



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

July 18, 2022 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 - Regular Meeting - Jul 5, 2022 4:30 PM

6. APPROVAL OF BILLS AND PAYROLL

A. Bills & Payroll

7. DEPARTMENT REPORTS

A. Fire Department Report

8. NEW BUSINESS

A. Resolutions

A. Amendment to the Personnel Policy and Employee Handbook

B. Resolution to Accept Bids for the Ahlstrom Sanitary Sewer Extension

C. Accept Bid for Westside Waste Water Treatment Plant Final Clarifier No. 1 Rehabilitation

B. Item for Discussion

1. Permission to close streets for Summer Sizzler

2. Closed Session pursuant to KRS 61.810(1)(B)

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



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

July 5, 2022 at 4:30 PM

MINUTES

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

Attendee Name	Title	Status	Arrived
Kevin Cotton	Mayor	Present	
Misty Cavanaugh	Ward 1	Present	
Tony Space	Ward 2	Present	
Adam Townsend	Ward 3	Present	
Amy Cruz	Ward 4	Present	
Frank Stevenson	Ward 5	Present	
Chad Menser	Ward 6	Present	

5. **APPROVAL OF MINUTES**

RESULT: ADOPTED [UNANIMOUS]
MOVER: Chad Menser, Ward 6
SECONDER: Frank Stevenson, Ward 5
AYES: Cavanaugh, Space, Townsend, Cruz, Stevenson, Menser

A. City Council - Special Called Meeting - Jun 28, 2022 12:30 PM

6. **APPROVAL OF BILLS AND PAYROLL**

A. Bills and Payroll

RESULT: APPROVED [UNANIMOUS]
MOVER: Frank Stevenson, Ward 5
SECONDER: Adam Townsend, Ward 3
AYES: Cavanaugh, Space, Townsend, Cruz, Stevenson, Menser

7. **NEW BUSINESS**

A. Resolutions

A. Accept Bids for Grapevine Lake Restroom Pavilion

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

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

Minutes Acceptance: Minutes of Jul 5, 2022 4:30 PM (Approval of Minutes)

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

B. Accept Bid for Road Salt

RESULT: ADOPTED [UNANIMOUS]
MOVER: Chad Menser, Ward 6
SECONDER: Tony Space, Ward 2
AYES: Cavanaugh, Space, Townsend, Cruz, Stevenson, Menser

8. ITEM FOR DISCUSSION

A. Street Closure Request - Martin Luther King Jr. Blvd.

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

9. ADJOURNMENT

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

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

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

	A	B	C	E	F
1			Bills and Payroll for Council Meeting 7/5/2022		
2	Co#	Bank#	Fund Name		
3	100	1	General Fund	\$ 60,545.04	
4				\$ 158,726.13	
5				\$ 79,347.05	
6					
7			Total General Fund	\$ 298,618.22	
8	190	7	Sanitation	\$ 37,950.85	
9				\$ 12,593.74	
10					
11					
12			Total Sanitation	\$ 50,544.59	
13	200	7	Electric/Utility Office	\$ 672,393.06	
14				\$ 95,040.80	
15					
16					
17			Total Electric/Utility Office	\$ 767,433.86	
18	210	6	Water and Filter	\$ 430,970.37	
19				\$ 56,114.05	
20					
21					
22			Total Water Filter	\$ 487,084.42	
23		7	Waste Water Collection and Treatment	\$ 30,680.76	
24				\$ 57,699.57	
25					
26					
27			Total Wastewater Collection and Treatment	\$ 88,380.33	
28					
29					
30	Co#	Dept #	Department Name	Amount	
31	100	Various	Governmental	\$ 58,019	
32	100	2100	Police	\$ 136,296	
33	100	2300	Fire	\$ 160,916	
34	100	3300	Transportation	\$ 36,165	
35	100	5000	Cemetery	\$ 9,202	
36	100	7000	Park	\$ 28,633	
37	190	3100	Sanitation	\$ 46,167	
38	200	1000/4500	Light Fund	\$ 89,032	
39	200	2000	Wastewater Treatment	\$ 17,702	
40	200	2001	Wastewater Collection	\$ 45,445	
41	200	4700/4600	Water and Filter	\$ 55,875	
42			Total Payroll	\$ 683,451	
43	Series2				
44					
45					
46					
47					
48					
49					
50					
51					
			Number of Employees paid July 8, 2022		
			See next page		

CMP	DEPT	NAME	DATE	TOTAL	FULL	PART
100	1100	ELECTED OFFICIALS	7/08/22	7	1	6
100	1200	ADMINISTRATION	7/08/22	11	10	1
100	1400	FINANCE	7/08/22	5	5	
100	1500	CITY CLERK	7/08/22	4	3	1
100	1600	AIRPORT	7/08/22	4	4	
100	1700	ZONING	7/08/22	2	2	
100	2100	POLICE DEPT-MADISONVILLE	7/08/22	47	45	2
100	2150	POLICE FICA	7/08/22	3	2	1
100	2151	DISPATCH	7/08/22	13	13	
100	2200	ALCOHOLIC BEVERAGE CONTROL	7/08/22	1		1
100	2300	FIRE DEPT-MADISONVILLE	7/08/22	67	67	
100	2350	FIRE FICA/NON HAZARDOUS	7/08/22	1	1	
100	3300	TRANSPORTATION DEPT	7/08/22	24	22	2
100	5000	CEMETERY DEPARTMENT	7/08/22	7	7	
100	7000	PARK DEPARTMENT	7/08/22	15	11	4
100	7100	POOL EMPLOYEES	7/08/22	10	1	9
100	7200	MAHR PARK	7/08/22	9	6	3
190	3100	SANITATION DEPARTMENT	7/08/22	22	22	
200	1000	UTILITY OFFICE	7/08/22	14	14	
200	4500	LIGHT DISTRIBUTION DEPT	7/08/22	20	20	
210	2000	WASTEWATER TREATMENT	7/08/22	7	7	
210	2001	WASTEWATER COLLECTION	7/08/22	24	23	1
211	4600	FILTER DEPARTMENT	7/08/22	14	14	
211	4700	WATER DEPARTMENT	7/08/22	18	18	
Totals				349	318	31

