**BEREA CITY COUNCIL REGULAR MEETING OCTOBER 18, 2016**

The Berea City Council met in a regular session, Tuesday, October 18, 2016; Mayor Steven Connelly presiding. A quorum being present, the meeting was called to order at 6:30 p.m.

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

**OFFICIALS:** J. Gilbert, C. Chasteen, S. Meeks, D. Brumley, P. Bloom, K. Hensley, D. Isaacs, E. Fortner, K. Clark, K. Coffey

**VISITORS**: Bill Robinson, Beth Meyers, Emerson McAfee, Jr. & Lynetta Chasteen, Jacqueline Bowling, Virginia Bland, Mike Hammonds, Jennifer Napier, David Rowlette, Irving Lowenstein, Jim Davis, Bruce Fraley, Ed LaFontaine, Ken Berry, Ray Decker, Cora Wilson, Joyce Moshier

**APPROVAL OF MINUTES: OCTOBER 4, 2016**

Hembree motioned, Farmer seconded to approve the minutes of October 4, 2016; all ayes.

**PROCLAMATION: KENTUCKY RETIRED TEACHERS ASSOCIATION**

Mayor Connelly read the proclamation declaring the week of October 16-22, 2016 as Retired Teacher’s Appreciation Week. A number of retired teacher’s including Council person Violet Farmer were recognized.

**PROCLAMATION: INDUSTRY APPRECIATION MONTH**

Mayor Connelly read the proclamation declaring October as Industry Appreciation Month in the City of Berea. A luncheon will be held Tuesday, October 25th at noon at the Russel Action Folk Center to recognize our local industries.

**VETERANS RECOGNITION**

Mayor Connelly reported that he had been contacted by Loretta Sherrod recently; he and Councilman Chester Powell met with her last week at Memorial Park to discuss a ceremony that will take place in September 2017. A recognition plaque for Captain Hugh Byrd, a POW/MIA soldier from Berea will presented. Other missing soldiers from Berea will be recognized at the event, as will their families. Powell added that the remains of Capt. Byrd have been located in Vietnam but have not yet been returned to the states, or to his family. Powell traveled back to the war areas in the early 80’s to help with the searches.

Emerson McAfee, President of the Vietnam Veterans of America Chapter 1066 returned with an update on his research of information that he has gained on servicemen that were declared MIA/POW from the Berea/Madison County area. He was able to gain information from all the names he was researching; and he has identified locations around Berea that signs can be placed in their memory. He distributed his information to the council. His group will also like to help with the ceremony that will be held next

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September. Mayor Connelly suggested forming a committee to help with the planning for next year’s event.

**ORDINANCE #20-2016; AN ORDINANCE OF THE CITY OF BEREA, KENTUCKY, DECLARING CERTAIN PROPERTY TO BE SURPLUS AND AUTHORIZING IT TO BE SOLD. – 2ND READING**

Corporate Counsel read the ordinance in its entirety. Little motioned, Farmer seconded; roll call vote, all ayes. Ordinance approved.

**COMMITTEE REPORTS:**

**Audit & Finance** – J. Little; in looking at the recent financial report, the city is in good shape; he is very proud.

**Personnel** – V. Farmer; Brenda McKnight starts Monday in the Tourism Department.

**Public Works** – C. Powell; The committee will meet November 7th at 5pm.

**Economic Development** – C. Hembree; Cricket Wireless is opening a new location in the Berea, a grand opening will be scheduled soon. He invited everyone to attend the Industry Appreciation Luncheon, tickets can be purchased by calling the Chamber Office. There are several locations in Berea who are looking to hire people; look on the KY Career Center web-site for more info. The next workshop will be held on Nov. 15th. There will be a QuickBooks session on Dec. 5th. Mayor Connelly asked if a study has taken place to see how many out of town residents travel to work in, or out of Berea. S. Caudill reported that Ron Crouch of the Economic Development Cabinet had compiled and presented information to the county as a whole. Danny Isaacs has been able to compile information on Berea’s workforce. Caudill added that Jerome Lewis, owner of Papa Leno’s was a guest at the Monday evening meeting. The committee plans to invite other business owners to future meetings to network together and to discuss needs and plans to help grow their business.

