**BEREA CITY COUNCIL REGULAR MEETING JUNE 7, 2016**

The Berea City Council met in a regular session, Tuesday, June 7, 2016; Mayor Steven Connelly presiding. A quorum being present, the meeting was called to order at 6:30 p.m.

**COUNCIL MEMBERS PRESENT**: Terrill, Hembree, Caudill, Wagers, Farmer, Little, Kerby, Powell

**OFFICIALS:** J. Gilbert, R. Stone, C. Chasteen, S. Sandlin, D. Gregory, D. Brumley, E. Fortner, S. Meeks, P. Bloom, K. Hensley, A. Haney

**VISITORS:** Tim Taylor, David Rowlette, Sandy Rowlette, Jim Thacker, Jack Farmer, Bill Sutters, Tom Schultz, Jeanette Rowlette, Craig Williams, Cheyenne Olson, Steve Wilkins

**APPROVAL OF MINUTES: SPECIAL CALLED MEETING MAY 16, 2016**

Hembree motioned, Little seconded to approve the minutes of the special called meeting of May 16, 2016; all ayes.

**MADISON COUNTY HEALTH DEPARTMENT – JIM THACKER**

Mr. Thacker presented information from the health department regarding the Zika Virus carried by mosquitoes. The Zika Virus can cause birth defects, much more severe than the West Nile Virus. He discussed various ways the public can defend themselves and their property from mosquitoes.

**RESOLUTION #15-2016; A RESOLUTION OF THE CITY OF BEREA, KENTUCKY AUTHORIZING THE MAYOR TO MAKE APPLICATION FOR AND, UPON APPROVAL, TO ENTER INTO AN AGREEMENT WITH THE KENTUCKY OFFICE OF HOMELAND SECURITY (KOHS), TO EXECUTE ANY DOCUMENTS WHICH ARE DEEMED NECESSARY BY KOHS TO FACILITATE AND ADMINISTRATOR THE PROJECT AND TO ACT AS THE AUTHORIZED CORRESPONDENT FOR THIS PROJECT. THIS RESOLUTION ALSO ESTABLISHES PROCUREMENT POLICY FOR ANY KOHS APPROVED PROJECT FOR THE FY-2016 APPLICATION CYCLE**

Corporate Counsel read the resolution in its entirety. Kerby motioned, Little seconded to approve the resolution; all ayes.

**RESOLUTION #16-2016; GRIEVANCE PROCEDURE FOR COMPLAINTS RELATING TO SUSPECTED ALLEGATIONS OF DISCRIMINATION ON THE BASIS OF HANDICAPPED STATUS IN BEREA, KENTUCKY**

Corporate Counsel read the resolution in its entity. Caudill motioned, Wagers seconded to approve the resolution; all ayes.

**ORDINANCE #08-2016; ZONE CHANGE: 212 – 304 CHESTNUT STREET & 103 – 108 PARKWAY STREET FROM R-2/B-2 (RESIDENTIAL/MAJOR BUSINESS DISTRICT TO PSF (PUBLIC/SEMI-PUBLIC FACILITIES)**

Corporate Counsel read the ordinance in its entirety; 1st reading.

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**ORDINANCE #09-2016; ZONE CHANGE – TIM TAYLOR & DARLENE TAYLOR FROM I-2 (INDUSTRIAL PARK DISTRICT) TO B-2 (MAJOR BUSINESS DISTRICT)**

Corporate Counsel read the ordinance in its entirety; 1st reading.

**ORDINANCE #10-2016; ADOPTING THE ANNUAL BUDGET FOR THE 2016-2017 FY.**

City Administrator, Randy Stone read some highlighted paragraphs of the annual budget letter he had prepared. Jeanette Rowlette, Director of the KY Guild & Arts Council asked if the city had money set aside for them, he stated funding for the Guild is in the Tourism Budget. Corporate Counsel read the ordinance in its entirety; there were no further questions. 1st reading.

**ASSIGNMENT OF LEASE – BETWEEN BEREA URBAN FARM SUSTAINABLE BEREA**

The Berea Urban Farm dissolved their assigned lot on the south side of Adams Streets and the East side of Grant Street to Sustainable Berea; there were no objections.