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

CMP	DEPT	NAME	REGULAR	OVERTIME	SPC-OVT	TOTAL
100	1100	ELECTED OFFICIALS	4,912.22	.00	.00	4,912.22
100	1200	ADMINISTRATION	26,269.12	945.59	.00	27,214.71
100	1400	FINANCE	13,010.48	.00	.00	13,010.48
100	1500	CITY CLERK	7,540.59	.00	.00	7,540.59
100	1700	ZONING	4,117.33	.00	.00	4,117.33
100	1900	CITY ENGINEER	.00	.00	.00	.00
100	2200	ALCOHOLIC BEVERAGE	1,224.00	.00	.00	1,224.00
		Total Government	57,073.74	945.59	.00	58,019.33
100	2100	POLICE DEPT-MADISO	117,434.28	14,911.15	.00	132,345.43
100	2150	POLICE FICA	3,793.87	156.75	.00	3,950.62
		Total Police	121,228.15	15,067.90	.00	136,296.05
100	2300	FIRE DEPT-MADISONV	104,799.25	41,537.33	12,835.07	159,171.65
100	2350	FIRE FICA/NON HAZA	1,618.82	125.97	.00	1,744.79
		Total Fire	106,418.07	41,663.30	12,835.07	160,916.44
100	3300	TRANSPORTATION DEP	34,010.89	2,154.09	.00	36,164.98
		Total Transportati	34,010.89	2,154.09	.00	36,164.98
100	5000	CEMETERY DEPARTMEN	8,969.26	232.71	.00	9,201.97
		Total Cemetery	8,969.26	232.71	.00	9,201.97
100	7000	PARK DEPARTMENT	19,913.08	2,697.83	.00	22,610.91
100	7100	POOL EMPLOYEES	5,106.56	915.17	.00	6,021.73
		Total Park	25,019.64	3,613.00	.00	28,632.64
190	3100	SANITATION DEPARTM	42,694.05	3,472.66	.00	46,166.71
		Total Sanitation	42,694.05	3,472.66	.00	46,166.71
200	1000	UTILITY OFFICE	24,523.58	1,795.85	.00	26,319.43
200	1001	METER READING	.00	.00	.00	.00
200	4500	LIGHT DISTRIBUTION	60,706.64	2,006.02	.00	62,712.66
		Total Utility Offi	85,230.22	3,801.87	.00	89,032.09
210	2000	WASTEWATER TREATME	17,683.77	17.92	.00	17,701.69
210	2001	WASTEWATER COLLECT	44,903.18	541.59	.00	45,444.77
		Total Wastewater T	62,586.95	559.51	.00	63,146.46
211	4600	FILTER DEPARTMENT	21,714.91	1,902.17	.00	23,617.08
211	4700	WATER DEPARTMENT	31,181.88	1,075.68	.00	32,257.56
		Total Water	52,896.79	2,977.85	.00	55,874.64
		Grand Totals	596,127.76	74,488.48	12,835.07	683,451.31

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

CMP	DEPT	NAME	REGULAR	OVERTIME	SPC-OVT	TOTAL
100	1100	ELECTED OFFICIALS	.00	.00	.00	.00
100	1200	ADMINISTRATION	204.00	36.25	.00	240.25
100	1400	FINANCE	80.00	.00	.00	80.00
100	1500	CITY CLERK	58.25	.00	.00	58.25
100	1700	ZONING	112.75	.00	.00	112.75
100	1900	CITY ENGINEER	.00	.00	.00	.00
100	2200	ALCOHOLIC BEVERAGE	.00	.00	.00	.00
		Total Government	455.00	36.25	.00	491.25
100	2100	POLICE DEPT-MADISO	3,809.50	340.50	.00	4,150.00
100	2150	POLICE FICA	179.25	4.75	.00	184.00
		Total Police	3,988.75	345.25	.00	4,334.00
100	2300	FIRE DEPT-MADISONV	5,783.00	1,750.50	483.50	8,017.00
100	2350	FIRE FICA/NON HAZA	80.25	4.75	.00	85.00
		Total Fire	5,863.25	1,755.25	483.50	8,102.00
100	3300	TRANSPORTATION DEP	1,969.75	96.25	.00	2,066.00
		Total Transportati	1,969.75	96.25	.00	2,066.00
100	5000	CEMETERY DEPARTMEN	501.50	9.75	.00	511.25
		Total Cemetery	501.50	9.75	.00	511.25
100	7000	PARK DEPARTMENT	877.50	128.75	.00	1,006.25
100	7100	POOL EMPLOYEES	459.75	53.50	.00	513.25
		Total Park	1,337.25	182.25	.00	1,519.50
190	3100	SANITATION DEPARTM	1,775.00	99.75	.00	1,874.75
		Total Sanitation	1,775.00	99.75	.00	1,874.75
200	1000	UTILITY OFFICE	964.00	71.00	.00	1,035.00
200	1001	METER READING	.00	.00	.00	.00
200	4500	LIGHT DISTRIBUTION	1,533.50	36.25	.00	1,569.75
		Total Utility Offi	2,497.50	107.25	.00	2,604.75
210	2000	WASTEWATER TREATME	538.50	.50	.00	539.00
210	2001	WASTEWATER COLLECT	1,858.16	21.00	.00	1,879.16
		Total Wastewater T	2,396.66	21.50	.00	2,418.16
211	4600	FILTER DEPARTMENT	1,096.50	68.00	.00	1,164.50
211	4700	WATER DEPARTMENT	1,375.74	41.00	.00	1,416.74
		Total Water	2,472.24	109.00	.00	2,581.24
		Grand Totals	23,256.90	2,762.50	483.50	26,502.90