Utility Director, Ed Fortner gave a brief update on the building project. During the recent excavation to install the water lines, an old buried tank was discovered from the previous business that was located at 304 Chestnut. The tank was filled with water but looked to be an old fuel storage tank. The project manager and the Public Works Director was notified to determine the proper disposal of the tank. We are confident that we have complied with the required regulations for disposal. The liquid was pumped out and stored in barrels, and will be removed and taken to a mediation facility. We are working with the contractor to remove any, and all possible contaminated soil from the site. Gravel will be replaced to fill the area. Terrill asked if a change order will have to take place to cover the cost. Fortner stated the cost will be determined once the remediation has been completed. Mayor stated that from the report he received, the proper channels have been followed.

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There will be a Public Hearing at the Folk Center, Thursday evening to discuss the Owsley Fork Dam Project. The council and public are invited; we are hoping to capture more water in our existing lake.

**VISITORS:**

Jacqueline Bowling, representing herself stated that Ed LaFontaine recently asked the Mayor for an overview of the Berea Human Rights Commission showing what they have done or accomplished during the years they have been in existence. Nine weeks later he has not received an answer. She recently attended an HRC meeting to learn more about the commission. She asked what group does the committee demographically represent, she was directly by the commission to ask the mayor. Mayor Connelly replied that during the recent years of establishing the committee he has tried to find volunteers to serve who would represent Berea and who have working awareness of employment, housing, and public accommodations. When a person is appointed they are to represent positive human rights outcomes, and to help educate people about the Civil Rights Laws and Regulations. One of the main charges of the commission is try to raise our awareness level of the rules and regulations that we, as the city are expected to comply with. Members represent a broad spectrum of our community. If she would like further information, please give him the benefit of advance knowledge so that he can be able to better respond with accurate comprehensive information for both she, and Mr. LaFontaine. The mayor was prepared to respond to Mr. LaFontaine at the following meeting, but he did not return. Mayor Connelly stated that there is currently an empty seat on the board at this time, and he asked Ms. Bowling if she would be interested in submitting her name to serve; she declined. Ms. Bowling doesn’t feel that the board members represent all demographics of the Berea population. They have no power to solve problems, and they do not represent a cross section of our political parties. She asked if any of the council could answer her questions since the mayor can’t remember more about the committee members. Terrill stated Ali Blair was appointed to serve, she is a business person.

Virginia Bland representing herself and her family; she also wondered if there was anyone serving on the HRC representing disabled people. Mayor Connelly asked if she would interested in serving, she too declined. She came to the council meeting August 16th to question discrimination of the BHR against the disabled. Her family was harassed and then threatened because of a disability. She did not receive any help or assistance from the HRC when she went to them. Ms. Bland announced that October is Disability Employment Awareness Month, but she has not seen any outreach from the HRC directed toward this. She doesn’t feel the city council is holding the HRC accountable even though the mayor said there were measures in place. She attended a meeting of the HRC on September 8th, and submitted a letter to them that she had placed in the Berea Citizen and Richmond Register. The committee did discuss the letter but did not address her personally while she was there. Another issue she has with the HRC is they didn’t post their meeting notice prior to 48 hours, she requested

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the HR commission be disbanded before someone is seriously hurt due to their ineptitude.

Jennifer Napier; President of the Berea Chamber of Commerce reported the Mad/Rock Duck Derby held in Livingston was a huge success and well attended. This was a joint

event with the Berea Chamber and the City of Livingston and there were over 1,000 rubber ducks were sold for the event, of which floated down the Rockcastle River Also, the Geo-Cashing Event was held this past week-end in, and around Berea and was well attended. She received many positive posts and comments about the event, and visitors came from as far away as Wisconsin and Utah. Plans are underway to make Berea a Geo-Cashing Capital of KY.