**ASSIGNMENT OF LEASE – HONEY SUCKLE VINE TO JEFF FARMER**

Honeysuckle Vine wishes to assign their lease to Jeff Farmer; discussion was held without any objections.

**SALT BID AWARD**

Public Works Director, Dwayne Brumley recommend for the council to accept the bid from Detroit Salt for this year’s road salt purchase. Bid amount was $68.00 per ton; the city normally purchases 1000 ton at the beginning of the winter season. There were no objections.

**AUDIT ENGAGEMENT LETTER – RFH CPA’s CONSULTANTS**

The firm of Ray, Foley, and Hensley is proposing to audit our financial statements of the governmental activities for the City of Berea, Tourism, and the Berea Municipal Utilities for the year ending June 30, 2016. The fee for the service would not exceed $35,000. Discussion was held among the council; Finance Director, Susan Meeks stated there are standard operating procedures the consultants must conform to when preforming an audit, and Mr. Hensley rotates his staff when they look at our financials. Little suggested we consider bidding this process out every 5 years to help save our tax payers money.

**INTER-LOCAL AGREEMENT – POWER PURCHASE – JERRY LITTLE**

Mr. Little reminded the council of the history and discussion that has taken place in the past year regarding the council’s decision to no longer purchase our electric from KU. We expected to have a new provider named by the end of the 2015 calendar year, but we have yet to do so. The council gave notice to receive bids; four bidders proposed to provide our electric and of which our consultants reviewed the RFP’s. Two of the bidders gave the council presentations earlier in the year, they were KU and American

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Municipal America, (AMP Ohio). The consultants prepared a comparison of cost for 2019 and the results were a savings of approximately 1.4 million dollars per year from AMP Ohio, compared to KU. AMP Ohio has a very good reputation, they are a 45 year old company; they are in public power; they are non-profit and has a 131 member municipal electric system. He then quoted other highlights about AMP from their company book. Little motioned to approve the five-year bid beginning in 2019-2024 from AMP Ohio to provide our wholesale electric, and to become a member, and ask BMU to decide if they want to include capacity in the bid; Kerby seconded. Wagers asked if Brown Thornton had prepared the numbers, and Mayor Connelly asked if Mr. Thornton had made the recommendation for the city to accept AMP’s bid. Mayor Connelly stated that he recalled the consultants did not made a recommendation to accept any of the RFP’s. Caudill added that he did not remember a recommendation on any of them either, they made a presentation but not a recommendation. Powell stated that he expected to hear from KYMEA before our final decision. Mayor Connelly stated if the council voted tonight it would be without seeing, or hearing from KYMEA. Kerby asked if KYMEA was included in the RFP process. The council did not wish to receive a RFP from KYMEA. Kerby added that in the matter of process, we have requested and received proposals, we should either accept the proposals we received, or throw those out if we are going to consider an alternative that wasn’t invited in the process in the first place. Mayor Connelly stated the council could ask to renew, or redo the RFP’s to upgrade and include different people, and to accept or reject. KYMEA was not an established company and could not provide a RFP. Powell stated things could change in the next year and we do not have to sign the agreement at this time; even a year ago KU looked good. Terrill felt the consultants were loyal to KYMEA, he called for the vote. Little stated AMP Ohio addressed all our request in the evaluation.

Roll call vote: Terrill-yes, Hembree-no, Caudill-yes, Wagers-yes, Farmer-yes, Little-yes, Kerby-yes, Powell-no. Motion passes.

**INTRODUCTION OF NEW EMPLOYEES:**

Fire Department: Chief Shawn Sandlin introduced three new firefighters; Landon Weaver, coming from Manchester, he is fully certified. Rick Ryker, a Berea College graduate and a previous volunteer fire fighter. Bryan Harguss, from Somerset, he too has been a volunteer fire fighter.

Utility Department: Ed Fortner, the department has two new employees. Tom Robinson who is present this evening will be working at the water plan. He is a Class 4 Certified Water Plant Operator and comes to us from Lancaster. Chad Wallin, who could not be present this evening was hired two weeks ago as a water plant trainee.