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

Madisonville Fire Department

Monthly Report

June 2022



INCIDENT TYPE	# INCIDENTS	
MEDICAL	69	
FIRE	44	
TOTAL	113	
# OVERLAPPING	% OVERLAPPING	
18	16%	
PRE-INCIDENT VALUE	LOSSES	
\$4,210,400.00	\$26,250.00	
DISPATCH TO RESPONDING (AVG: 0:01:09)		
	MEDICAL	FIRE
Station #1	0:01:19	0:00:58
Station #2	0:00:57	0:01:07
Station #3	0:01:25	0:01:05
Station #4	0:01:22	0:01:03
DISPATCH TO ARRIVAL (AVG: 0:04:07)		
	MEDICAL	FIRE
Station #1	0:03:53	0:04:15
Station #2	0:03:40	0:04:05
Station #3	0:05:04	0:04:05
Station #4	0:05:37	0:04:03
AVERAGE TIME ON SCENE	Monthly Training Hours	
19 minutes 46 seconds	1752 Hours	
INSPECTIONS		
Pre-Incident Plans	55	
Fire Prevention Inspections	7	
Code Enforcement Cases	256	
COMMUNITY OUTREACH		
Community Programs	15	
Smoke Alarms Issued	38	
Adult Contacts	278	
Children Contacts	101	

Madisonville Fire Department

Incident Breakdown By %

June 2022



INCIDENT TYPE	# INCIDENTS	% of TOTAL
111 - Building fire	2	1.77%
131 - Passenger vehicle fire	1	0.88%
140 - Natural vegetation fire, other	1	0.88%
143 - Grass fire	2	1.77%
150 - Outside rubbish fire, other	1	0.88%
161 - Outside storage fire	1	0.88%
311 - Medical assist, assist EMS crew	62	54.87%
322 - Motor vehicle accident with injuries	2	1.77%
323 - Motor vehicle/pedestrian accident (MV Ped)	1	0.88%
324 - Motor vehicle accident with no injuries.	3	2.65%
350 - Extrication, rescue, other	1	0.88%
411 - Gasoline or other flammable liquid spill	1	0.88%
412 - Gas leak (natural gas or LPG)	2	1.77%
422 - Chemical spill or leak	1	0.88%
440 - Electrical wiring/equipment problem, other	2	1.77%
441 - Heat from short circuit (wiring), defective/worn	1	0.88%
444 - Power line down	2	1.77%
445 - Arcing, shorted electrical equipment	3	2.65%
542 - Animal rescue	1	0.88%
553 - Public service	1	0.88%
561 - Unauthorized burning	5	4.42%
611 - Dispatched & cancelled en route	2	1.77%
631 - Authorized controlled burning	1	0.88%
651 - Smoke scare, odor of smoke	1	0.88%
652 - Steam, vapor, fog or dust thought to be smoke	1	0.88%
671 - HazMat release investigation w/no HazMat	1	0.88%
711 - Municipal alarm system, malicious false alarm	1	0.88%
730 - System malfunction, other	2	1.77%
733 - Smoke detector activation due to malfunction	2	1.77%
735 - Alarm system sounded due to malfunction	3	2.65%
745 - Alarm system activation, no fire - unintentional	1	0.88%
746 - Carbon monoxide detector activation, no CO	2	1.77%
TOTAL INCIDENTS:	113	100%

Communication: Fire Department Report (Department Reports)

Madisonville Fire Department

Pre-Incident Plans

June 2022



1	Allen's Auto Sales	913 N Main ST	06/08/2022
2	Amerit (AT&T Truck Repair Garage)	1056 Island Ford RD	06/08/2022
3	Arby's	1375 N Main ST	06/13/2022
4	AT&T	1050 Island Ford RD	06/08/2022
5	Automotive Express (Muffler Express)	873 S Main st.	06/01/2022
6	Avizion Glass	44 N Franklin ST	06/01/2022
7	B & B Automotive Repair	2116 S Main ST	06/07/2022
8	Bad Ash BBQ	206 Madison Square DR	06/01/2022
9	Baptist Health Urgent Care	1851 N. Main St.	06/07/2022
10	Blue Boy Landscaping	1380 Island Ford RD	06/13/2022
11	Bluegrass Pharmacy / Home Medical	1128 N Main ST	06/13/2022
12	Brother's BBQ	1055 N Main ST	06/07/2022
13	Browning Springs Middle School	357 W Arch ST	06/01/2022
14	Carhartt Cutting Facility	4550 Hanson RD	06/08/2022
15	Carris Counseling And Behavioral Health	4730 Hanson RD	06/01/2022
16	Cavanaugh Pools	951 National Mine DR	06/07/2022
17	Champion Trophies	1235 S Main ST	06/01/2022
18	Comfort Inn & Suites	545 Powell DR	06/03/2022
19	Cracker Barrel Old Country Store	1780 E Center ST	06/07/2022
20	Crist Dentistry	1340 S Main ST	06/08/2022
21	Cross Creek Apartments	1505 Island Ford RD	06/13/2022
22	Dollar Tree	1777 S Main ST	06/01/2022
23	E&M HVAC	98 Nebo RD	06/08/2022
24	Exotic Florist	1909 South Main ST	06/01/2022
25	First Care Clinic	1350 N Main ST	06/01/2022
26	Hidden Hills Apartments	516 Conner CT	06/07/2022
27	Kelly's Concrete Place	918 S Main ST	06/01/2022
28	Kentucky Farm Bureau	585 Nebo	06/07/2022
29	Knight Technologies	648 S Main ST	06/03/2022
30	Liquor Stop II	4805 Hanson RD	06/01/2022
31	Little Bethal Baptist	445 Thompson AVE	06/07/2022
32	Madisonville Church of Christ	1035 N Main ST	06/22/2022
33	McCay Chiropractic	920 S Main ST	06/01/2022
34	Mutt City	575B Mccoy AVE	06/01/2022
35	New Horizons Realty	671 E Arch ST	06/07/2022
36	Off Center Auto Repair	782 E Center St ST	06/03/2022
37	Office of the Commonwealth's Attorney	52 E Broadway ST	06/07/2022
38	Oh Sew Sweet Boutique	210 E Arch ST	06/01/2022
39	Quality Pizza	506 E Center ST	06/07/2022
40	River City Pawn	710 E Center ST	06/07/2022
41	Saint Mary's Episcopal Church	163 N Main ST	06/07/2022
42	Suite A- Barbie Hunt Studio Suite B-	113 E Center ST	06/13/2022
43	Sunoco Gas Station #9021288	600 W Noel AVE	06/07/2022
44	Sunshine Oil and Gas	458 N Main ST	06/01/2022
45	U.S. Bank	665 E Center ST	06/03/2022
46	Vacant Building (Formerly Cute as a	353 E Center ST	06/07/2022
47	Vette Dreams	18 N Franklin ST	06/08/2022
48	Virge Pest Pro	671 E Arch ST	06/07/2022
49	Wellness Family Chiropratic	2720 N Main ST	06/13/2022
50	Wendy's	803 E Center ST	06/07/2022
51	West Broadway Elementary School	127 W Broadway ST	06/07/2022
52	Willow Run Apartments	901 Princeton RD	06/07/2022
53	Woodruff Supply	628 Lincoln AVE	06/08/2022
54	Workforce Connections/ MSHA/ Hopkins	150 School AVE	06/07/2022
55	WTTL	265 S Main ST	06/03/2022

