Total Wastewater T	52,224.15	2,349.47	.00	54,573.62
211	4600	FILTER DEPARTMENT	20,542.01	3,863.21	.00	24,405.22
211	4700	WATER DEPARTMENT	28,895.97	7,594.24	.00	36,490.21
		Total Water	49,437.98	11,457.45	.00	60,895.43
330	6000	MADISONVILLE SPORT	5,007.68	.00	.00	5,007.68
		Total Sports Comp	5,007.68	.00	.00	5,007.68
		Grand Totals	612,959.35	79,582.81	1,246.23	693,788.39

START-DT	NAME	DBA
1/01/24	JENNIFER MORRIS MADISONVILLE 920 S MAIN ST KY 42431	NAYNIES'S PLACE LLC
1/01/24	DAMION YOUNG STURGIS 126 N MONROE ST KY 42459	D.Y. INSPECTIONS
1/01/24	LEA ANN KLARNER MADISONVILLE 93 MONTROSE DR KY 42431	SENIOR CARE CONSULTING AND SOLUTION
1/02/24	MELISSA SMITH MADISONVILLE 101 NEBO RD STE G KY 42431	LADY LUCK TATTOO
1/02/24	JACOB HOLLAND MADISONVILLE 17 S MAIN ST KY 42431	ARLE VENTURES LLC
1/04/24	MARLIE CLAYTON MADISONVILLE 765 OAKWOOD LN KY 42431	HERITAGE HOMES REAL ESTATE
1/05/24	TIMOTHY ROBARDS MANITOU PO BOX 692 KY 42436	TIMBER PRO, LLC
1/05/24	FRANCISCO SANDOVAL MADISONVILLE 216 HOPEWELL ST KY 42431	SAVILA LAWN CARE & LANDSCAPING, LLC
1/12/24	CARL HOGAN MADISONVILLE 615 S MAIN ST KY 42431	D J CRAIL
1/16/24	MAKENZIE MCENROE MADISONVILLE 855 FAIRWAY VIEW DR KY 42431	MCENROE SLP LLC
1/18/24	UNIFIED STEEL STRUCTURES INC. MOUNT AIRY PO BOX 89 NC 27030	
1/18/24	MATTHEW J GALLIMORE MADISONVILLE 902 HIAWATHA DR KY 42431	ELITE MAINTENANCE LLC
1/01/24	CLARK CORE SERVICES LANCASTER 2205 OLD PHILADELPHIA PIKE PA 17602	
1/26/24	THOMAS DARREN R KNIGHT CROFTON 2215 J KNIGHT EXT KY 42214	KNIGHT TILE COMPANY, LLC
1/30/24	TINA DUTTON MADISONVILLE 127 S MADISON AVE KY 42431	SURF & TURF

**CITY OF MADISONVILLE
RESOLUTION 2024-02**

RESOLUTION TO DECLARE EQUIPMENT AS SURPLUS PROPERTY

WHEREAS, the City of Madisonville Parks Department owns the following described equipment:

<u>Equipment to surplus</u>	<u>Equipment description</u>	<u>Year of Equipment</u>
Kubota mower	2680 outfront unit	2009
Toro mower	zero turn 77284	2010
Gravely mower	zero turn 992233	2019
Grasshopper mower	outfront zero turn 325	2001
 Chevrolet pick up	 1500 2 wheel drive	 1999
Ford pick up	F250 2 wheel drive	1995
Chevrolet dump truck	2500 cheyenne duelly	1994

WHEREAS, the City of Madisonville Parks Department requests to dispose of the equipment by means appropriate according to KRS 82.083.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The above described equipment is now declared as surplus property.
2. The City is authorized to dispose of the equipment by means according to KRS 82.083

**CITY OF MADISONVILLE
RESOLUTION R-2024-02**

ADOPTION OF THE 2024 UPDATES FOR THE PERSONNEL POLICY AND EMPLOYEE HANDBOOK

WHEREAS, the City of Madisonville has made changes to the Personnel Policy that was adopted December 19, 2022 and updated August 21, 2023;