**COMMITTEE REPORTS:**

**Audit & Finance** – J. Little – no report.

**Public Works** – C. Powell

The committee met yesterday; much of the old business has been taken care of.

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* The city signed an agreement with Banks Engineering to look at the retention pond at South Cumberland and Hughes Avenue.
* We agreed to paint the curb on Boone Street by Peoples Bank.
* Black top work will be done on Woodford Avenue and Cherry Road Court.
* Black top repair will be done on the parking lot where the Police Administrator office is now located.
* We will work with the Codes Dept. about the ongoing drainage problem on Lester Street to confirm development plans from both parties are correct.
* We received a water complaint from Douglas Street coming from the top of the hill; the water has always been an issue in this area.
* We looked at a water problem on Hidden Creek near the walking trail; we feel the property owners have created different elevations contributed to the problem. This area is part of the flood plain and in a low area.
* The Public Works department is going to shoot grade to see if we can help the water problem on Brooklyn also.
* A streetlight was requested and motioned for approval by Mr. Powell on Walker Branch; Terrill seconded, all ayes.
* The Public Works will continue to monitor the Plaza Drive area.

**Economic Development – C. Hembree**

The group will meet Monday, June 20th at 5:30 p.m.

**RECOGNITION OF VISITORS:**

Craig Williams, representing East Haiti stated that he and his neighbors are reforming a neighborhood watch program. They are very concerned about two issues in their area, the escalating drug problem, and the on-going speeders/traffic. They have invited the police department to come to their next meeting and they plan to go door to door to meet all their neighbors. They want the drug dealers gone from Haiti.

David Rowlette, Director of the Berea Chamber announced the 24th annual golf scramble will be held on June 24th. He asked for feedback from two events that occurred over the week-end, the Volunteer Fire Fighter’s Car Show, and the L & N Days. It was brought to his attention of the double standard that is being openly done here in our community. He distributed photos from the car show displaying the Confederate Flag. He stated that Mayor Connelly took a stand a few months ago about confederate flags “stating that this stuff would not occur on city property”. This just shows how difficult it is as organizers, and planners of these kinds of events to prevent those things, you can ban stuff, but these things still occur in our community. What is fair for one, is fair for all. A resolution was passed, but was open for interpretation and as a result of that, the mayor has scarred our community forever. He ask for the council to consider repealing the resolution, or at least revising it, so that it is has some meat, if that’s what you’re going to do. But at the same time, he feels the Chamber and our community is owed an apology. Mayor Connelly stated that what was prohibited was the sale, or distribution of confederate items. Mr. Rowlette stated that small model cars

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with confederate flags on them were being sold at the car show. It’s impossible to try and regulate these things. Mayor Connelly stated a decal on a car, or hat, or tee-shirt can’t be prohibited but with a willing attitude that something could be resolved. Mr. Rowlette ask why the Chamber was being asked to regulate those items, but others are not? Mr. Rowlette also distributed an article prepared from a high school journalism class stating that it doesn’t speak real highly of our community and looks really bad. The article states that our mayor has said publically numerous times that the event had no economic impact in our community. Last year his staff documented twenty-eight states and eighty of Kentucky’s one hundred and twenty counties present at the festival. Mayor Connelly stated that he does not recall ever saying that it had no impact on our community. Mr. Rowlette asked again to repeal the resolution. Councilperson Kerby added to categorize this as impossible is probably not an accurate statement since we have agencies like the National Park Service, the Kentucky State Fair Board, Amazon, NASCAR, and Wal-Mart; all who have policies that prohibit the sales of confederate material, except as it is used in the depiction of history. If organizations that set out to raise lots and lots of money can do this operationally, I think that we, as the town of Berea can do so also. Rowlette feels the resolution has handicapped them. Powell added that a letter can be included with all event permits, just like the mayor offered to do with the Chamber’s events, stating that we do not want any confederate items sold. Terrill feels is all started because the mayor went to the Human Rights Commission with the letter first.