Communication: Fire Department Report (Department Reports)

Madisonville Fire Department

Community Events

June 2022



Public Education			
1	06/01/2022	School Event	Christ the King Preschool Visit
2	06/04/2022	Public Education	Citizens Fire Academy
3	06/09/2022	Fire Extinguisher Class	Fire Extinguisher Training at Public Works
4	06/10/2022	Fire Extinguisher Class	Fire Extinguisher Training at Public Works
5	06/15/2022	Fire Extinguisher Class	Fire Extinguisher Training at Madisonville Airport
Public Relations			
6	6/10/2022	Station Tour	Station Tour for Ms. Robbie's daycare
7	6/12/2022	Public Relations Presence	PRP Golf Ball Drop
8	6/13/2022	Public Relations Presence	Coalfield Comments
9	6/17/2022	Public Relations Presence	Juneteenth Celebration
10	6/18/2022	Public Relations Presence	Juneteenth Celebration
11	6/19/2022	Public Relations Presence	Juneteenth Celebration
12	6/21/2022	Walk through	Facility walk through
13	6/29/2022	Community Event	Park Detail
14	6/29/2022	Public Relations Presence	Christian Assembly Fireworks
15	6/29/2022	Station Tour	Station Tour

**CITY OF MADISONVILLE
RESOLUTION**

AMENDMENT TO THE PERSONNEL POLICY AND EMPLOYEE HANDBOOK

BE IT ORDERED that the City of Madisonville amends City of Madisonville Personnel Policy to reflect the changes pursuant to HB 345, amending KRS 61.394, from the 2022 Legislative Session, and are as follows:

Section 8 Paid and Unpaid Leaves

Military Leave

- (4) In any one federal fiscal year (October 1-September 30), all full-time and part-time employees involved in military service for the United States or the Commonwealth of Kentucky are eligible [upon request of the employee.] to be paid their normal wages for a maximum of calendar 21 days while on military leave. Employees will only be paid based on the days they would have been scheduled to work if not for military leave. Any unused military leave in a federal fiscal year shall be carried over to the next year. Any unused military leave shall expire two years after it has accrued.
- (5) An employee shall be entitled to military leave without loss of time, pay, regular leave, impairment of efficiency rating, or any other employment rights or benefits to which the employee is entitled, [while:
 - a. In the performance of duty or training in the service of a state or of the United States under competent orders as specified in this section;
 - b. Physically disabled as a result of an injury, illness, or disease incurred or aggravated in the line of duty while performing active-duty or inactive-duty training; or
 - c. Entitled to incapacitation pay pursuant to 37 U.S.C. sec. 204.
 - d. Leave pursuant to paragraphs (b) and (c) of paragraph (5) shall not exceed six months unless approved by the employee's appointing authority.
- (6) Benefits in paragraph (5) include ~~including~~ employer contributions that would have been paid into CERS if the employee had not been on military leave. Employer-provided CERS contributions will only be paid [to KPPA] if the employee returns to work with the city upon honorable discharge from the military.
- (7) Employees called to active duty should fill out the Active Duty Military Leave Notification (HR Form 27) as soon as practicable.

ADOPTED on this 18th day of July, 2022.

ATTEST:

**CITY OF MADISONVILLE
RESOLUTION**

RESOLUTION TO ACCEPT BIDS FOR THE AHLSTROM SANITARY SEWER EXTENSION

WHEREAS, the City of Madisonville advertised bids for the Ahlstrom Sanitary Sewer Extension to be opened on July 14, 2022 at 2:00 p.m.; and

WHEREAS, the City of Madisonville received two bid(s) as follows:

Name	Bid Amount
Bobby Luttrell and Sons, LLC	\$429,875.00
Twin State Utilities, Inc.	\$594,260.00

WHEREAS, Bobby Luttrell and Sons, LLC was the lowest bid received.

WHEREAS, THE City of Madisonville has renegotiated the contract by purchasing the 8 inch pipe and the 10 inch pipe material at a lower cost per unit and removing the asphalt from the Contract leaving a lower price of \$326,650.43.

NOW THEREFORE, BE IT RESOLVED that the City Council accepts and awards the bid to Bobby Luttrell and Sons, LLC in the amount of \$326,650.43.

ADOPTED on this 18th day of July, 2022.