WHEREAS, the purpose of the City of Madisonville Employee Handbook is to establish a uniform system for managing personnel matters for all city employees. The Handbook and the policies it contains provides direction for employees in the performance of his/her employment duties so that they can successfully contribute to the fulfillment of the city's mission to deliver the necessary government services to the citizens of Madisonville in the most effective and cost-efficient manner possible; and

NOW THEREFORE BE IT RESOLVED, the City of Madisonville does hereby adopt the updates that are attached to the 2024 City of Madisonville Employee Handbook.

Front Cover	Remove Old Logo	Add New Logo
Cover Page	Remove “2023”	Add 2024
Page 1	Remove old mission statement, “To deliver the necessary government services to the citizens of Madisonville in the most effective and cost-efficient manner possible”	Add new Mission Statement, To elevate the quality of life through excellent city services.
Page 9	Remove old vision statement “Our vision is to provide a unified system of support and service that will elevate every business, every home, and every person.”	Add New Vision Statement, To provide support that will elevate every business, every home, and every person.
Page 10	Under ABOUT THE CITY OF MADISONVILLE HANDBOOK , replace old core values with new core values	The city’s core values are the following: Collaboration; People-Driven; Equity; Innovative Vision; Integrity; Sustainability
Page 12 – (1)	Under EFFECT, AMENDMENT, AND APPLICATION OF HANDBOOK POLICIES (1) remove “2022”	Under (1) add 2024
Page 18	Under APPLICATION AND ADVERTISEMENT OF VACANT POSITIONS - Add New (3)	(3) All Full-Time Permanent positions are advertised both internally and externally. A position must be available if returning to employment with the city.
Page 18	Move previous (3) to (4) – same language as 2023	(4) When the city elects to advertise the position, job posting will occur for at least seven days.
Page 18	Add New (5)	(5) A job posting may not be advertised when a seasonal employee becomes a permanent Part-Time within the same job classification.
Page 18	(6) is previous (4)	(6) [Initial postings will be screened/reviewed after the posting period ends by the department superintendent and the human resources department.]
Page 19	(7) is previous (5)	(7) [A vacancy may go unfilled if there are fewer than three qualified applicants, in which case a second job posting can occur.]
Page 19	(8) is previous (6)	(8) [A second screening/review of the job posting will occur after the second posting period ends, by the department superintendent(s) and the human resources department.]
Page 19	(9) is previous (7)	
Page 19	Add New (10)	(10) In the event of a departmental re-organization (i.e.,

		departments combine, departments separate, department structure change, or employee is placed in a permanent position after performing satisfactorily in interim, position may not be posted internally or externally.
Page 19	Under PROMOTIONS, TRANSFERS, AND TEMPORARY APPOINTMENTS (4) Add New	(1) (4) When an employee is placed in an interim role for 6 months or more and the employee is performing satisfactorily in the interim role, the employee may be promoted to the permanent role (interim title removed).
Page 20	Under HIRING AND SELECTION (4) Add New (d)	d. A position must be available if returning to employment.
Page 21	Under EMPLOYMENT OF FAMILY MEMBERS (7) leave as is	(7) same as 2023 policy
Page 24	Under NEW EMPLOYEE ORIENTATION (6) remove “employee’s schedule and” & “will be discussed” & “(HR Form 02) & Add →	(6) During orientation, the new employee will read over their new job description, then sign and date the acknowledgment on the end of the job description. This signed copy will be placed in their personnel file. A copy will be given to the new employee upon request.
Page 24	Under JOB DESCRIPTIONS remove (2)	Remove (2) The Job Description Form will be signed and placed in the employee’s personnel file during the annual performance evaluation and a copy will also be given to the employee.”
Page 50	Add New Letter n.	n. Employee shall not return to driving until a negative result is received and employee is release to drive by HR and Superintendent.
Page 61	Under VEHICLE USE Add to Letter e.	e. Any employee who may operate a city-owned vehicle while performing employment functions on behalf of the city shall be subject to an annual Division of Motor Vehicle Records Check and must sign the Driver’s License Background Check Release (HR Form 04).
Page 61	Under Letter f. (2) correct misspelling	Change “insuring” to “ensuring”
Page 62	Under Letter k. add to	Add, “Employees must complete a Preoperational inspection Form for passenger sedans, light duty pick-up trucks, and all other vehicles that do not require a commercial driver’s license (CDL):
Page 62	Under Letter k. (1) correct misspelling	Change “insuring” to “ensuring”
Page 62	Under Letter k. (1.) add once per week	At least once per week, the operator of these vehicles is responsible for ensuring that all vehicle safety equipment including headlights, turn signals, brake lights, and horn are functioning properly.