Craig Williams wanted to add his appreciation for the prompt and outstanding job the police did during the recent hostage situation that took place on East Haiti.

Reid Connelly, from Bob-O-Link; over the past couple of months, being able to attend the hearings about the power selection has been very interesting and enlightening. He understands how at the beginning there was frustration caused by poor presentations, and inaccurate representations of the need to expedite the process. He is somewhat surprised by the decision to move forward after it seemed that the council was so committed to wanting to explore all the options. He commended Councilman Little’s thorough learning of the how power works. He had spoken to members of the council regarding their desire to see more about what KYMEA had to offer, and he feels a dis-service has been done to the town by not looking into another option. He wished the council would have at least went forward to see what KYMEA’s proposal would have looked like, especially since we had more time. At a previous council meeting Councilman Hembree requested the vote be tabled until we had more time. He is sad that the decision has been made and he hopes going forward that the council can move back to one of more planning for foresight, than just a quick reaction. He thanked the council for everything they did with this complicated issue. Councilman Terrill stated that once he gets cheaper electric rates, he will thank them.

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Sandy Rowlette, as a concerned citizen asked to be a little bit more prudent about putting up our agenda’s so that we know about what’s going at the meetings. Also make sure the audio on the video is working, and not selectively. There are a lot of people who watches, and would be present if they knew what was on the agenda. She can help us out on both issues.

**CITY ADMINISTRATOR’S REPORT:**

* There will be mandatory pre-bidders meeting tomorrow in the conference room of City Hall at 2p.m.for the new building; everyone is welcome to attend.
* We have about 143 employees who are about as dedicated to this city; (and in what goes on here every day) than he has ever seen in any other place that he has ever worked. There are some who take risk of their own lives for us. You can’t just single our Police and Fire because things that our Public Works Departments do also, puts them at risk. But when you get into the legal aspects of identifying drug dealers, it’s not an open aggressive act; you have to follow federal law, state law, and officers are well training in these actions. If any citizen has concerns or information in their neighborhoods, concerning any kind of activity, they need to report it to the City Administrator, or especially to the Police Chief. The police department holds regular training and meetings concerning problems in our community, and a lot of the things they do cannot be broadcast in the news, not only for their safety but for everyone that could be involved. They are working on this problem diligently every day. The council has demonstrated their effort to support our employees with their benefits, their pay, and with all the necessary equipment for their day to day activities; our people respond because of the city’s support.

**MAYOR’S COMMENTS:**

Mr. Rowlette has asked for the council consider voting on the confederate flag issue; if they wish to do so, contact Mr. Stone to have it placed on the agenda.

**COUNCIL COMMENTS:**

**Terrill** – wanted to comment on what Craig said about the police department and he was proud last week when there was an officer down in the county that Berea was there assisting.

**Hembree** – echo what Ronnie said.

**Caudill** – following up about the Neighborhood Watch Program, contact Jake Reed or Ken Clark in the Police Department; they will help you get a program started in your neighborhood. It’s all about knowing who your neighbors are, and being mindful of what’s normal or not in your neighborhood, everyone should know their neighbors.

**Farmer** – it’s good to be back, five weeks ago today I received a new knee, and four days later I had a heart attack. But I am back, not full speed, but I’m getting there! I apologize for being absent.

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**Little** – thanked the employees, the department heads, and our administration for the work on our budget, he feels it is a really good budget. He is glad that we could put in a salary increase for our employees, without our employees we wouldn’t have a city, they take care of us.

**Kerby** – thanked the staff and Mr. Stone for the work put in on the budget, making sure that they make good use of our tax money, and for all the work our employees do every day. She thanked, and agreed with Mr. Rowlette, we do need to think guild lines for all city events that we do, to make sure we are consistent. Welcome back to Vi. Also agreed with Craig, it is time we think about a multi-disciplinary approach to the drug issue. It’s not just a police issue, it’s an economic issue, it’s a social issue, it’s a community concern but not just in Berea, but a town like Berea should be able to come up with some solution to help curb some of the drug issues.

**Powell** – agrees with all the comments said, and welcome back Vi.

Meeting adjourned: 8:24 p.m.