ATTEST:

Bid Tabulation
Ahlstrom Sanitary Sewer Extension

Bid Location: City of Madisonville
 67 North Main Street
 Madisonville, KY 42431

Bid Date/Time: July 14, 2022 @ 2:00 p.m. CST

	BIDDER	TOTAL BID
1	Abbico Contracting, LLC	
2	Bobby Luttrell and Sons, LLC	429,875.00
3	Cumberland Pipeline, LLC	
4	M&G Services, LLC	
5	M. Bowling, Inc.	
6	Scott and Ritter, Inc.	
7	Twin States Utilities, Inc.	594,260.00
8		
9		
10		

SECTION 00300 - BID FORM

BIDDER'S PROPOSAL
Ahlstrom Sanitary Sewer Extension
City of Madisonville

Proposal of Bobby Luttrell and Sons, LLC (hereinafter called
 "BIDDER"), a LLC (corporation, partnership, or
 individual) organized and existing under the laws of the state of Kentucky,
 doing business as Bobby Luttrell and Sons, LLC
 to the **City of Madisonville**, (hereinafter called "OWNER").

In compliance with the Advertisement for Bids, BIDDER hereby proposes to furnish all equipment, materials and labor for the WORK required for the sewer system improvements included in this Bidder's proposal. The improvements shall be constructed in strict accordance with the CONTRACT DOCUMENTS, within the time set forth herein, and at the prices provided in this Bidder's proposal.

The OWNER will select the successful BIDDER based on criteria identified in the CONTRACT DOCUMENTS (total amount of base bid, qualifications, etc.).

The BID amounts provided shall include all labor, materials, overhead, profit, insurance and other costs necessary to cover the finished WORK of the several kinds. The BIDDER must fill in all blank spaces provided in the Bid Form including all unit and total costs.

By submission of this BID, the BIDDER certifies, and in the case of a joint BID, each party thereto certifies as to its own organization, that this BID has been arrived at independently, without consultation, communication or agreement as to any matter relating to this BID, with any other BIDDER or with any competitor.

BIDDER hereby agrees to commence WORK under this CONTRACT on or before a date to be specified in the Notice to Proceed and to fully complete the project within **one hundred twenty (120)** consecutive calendar days thereafter. BIDDER hereby agrees to complete the WORK for the price provided in the Bid Schedule. BIDDER further agrees to pay liquidated damages, in accordance with the Schedule of Liquidated Damages included provided in Section 00700 – General Conditions, for each consecutive calendar day beyond the authorized contract period.

BASE BID SCHEDULE
Ahlstrom Sanitary Sewer Extension

Item	Description	Qty	Unit	Unit Cost	Total Amount
1.	General Conditions	1	LS	15,000.00	15,000.00
2.	8-inch PVC SDR 35 Gravity Sewer	250	LF	150.00	37,500.00
3.	10-inch PVC SDR 35 Gravity Sewer	1,549	LF	125.00	193,625.00
4.	18-inch Steel Casing Pipe – Bore and Jack	60	LF	425.00	25,500.00
5.	4-foot Sanitary Sewer Manhole	7	EA	7,250.00	50,750.00
6.	Rehabilitate Existing Manhole	1	EA	15,000.00	15,000.00
7.	Connect to Existing Manhole	1	EA	2,500.00	2,500.00
8.	Remove Existing Manhole	1	EA	2,500.00	2,500.00
9.	Reconnect Existing Grinder Pump Station Force Main	1	EA	2,500.00	2,500.00
10.	6-inch PVC SDR 21 Force Main Stub Out	1	EA	2,500.00	2,500.00
11.	4-inch PVC SDR 35 Lateral	100	LF	65.00	6,500.00
12.	4-inch Sanitary Sewer Cleanout Assembly	5	EA	1,200.00	6,000.00
13.	Bituminous Pavement Replacement	200	SY	350.00	70,000.00
TOTAL BASE BID (Items 1 through 13)					429,875.00

TOTAL BASE BID AMOUNT expressed in words:

Four Hundred Twenty-Nine Thousand,

Eight Hundred Seventy-Five Dollars and **No** Cents.

Accompanying this Bidder's Proposal is a certified check or BID BOND in the sum of (words and figures):

5% Bid Bond

Dollars and Cents (\$).

that equals five percent (5%) of the BID amount. The BIDDER, by submittal of this BID, agrees with the OWNER that the amount of the BID security deposited with this BID fairly and reasonably represents the amount of damages the OWNER will suffer due to the failure of the BIDDER to successfully secure and enter into the AGREEMENT.

BIDDER acknowledges receipt of the following ADDENDA: **N/A**

Addendum No. ___ dated _____ Addendum No. ___ dated _____

BIDDER agrees that the OWNER reserves the right to delete the whole or any part of the PROJECT from the CONTRACT. BIDDER understands that the OWNER reserves the right to reject any or all BIDS and to waive any informalities in the Bidding. BIDDER agrees that this BID shall be good and may not be withdrawn for a period of sixty (60) consecutive calendar days after the actual date of BID opening.

Within ten (10) consecutive calendar days after receiving written Notice of Award of this BID by the OWNER, the BIDDER will execute and deliver to the OWNER four (4) copies of the

SECTION 00300 - BID FORM

BIDDER'S PROPOSAL
Ahlstrom Sanitary Sewer Extension
City of Madisonville

Proposal of Twin States Utilities & Excavation, Inc. (hereinafter called "BIDDER"), a Corporation (corporation, partnership, or individual) organized and existing under the laws of the state of Kentucky, doing business as Twin States Utilities & Excavation, Inc., to the **City of Madisonville**, (hereinafter called "OWNER").

In compliance with the Advertisement for Bids, BIDDER hereby proposes to furnish all equipment, materials and labor for the WORK required for the sewer system improvements included in this Bidder's proposal. The improvements shall be constructed in strict accordance with the CONTRACT DOCUMENTS, within the time set forth herein, and at the prices provided in this Bidder's proposal.

The OWNER will select the successful BIDDER based on criteria identified in the CONTRACT DOCUMENTS (total amount of base bid, qualifications, etc.).

The BID amounts provided shall include all labor, materials, overhead, profit, insurance and other costs necessary to cover the finished WORK of the several kinds. The BIDDER must fill in all blank spaces provided in the Bid Form including all unit and total costs.

By submission of this BID, the BIDDER certifies, and in the case of a joint BID, each party thereto certifies as to its own organization, that this BID has been arrived at independently, without consultation, communication or agreement as to any matter relating to this BID, with any other BIDDER or with any competitor.