Page 92	Under COMPENSATORY TIME (3.) add	(3) Exempt employees are eligible to accrue compensatory time for hours worked above 40 hours a week, up to a maximum of 240 hours. Any hours exceeding the maximum 240 hours will be lost. Vacation and sick hours are not included in the calculations for comp time. "Holidays, Bereavement, and PTO Time are included in the calculations for comp time."
Page 92	(3.) b. change "HR Form 05" to HR Form 07	a. Requests for time off using accrued comp time must be done on a prior approval basis, by the submission of the Absentee Report (HR Form 07).
Page 92	(3.) c. 1.	c. 1. No more than 480 hours for police & fire employees.
Page 98	Under OTHER OPTIONAL BENEFITS remove "Bridge Medical Insurance" & Life Insurance with an LTC Rider" & Vision Care Insurance". Add, "Air and Ground Emergent Care" & "Short/Long Term Disability" & "Voluntary Life Insurance"	a. Flexible Spending Account b. Accident Insurance c. Ground and Air Emergent Care d. Cancer Insurance e. Critical Illness Insurance f. Short and Long-Term Disability g. Voluntary Life Insurance
Page 106	Under HOLIDAYS add New (4)	(4.) Part-Time, Seasonal, Temps, and Interns do not qualify for Holiday Pay.
Page 107	Revise tables for a better understanding	
Page 108	Revise table for a better understanding	
Page 109	Under SICK LEAVE (3) change to	New full-time employees will begin to accrue Sick Leave on the 1st day of the month following the month of hire.
	Under SICK LEAVE (4) change to	Full-time employees will earn sick leave on the 1st day of each month.
Page 109	Under SICK LEAVE (5) Letter b. after household	Add (5) b. ... who are listed as legal dependents.
Page 110	Under SICK TIME DONATION (1) add	Firefighters may donate up to 72 hours of sick time.
Page 110	Under SICK LEAVE POOL (2): remove "accrued" and add: "currently has"	(2) Any employee who has completed at least one year of continuous full-time employment with the city and currently has at least 84 hours of sick leave shall be eligible to participate in the Sick Leave Pool Program. Any eligible employee who wishes to participate in the Sick Leave Pool Program shall sign and submit a Sick Leave Pool Registration (HR Form 09)."
Page 110	Under SICK LEAVE POOL add to (2)	Firefighters' initial donation is 48 hours of sick leave and police is 24 hours.
Page 113	Under FAMILY MEDICAL LEAVE ACT (FMLA) (4) , remove	(4) shall provide their immediate department superintendent with advance notice of the leave request. by submitting a FMLA Leave Request (HR Form 11)