BIDDER hereby agrees to commence WORK under this CONTRACT on or before a date to be specified in the Notice to Proceed and to fully complete the project within **one hundred twenty (120)** consecutive calendar days thereafter. BIDDER hereby agrees to complete the WORK for the price provided in the Bid Schedule. BIDDER further agrees to pay liquidated damages, in accordance with the Schedule of Liquidated Damages included provided in Section 00700 – General Conditions, for each consecutive calendar day beyond the authorized contract period.

BASE BID SCHEDULE
Ahlstrom Sanitary Sewer Extension

Item	Description	Qty	Unit	Unit Cost	Total Amount
1.	General Conditions	1	LS	25,000. ⁰⁰	25,000. ⁰⁰
2.	8-inch PVC SDR 35 Gravity Sewer	250	LF	228. ⁰⁰	57,000. ⁰⁰
3.	10-inch PVC SDR 35 Gravity Sewer	1,549	LF	240. ⁰⁰	371,760. ⁰⁰
4.	18-inch Steel Casing Pipe – Bore and Jack	60	LF	610. ⁰⁰	36,600. ⁰⁰
5.	4-foot Sanitary Sewer Manhole	7	EA	6,500. ⁰⁰	45,500. ⁰⁰
6.	Rehabilitate Existing Manhole	1	EA	6,500. ⁰⁰	6,500. ⁰⁰
7.	Connect to Existing Manhole	1	EA	5,500. ⁰⁰	5,500. ⁰⁰
8.	Remove Existing Manhole	1	EA	3,500. ⁰⁰	3,500. ⁰⁰
9.	Reconnect Existing Grinder Pump Station Force Main	1	EA	7,500. ⁰⁰	7,500. ⁰⁰
10.	6-inch PVC SDR 21 Force Main Stub Out	1	EA	8,500. ⁰⁰	8,500. ⁰⁰
11.	4-inch PVC SDR 35 Lateral	100	LF	100. ⁰⁰	10,000. ⁰⁰
12.	4-inch Sanitary Sewer Cleanout Assembly	5	EA	1,100. ⁰⁰	5,500. ⁰⁰
13.	Bituminous Pavement Replacement	200	SY	87. ⁰⁰	17,400. ⁰⁰
TOTAL BASE BID (Items 1 through 13)					\$ 594,260.⁰⁰

TOTAL BASE BID AMOUNT expressed in words:

Five Hundred Ninety Four Thousand Two Hundred
Sixty Dollars and 210 Cents.

Accompanying this Bidder's Proposal is a certified check or BID BOND in the sum of (words and figures):

Twenty Nine Thousand Seven Hundred Thirtyn
Seven Dollars and 210 Cents (\$29,713.⁰⁰).

that equals five percent (5%) of the BID amount. The BIDDER, by submittal of this BID, agrees with the OWNER that the amount of the BID security deposited with this BID fairly and reasonably represents the amount of damages the OWNER will suffer due to the failure of the BIDDER to successfully secure and enter into the AGREEMENT.

BIDDER acknowledges receipt of the following ADDENDA:

Addendum No. ___ dated _____ Addendum No. ___ dated _____

BIDDER agrees that the OWNER reserves the right to delete the whole or any part of the PROJECT from the CONTRACT. BIDDER understands that the OWNER reserves the right to reject any or all BIDS and to waive any informalities in the Bidding. BIDDER agrees that this BID shall be good and may not be withdrawn for a period of sixty (60) consecutive calendar days after the actual date of BID opening.

Within ten (10) consecutive calendar days after receiving written Notice of Award of this BID by the OWNER, the BIDDER will execute and deliver to the OWNER four (4) copies of the

ECLIPSE ENGINEERS, PLLC
 113 West Mt. Vernon Street
 Somerset, Kentucky 42501
 (606) 451-0959

ANTICIPATED CONTRACT AMOUNT

PROJECT: **Ahlstrom Sanitary Sewer Extension**
 LOCATION: Madisonville, Kentucky
 BID DATE: 7/14/2022
 BID TIME: 2:00 P.M.

Bobby Luttrell and Sons, LLC
 11693 State Route 69 North
 Dundee, KY 42338

ITEM NO.	ITEM DESCRIPTION	UNIT	QTY	UNIT COST	TOTAL
1	General Conditions	LS	1	\$15,000.00	\$15,000.00
2	8-inch PVC SDR 35 Gravity Sewer	LF	250	\$137.49	\$34,372.50
3	10-inch PVC SDR 35 Gravity Sewer	LF	1,549	\$105.57	\$163,527.93
4	18-inch Steel Casing Pipe – Bore and Jack	LF	60	\$425.00	\$25,500.00
5	4-foot Sanitary Sewer Manhole	EA	7	\$7,250.00	\$50,750.00
6	Rehabilitate Existing Manhole	EA	1	\$15,000.00	\$15,000.00
7	Connect to Existing Manhole	EA	1	\$2,500.00	\$2,500.00
8	Remove Existing Manhole	EA	1	\$2,500.00	\$2,500.00
9	Reconnect Existing Grinder Pump Station Force Main	EA	1	\$2,500.00	\$2,500.00
10	6-inch PVC SDR 21 Force Main Stub Out	EA	1	\$2,500.00	\$2,500.00
11	4-inch PVC SDR 35 Lateral	LF	100	\$65.00	\$6,500.00
12	4-inch Sanitary Sewer Cleanout Assembly	EA	5	\$1,200.00	\$6,000.00
13	Bituminous Pavement Replacement	SY	200	\$0.00	\$0.00
					\$326,650.43

This Unit Cost represents the cost from the Bidder less \$12.51 which was the price per foot for 8-inch PVC SDR 35 at Bid

This Unit Cost represents the cost from the Bidder less \$19.43 which was the price per foot for 10-inch PVC SDR 35 at Bid

These Unit Costs could further reduce the Contract amount if the City purchases this material

This City should remove this item from the Contract and pave from an annual agreement contract

July 15, 2022

Mr. Dustin Kittinger
Superintendent
Sewer Collection System
604 McCoy Avenue
Madisonville, Kentucky 42431

Re: Recommendation for Award
Ahlstrom Sanitary Sewer Extension

Dear Mr. Todd:

I have compiled the bid tabulations as received by the City of Madisonville for the project referenced above on July 15, 2022 and have attached the certified original. I have examined the bids and have checked references of the low bidder, Bobby Luttrell and Sons, LLC

With that, I recommend that the City of Madisonville award the Contract to Bobby Luttrell and Sons, LLC for the anticipated, negotiated lower amount of \$326,650.43. The Bidder has verbally stated that the City may purchase the pipe material, which is represented herein with the 8-inch and 10-inch pipe reductions to the Unit Prices. Further reductions could be obtained with the City's purchase of 18-inch steel casing and 4-inch PVC lateral.

Please do not hesitate to call if you have any questions.

Sincerely,
Eclipse Engineers, PLLC



Alan R. Robinson, P.E.
President

Attachment: Recommendation for Award (2015 : Resolution to Accept Bids for the Ahlstrom Sanitary Sewer Extension)

**CITY OF MADISONVILLE
RESOLUTION**

**RESOLUTION TO ACCEPT BID FOR WESTSIDE WASTE WATER TREATMENT PLANT
FINAL CLARIFIER NO. 1 REHABILITATION**

WHEREAS, the City of Madisonville advertised bids for the Westside Waste Water Treatment Plant Final Clarifier No. 1 Rehabilitation to be opened on July 14, 2022 at 1:30 p.m.; and

WHEREAS, the City of Madisonville received two bid(s) as follows:

Name	Bid Amount
Herrick Co., Inc.	\$880,000.00
Pace Contracting, LLC	\$872,000.00

WHEREAS, Pace Contracting, LLC was the lowest bid received that and it 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 Pace Contracting, LLC in the amount of \$872,000.00.

ADOPTED on this 18th day of July, 2022.

ATTEST:

Bid Tabulation
Westside WWTP Clarifier No. 1 Rehabilitation

Bid Location: City of Madisonville
 67 North Main Street
 Madisonville, KY 42431

Bid Date/Time: July 14, 2022 @ 1:30 p.m. CST

	BIDDER	TOTAL BID
1	Aladdin Electric, Inc.	
2	Herrick Co., Inc.	880,000. ⁰⁰
3	M. Bowling, Inc.	
4	Mohon Blasting and Coatings, LLC	
5	Pace Contracting, LLC	872,000. ⁰⁰
6	Seven Brothers Painting, LLC	
7		
8		
9		

SECTION 00300 - BID FORM

BIDDER'S PROPOSAL**Westside Wastewater Treatment Plant Final Clarifier No. 1 Rehabilitation
City of Madisonville**

Proposal of Herrick Company, Inc. (hereinafter called
 "BIDDER"), a corporation (corporation, partnership, or
 individual) organized and existing under the laws of the state of Kentucky,
 doing business as a general contractor
 to the **City of Madisonville**, (hereinafter called "OWNER").

In compliance with the Advertisement for Bids, BIDDER hereby proposes to furnish all equipment, materials and labor for the WORK required for the sewer system improvements included in this Bidder's proposal. The improvements shall be constructed in strict accordance with the CONTRACT DOCUMENTS, within the time set forth herein, and at the prices provided in this Bidder's proposal.

The OWNER will select the successful BIDDER based on criteria identified in the CONTRACT DOCUMENTS (total amount of base bid, qualifications, etc.).

The BID amounts provided shall include all labor, materials, overhead, profit, insurance and other costs necessary to cover the finished WORK of the several kinds. The BIDDER must fill in all blank spaces provided in the Bid Form including all unit and total costs.

By submission of this BID, the BIDDER certifies, and in the case of a joint BID, each party thereto certifies as to its own organization, that this BID has been arrived at independently, without consultation, communication or agreement as to any matter relating to this BID, with any other BIDDER or with any competitor.

BIDDER hereby agrees to commence WORK under this CONTRACT on or before a date to be specified in the Notice to Proceed and to fully complete the project within **one hundred eighty (180)** consecutive calendar days thereafter. BIDDER hereby agrees to complete the WORK for the price provided in the Bid Schedule. BIDDER further agrees to pay liquidated damages, in accordance with the Schedule of Liquidated Damages included provided in Section 00700 – General Conditions, for each consecutive calendar day beyond the authorized contract period.

BID SCHEDULE
Westside Wastewater Treatment Plant Final Clarifier No. 1 Rehabilitation

ITEM NO.	DESCRIPTION	LUMP SUM PRICE	
		(WORDS)	(FIGURES)
1.	TOTAL LUMP SUM BID AMOUNT	EIGHT HUNDRED, EIGHTY THOUSAND dollars and 0 cents.	\$ 880,000 ⁰⁰

TOTAL BASE BID AMOUNT expressed in words:

EIGHT HUNDRED, EIGHTY THOUSAND

Dollars and ZERO Cents.

Accompanying this Bidder's Proposal is a certified check or BID BOND in the sum of (words and figures):

Five Percent of Bid

Dollars and _____ Cents (\$ 5%).

that equals five percent (5%) of the BID amount. The BIDDER, by submittal of this BID, agrees with the OWNER that the amount of the BID security deposited with this BID fairly and reasonably represents the amount of damages the OWNER will suffer due to the failure of the BIDDER to successfully secure and enter into the AGREEMENT.

BIDDER acknowledges receipt of the following ADDENDA:

Addendum No. 1 dated 7/8/22

Addendum No. dated

BIDDER agrees that the OWNER reserves the right to delete the whole or any part of the PROJECT from the CONTRACT. BIDDER understands that the OWNER reserves the right to reject any or all BIDS and to waive any informalities in the Bidding. BIDDER agrees that this BID shall be good and may not be withdrawn for a period of ninety (90) consecutive calendar days after the actual date of BID opening.