Page 113	Under <i>FAMILY MEDICAL LEAVE ACT (FMLA) (5)</i> , remove	(5) ... in conjunction with a request for FMLA leave or where the city has designated the leave as FMLA-qualifying.
Page 114	Under <i>FAMILY MEDICAL LEAVE ACT (FMLA) (6)</i> , replace	(6) Employee's must may use any accumulated sick, vacation, personal time, compensatory leave time, or other paid leave to the extent ...
Page 115	Under <i>FAMILY MEDICAL LEAVE ACT (FMLA) (7)</i> , replace	(7) HR Form 13-32
Page 140 -	Update Employee Forms	Add updated versions and remove old versions
Page 140	HR Form 01 – Handbook Acknowledgment	
Page 141	HR Form 08 – Check Request Form	
Page 142	HR Form 03 – Background Release Form	
Page 143	HR Form 04 – Driver's License Background Check Release Form	
Page 144	HR Form 05 – Drug and Alcohol-Free Workplace Policy Acknowledgment	
Page 145	HR Form 06 – Sick Leave Donation Form	
Page 146	HR Form 07 – Absentee Report Form	
Page 147	HR Form 08 – Jury duty Attendance Form	
Page 148	HR Form 09 – Sick Leave Pool Registration Form	
Page 149	HR Form 10 – Application for Use of Sick Leave Pool	
Page 150	HR Form 11 – Application for Academic Program Approval	
Page 151	HR Form 12 – Reimbursement of Tuition	
Page 152	HR Form 13 – Waiver of Coverage	

Page 153	HR Form 14 – Travel, Meeting, and Conference Request	
Page 154	HR Form 15 – Employee Statement Form	
Page 155	HR Form 16 – Expense Report Form	
Page 156	HR Form 17 – Missing Receipt Affidavit	
Page 157	HR Form 18 – Personal Information Form	
Page 158	HR Form 19 – Employee Counseling Form	
Page 159 - 162	HR Form 20 – Hourly Employee Evaluation Form	
Page 163 - 167	HR Form 21 – Executive Employee Annual Performance Evaluation Form	
Page 168	HR Form 23 – Continuous Feedback	
Page 169	HR Form 24 – Mileage Log	
Page 170-171	HR Form 25 – Outside Employment Request	
Page 172-173	HR Form 26 – Outside Employment Request for Police Officers	
Page 174	HR Form 27 – Active-Duty Military Leave Notification Form	
Page 175 -178	HR Form 28 – FMLA WH-381 – Notice of Rights & Responsibilities	
Page 179 -181	HR Form 29 – FMLA WH-382 Designation Notice	

Page 182-185	HR Form 30 – FMLA WH-380E Certification of Health Care Provider for Employee Serious Health Condition	
Page 186 -189	HR Form 31 – FMLA WH380F Certification of Health Care Provider for Family Member’s Serious Health Condition	
Page 190 - 191	HR Form 32 – FMLA Medical Release Return to Work	
Page 192	HR Form 33 – Attestation of Outside Coverage	
Page 193	HR Form 36 – Policy Concerning Confidential Information	
Page 194	HR Form 37 – Acknowledgment of Acceptable Use of Computer Technology Policy	
Page 197	HR Form 38 – FMCSA Limited Query Consent Form	
Page 198	HR Form 39 – Notification and Consent Form for Pre-Employment Drug and Alcohol Testing	
Page 199	HR Form 40 – Release of Information Form (49 CFR Part 40 Drug & Alcohol Testing	
Page 200	HR Form 41 – Employee Name Change Verification Form	
Page 201	HR Form 42 – Employee Resignation Form	
Page 202	HR Form 43 – Employee Photo Release Form	

Page 203	HR Form 44 – Hepatitis B Vaccine Declination	
Page 204	HR Form 45 – ADA Accommodation Request Form	
Page 205	HR Form 47 – Driver Agreement	

Resolution 2024-4

Resolution to Accept Bids for Franchises to operate Telecommunications systems within the city limits of Madisonville

WHEREAS, the City of Madisonville opened bids for parties interested in obtaining franchises to operate telecommunications systems with the City of Madisonville on January 3, 2024 at 2:00 p.m.; and

WHEREAS, after publication of said advertisement on December 14, 2023, the only bid received by Madisonville, Kentucky, was from Open Fiber Kentucky.