Within ten (10) consecutive calendar days after receiving written Notice of Award of this BID by the OWNER, the BIDDER will execute and deliver to the OWNER four (4) copies of the AGREEMENT and such other required CONTRACT DOCUMENTS.

SECTION 00300 - BID FORM

BIDDER'S PROPOSAL**Westside Wastewater Treatment Plant Final Clarifier No. 1 Rehabilitation
City of Madisonville**

Proposal of Pace Contracting, LLC (hereinafter called
 "BIDDER"), a Limited Liability Company (corporation, partnership, or
 individual) organized and existing under the laws of the state of Kentucky,
 doing business as Pace Contracting, LLC,
 to the **City of Madisonville**, (hereinafter called "OWNER").

In compliance with the Advertisement for Bids, BIDDER hereby proposes to furnish all equipment, materials and labor for the WORK required for the sewer system improvements included in this Bidder's proposal. The improvements shall be constructed in strict accordance with the CONTRACT DOCUMENTS, within the time set forth herein, and at the prices provided in this Bidder's proposal.

The OWNER will select the successful BIDDER based on criteria identified in the CONTRACT DOCUMENTS (total amount of base bid, qualifications, etc.).

The BID amounts provided shall include all labor, materials, overhead, profit, insurance and other costs necessary to cover the finished WORK of the several kinds. The BIDDER must fill in all blank spaces provided in the Bid Form including all unit and total costs.

By submission of this BID, the BIDDER certifies, and in the case of a joint BID, each party thereto certifies as to its own organization, that this BID has been arrived at independently, without consultation, communication or agreement as to any matter relating to this BID, with any other BIDDER or with any competitor.

BIDDER hereby agrees to commence WORK under this CONTRACT on or before a date to be specified in the Notice to Proceed and to fully complete the project within **one hundred eighty (180)** consecutive calendar days thereafter. BIDDER hereby agrees to complete the WORK for the price provided in the Bid Schedule. BIDDER further agrees to pay liquidated damages, in accordance with the Schedule of Liquidated Damages included provided in Section 00700 – General Conditions, for each consecutive calendar day beyond the authorized contract period.

BID SCHEDULE
Westside Wastewater Treatment Plant Final Clarifier No. 1 Rehabilitation

ITEM NO.	DESCRIPTION	LUMP SUM PRICE	
		(WORDS)	(FIGURES)
1.	TOTAL LUMP SUM BID AMOUNT	<u>Eight hundred seventy</u> <u>two thousand</u> dollars and <u>00</u> cents.	<u>\$ 872,000.00</u>

TOTAL BASE BID AMOUNT expressed in words:

Eight Hundred Seventy Two Thousand Dollars and Zero Cents.

Accompanying this Bidder's Proposal is a certified check or BID BOND in the sum of (words and figures):

Five Percent of the Total Amount bid (5%)

_____ Dollars and _____ Cents (\$ _____).

that equals five percent (5%) of the BID amount. The BIDDER, by submittal of this BID, agrees with the OWNER that the amount of the BID security deposited with this BID fairly and reasonably represents the amount of damages the OWNER will suffer due to the failure of the BIDDER to successfully secure and enter into the AGREEMENT.

BIDDER acknowledges receipt of the following ADDENDA:

Addendum No. 1 dated 07/08/2022

Addendum No. dated

BIDDER agrees that the OWNER reserves the right to delete the whole or any part of the PROJECT from the CONTRACT. BIDDER understands that the OWNER reserves the right to reject any or all BIDS and to waive any informalities in the Bidding. BIDDER agrees that this BID shall be good and may not be withdrawn for a period of ninety (90) consecutive calendar days after the actual date of BID opening.

Within ten (10) consecutive calendar days after receiving written Notice of Award of this BID by the OWNER, the BIDDER will execute and deliver to the OWNER four (4) copies of the AGREEMENT and such other required CONTRACT DOCUMENTS.

Certified Bid Tabulation
Westside WWTP Clarifier No. 1 Rehabilitation

Bid Location: City of Madisonville
67 North Main Street
Madisonville, KY 42431

Bid Date/Time: July 14, 2022 @ 1:30 p.m.

	BIDDER	TOTAL BID
1	Pace Contracting, LLC	\$872,000.00
2	Herrick Company, Inc.	\$880,000.00

I certify that these bid tabulations are a true and correct tabulation of the bids received by the City of Madisonville on July 14, 2022 at 1:30 p.m.

BY: 
ALAN R. ROBINSON, P.E.



7/17/2022

July 15, 2022

Mr. Alan Todd
Superintendent
Westside WWTP
1715 A.C. Slaton Road
Madisonville, Kentucky 42431

Re: Recommendation for Award
Westside WWTP Clarifier No. 1 Rehabilitation

Dear Mr. Todd:

I have compiled the bid tabulations as received by the City of Madisonville for the project referenced above on July 14, 2022 and have attached the certified original. I have examined the bids and have checked references of the low bidder, Pace Contracting, LLC. With that, I recommend that the City of Madisonville award the Contract to Pace Contracting, LLC for the amount of their bid of \$872,000.00

Please do not hesitate to call if you have any questions.

Sincerely,
Eclipse Engineers, PLLC



Alan R. Robinson, P.E.
President



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

SCHEDULED

ITEM FOR DISCUSSION (ID # 2017)

Meeting: 07/18/22 04:30 PM
Department: City Clerk Department
Category: Street Closure
Prepared By: Kim Blue
Initiator: Kim Blue
Sponsors:
DOC ID: 2017

8.B.1

Permission to close streets for Summer Sizzler Youth Basketball Tournament

Request to close Elm Street (Hopewell to Earle) and Martin Luther King Jr. Way - July 28th - July 31st



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

SCHEDULED

ITEM FOR DISCUSSION (ID # 2018)

Meeting: 07/18/22 04:30 PM
Department: City Clerk Department
Category: Purchase
Prepared By: Kim Blue
Initiator: Kim Blue
Sponsors:
DOC ID: 2018

8.B.2

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

CONSIDERATION OF MOTION OF CITY COUNCIL TO GO INTO 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.