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

Section 1. That the telecommunication franchise created by Ordinance 2003-08 be, and it hereby is, awarded to Open Fiber Kentucky who submitted the best responsive and responsible bid.

Section 2. That the Mayor shall be, and hereby is, authorized and directed to execute the Telecommunications Franchise Agreement, a copy of which was is attached. The effective date of the above Telecommunications Franchise Agreement is February 1, 2024.

**FRANCHISE AGREEMENT
(Telecommunications)**

THIS FRANCHISE AGREEMENT made and entered into this February 1, 2024, by and between the City of Madisonville, Kentucky, a political subdivision of the Commonwealth of Kentucky (hereinafter "Madisonville"), and OpenFiber Kentucky Company, LLC d/b/a Accelecom, a Delaware limited liability company (hereinafter the "Company").

WITNESSETH:

WHEREAS, by Ordinance No. 2003-08 adopted by the Madisonville City Council on March 17, 2003, Madisonville provides for the creation of franchises for the use of Madisonville's rights-of-way; and

WHEREAS, Madisonville has agreed to create a five (5) year, non-exclusive franchise for a telecommunications system within the confines of Madisonville; and

WHEREAS, Madisonville offered at bid a telecommunication franchise pursuant to Ordinance No. 2003-08; and

WHEREAS, by Resolution No. _____, Madisonville accepted the bid of the Company to acquire said franchise; and

WHEREAS, Madisonville and the Company have entered into this Franchise Agreement to memorialize the grant by Madisonville to the Company of said franchise subject to the terms and conditions reflected in Ordinance No. 2003-08 and this Agreement.

NOW THEREFORE, for and in consideration of the mutual covenants and agreements contained herein the receipt and sufficiency of which are hereby acknowledged, Madisonville and the Company hereby agree to incorporate the foregoing recitals as if fully set forth herein and further agree as follows:

1. *Grant of Franchise.* Madisonville hereby grants unto the Company a non-exclusive franchise for a telecommunications system within the confines of Madisonville, Kentucky (the "Franchise"), for a term of five (5) years, subject to the provisions of the Ordinance No. 2003-08, a copy of which is attached hereto as Exhibit "A", and which is incorporated herein by reference in its entirety and shall apply as if fully set forth herein. The Franchise hereby granted allows the Company to enter upon, acquire, construct, operate, maintain, install, use, and repair, in the public right-of-way of Madisonville, a telecommunications system within the corporate boundaries of Madisonville as it now exists or may hereafter be constructed or extended, subject to the provisions of this Agreement. Such system may include pipes, wire, manholes, ducts, structures, stations, towers, amplifiers, poles, overhead conductors and devices, underground conductors and devices, transformers, and any other apparatus, equipment and facilities (collectively, "Equipment") necessary, essential, and/or used or useful to the distribution and service of telecommunications through Madisonville and to any other town or any portion of Hopkins County, Kentucky

("Services"). Additionally, the Company shall have the right to use service and maintenance vehicles in furtherance of the Franchise.

If the Company is proposing to install overhead facilities, the Company shall provide evidence that the Company has obtained permission to make attachment to the utility poles (owned by another person and/or by the City).

Prior to beginning the construction or installation of any new Equipment under the Franchise, the Company shall:

- (a) submit a preliminary plan or map of the locations and the areas (both above and below ground) showing where the Company intends to construct, install and locate its lines;
- (b) submit an encroachment permit for any new buried or overhead lines in any designated right of way or utility easement; and
- (c) obtain, and provide to Madisonville, any necessary governmental permits for such construction or installation of the lines.

Work performed by the Company under the Franchise shall be performed in a workmanlike manner and in such a way as not to unnecessarily interfere with the public's use of Madisonville's streets. Whenever the surface of any Madisonville street is opened, it must be restored at the expense of the Company within a reasonable time to a condition comparable to what it was prior to the opening thereof.

The Company intends to provide services as outlined in its Response to Madisonville's Request for Proposals Franchise, Telecommunications System dated December 29, 2023.

Madisonville will provide reasonable assistance to the Company in obtaining any other city-controlled prerequisites.

2. *Definitions.* Terms not defined herein or in Ordinance No. 2003-08, but referred to herein, shall be construed to reflect a common usage or the common usage as would apply in the telecommunications industry.

3. *Terms of Franchise; Termination.* The Franchise shall be non-exclusive and shall continue for a period of five (5) years from and after the effective date of this Agreement, commencing on February 1, 2024. The Company may, at its option, terminate the Franchise and this Agreement upon thirty (30) days' written notice if (a) Madisonville breaches any of its obligations hereunder and such breach is not cured within sixty (60) days of the Company's notice to Madisonville of such breach; (b) the Company is not permitted to pass through to affected customers all fees payable by it under Sections 8 and 9 herein; or (c) Madisonville creates or amends any

ordinance or regulation which, in the Company's sole discretion, would have the effect of (i) substantially altering, amending or adding to the terms of this Agreement, (ii) substantially impairing the Company's ability to perform its obligations under the Franchise in an efficient, unencumbered and profitable way; or (iii) preventing the Company from complying with applicable statutes or regulations, rules or orders issued by the Commonwealth of Kentucky.

Without diminishing the Company's rights under this Section 3, Madisonville agrees that to the extent it desires to pass or amend an ordinance or regulation which could have the effect of substantially (i) altering, amending, or adding to the terms of this Agreement; (ii) impairing the Company's ability to perform its obligations under the Franchise in an efficient, unencumbered and profitable way; or (iii) preventing the Company from complying with applicable statutes or regulations, rules or orders issued by the Commonwealth of Kentucky, that Madisonville will first discuss such proposed ordinance or regulation with the Company and the parties shall negotiate in good faith regarding the same.

4. *Compliance With City Regulations.* Subject to Section 3 hereof, the Company will comply with all applicable provisions of lawful ordinances and regulations (including any amendments thereto) of Madisonville, unless such provisions (i) conflict with or impair the Company's ability to comply with any rule, regulation or order issued by the Commonwealth of Kentucky related to the Company's rates or services, or otherwise (ii) are preempted by the action of any authority with jurisdiction over the Company.

5. *Rights Reserved by City.* Subject to the above provisions, the Franchise is expressly subject to the right of Madisonville: (i) to repeal the same for misuse, nonuse, or the Company's failure to comply with applicable local, state or federal laws; (ii) to impose such other regulations as may be determined by Madisonville to be conducive to the safety, welfare and morals of the public; and/or (iii) to control and regulate the use of its streets, bridges, public places and space above, about and beneath them.

6. *Liability and Indemnification.* The Company shall indemnify, defend, and hold harmless Madisonville from and against claims by third parties asserted against Madisonville that the Company's use of the public streets or the presence or operation of the Company's equipment on or along said streets has caused damage to tangible property or bodily injury, if and to the extent such damage or injury is not caused by Madisonville's negligence or misconduct.

In addition, the Company shall indemnify and hold harmless Madisonville, its elected and appointed officers, agents and employees from and against any and all claims, demands or causes of action of whatsoever kind or nature and the resulting losses, costs, expenses, reasonable attorneys' fees, liabilities, damages, orders, judgments or decrees sustained Madisonville or any third party arising out of or by reason of or resulting from or of the acts, errors or omissions of the Company or the operator of the utility system or its agents, independent contractors or employees related to or in any way arising out of the construction, maintenance, operation, presence, use, rearrangement or removal of the Franchise.

7. *Franchise Fees.* As compensation for the Franchise granted to the Company, Madisonville shall receive a one time application fee of \$4,000 and shall also receive a quarterly payment to Madisonville of a rights-of-way usage fee in an amount equal to five percent (5%) of Gross Revenues (as defined in Ordinance No. 2003-08) or two-thousand five hundred dollars (\$2,500), whichever is greater. On thirty (30) days' notice to the Company, Madisonville may audit the Company in order for Madisonville to determine compliance with this Section and Ordinance No. 2003-08.

8. *Other Fees.* Any other fees assessed to the Company in connection with the Company's use of Madisonville's public ways, including fees associated with permits and licenses of whatever nature, shall be payable by the Company.

9. *Insurance Bonds.* The Company shall maintain in force through the term of the Franchise the general liability insurance, motor vehicle insurance and all other forms of insurance and performance bonds and surety required by Ordinance No. 2003-08 and in accordance with all applicable federal and state laws and regulations.

10. *Successors and Assigns.* The Company does hereby bind itself, its successors and assigns, to faithfully and fully perform each and every condition of said Franchise as memorialized in this Franchise Agreement, and further to faithfully perform all acts required of it pursuant to said Franchise.

11. *Binding Effect.* This Franchise Agreement memorializes the agreement between the parties hereto and the terms and requirements contained and embodied in the Ordinance No. 2003-08 and shall be binding upon and inure to the benefit of the parties hereto.

[Signatures on the following page]

IN WITNESS WHEREOF, Madisonville and the Company have executed this Franchise Agreement as their free and voluntary act and deed effective as of the day and year first above written.

CITY OF MADISONVILLE, KENTUCKY

By: _____
Title: Mayor

Attested:

By: _____
Title: City Clerk

OPENFIBER KENTUCKY COMPANY, LLC d/b/a ACCELECOM,
a Delaware limited liability company

By: _____
Title: _____

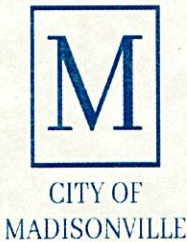
EXHIBIT A - ORDINANCE NO. 2003-08

**CITY OF MADISONVILLE
MUNICIPAL ORDER NO. 2024-13**

IN RE: RE-APPOINTMENT OF LEE RIDDLE TO THE HISTORIC DISTRICT COMMISSION

IT SHALL BE AND HEREBY IS ORDERED BY THE CITY COUNCIL OF THE CITY OF
MADISONVILLE, KENTUCY AS FOLLOWS:

1. That Lee Riddle shall be, and hereby is, re-appointed to the Historic District Commission.
2. That the term of Lee Riddle shall be for three (3) years and ending March 1, 2027.
3. That Lee Riddle shall serve in accordance with the Laws of the United States of America and the Commonwealth of Kentucky, and the ordinances of the City of Madisonville.



JOINT PROCLAMATION



WHEREAS, February is American Heart Month, a time when all people – especially women- are encouraged to focus on their cardiovascular health. The City of Madisonville and Hopkins County enthusiastically join the national initiative to support our residents in their efforts to achieve better heart health; and

WHEREAS, engaging in regular physical activity, maintaining a healthy diet and weight, managing stress, avoiding smoking and vaping, and getting quality sleep each night all reduce the risk of heart disease and help people live longer, healthier lives. While it is essential to see a healthcare provider if you have symptoms or risk factors related to heart disease, research shows that taking a little time each day to promote a healthy lifestyle can help improve your long-term heart health; and

WHEREAS, the City of Madisonville and Hopkins County also honors those we have lost to heart disease and raise awareness of the actions we can all take to prevent it.

NOW THEREFORE, BE IT RESOLVED that we, **Kevin Cotton**, Mayor of the City of Madisonville, Kentucky, and **Jack Whitfield**, Judge Executive of Hopkins County, Kentucky, hereby proclaim the month of February as:

“American Heart Month”

in the City of Madisonville and Hopkins County and urge all citizens to acknowledge the importance of the ongoing fight against cardiovascular disease.

Kevin Cotton, Mayor
City of Madisonville

Jack Whitfield, Judge Executive
Hopkins County, Kentucky