Ed LaFontaine; he recently attended a Human Rights Commission to gain information about the commission. The meeting he attended followed what was to be a joint effort of The Kentuckians for Commonwealth and the Berea Human Rights to hold a voter registration event at the Folk Center, but the Human Rights Commission had to withdraw. It was said they had to withdraw because of the type of activity they would be conducting would be too partisan in nature. He has information from a member of the commission that comments in the speeches and addresses that were to be made that day, would change so that elements of bias or partisanship could be removed; this is what lead to the resignation of David Schroyer from the board; he had to withdraw from something they had set-up. Mayor Connelly stated that was not the reason Mr. Schroyer indicated in his letter of resignation. LaFontaine stated our Berea Human Rights Commission is concerned for their respect and their integrity, and the respect and integrity that exist with in this community but there is something lacking to support that, it is mediation. They are called, and they are chartered to seek solutions, they had not done that in Ms. Bland’s incident. Mayor Connelly asked Mr. LaFontaine if he would interested in serving on the Human Rights Commission. He declined, stating at one time he would have been interested but he has better things in mind. Mayor Connelly stated it is hard to get business people to volunteer to serve. Mr. LaFontaine stated he feels the commission have missed opportunities to mediate, and even the Mayor had the opportunity to mediate with the issue of whether the Berea Human Rights Commission would continue the partnership with the Kentuckians for the Commonwealth. Mayor Connelly stated that there was a request for a grant from the city, the city has a process when a non-profit places a request for funding. It had not been stated what the service would be used for, and it was not signed. It was received less than 24 hours prior to the event. The council budgets money, but it has formalities, anytime there is a transfer of tax money to a third party, there has to be a contract signed, and there has to be a purpose. The Human Rights Commission is totally volunteer, they do not have a city employee attached to them as some other boards do. Mr. LaFontaine feels mediation needs to be in their charter. The Mayor stated the Human Rights Commission has no enforcement abilities, they can educate and promote

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knowledge of the Federal and State Civil Rights that govern all of us. They can forward complaints on to the Kentucky Commission on Human Rights that are made in the areas of housing, employment, and public accommodations. They don’t have the ability to mediate, they can make suggestions, but the council has not seen fit to cloak the HRC with any enforcement authority.

David Rowlette, Executive Director of the Berea Chamber of Commerce shared three pieces of good information;

* The Chamber Office is relocating to 424 Chestnut St, People Bank annex building by Nov. 1st.
* There are two ribbon cuttings tomorrow; Baptist Heath and Saint Joe Hospital.
* The Richmond Register recognized the Spoon Bread Festival as the “Best in Madison County”. Today, we are already 30 days behind in the planning; our board will be addressing it soon, and the city will be asked to contribute. It is something that our citizens expect, and we are not going to let them down.

Ray Decker; ask if there is money in the city budget for the HRC board? Mayor Connelly stated yes there is. Mr. Decker then asked if they have no power but to lead a person to the state, then if he had a complaint that he would go straight to the state, why does the city have a committee that has no purpose? He doesn’t understand it?

He asked how many business have left town in the last few years; you got one or two coming in, but you have three and four going out; somethings wrong with that picture.

**DEPARTMENT HEADS:**

Shawn Sandlin, Fire Chief reminded the citizens that this is Fire Prevention Month, along with Fall Fire Season which runs up through Dec. 15th. No open burning is allowed without a burning permit. The bid specs have come in for the new Fire Truck and will be opened tomorrow.

**COUNCIL COMMENTS:**

**Terrill** – asked the dates for the next Public Works meeting since the 1st falls on a Tuesday, **Powell** reported it will be held on the 7th.

**Hembree** – the Geo Cashing is quite a spectator sport, he observed many people walking around starring at their phones last week-end. He reminded residents to shop in in Berea.

**Caudill** – wished everyone a Great Halloween; stay safe and have lots of fun.

**Powell** – He appreciated hearing good things coming from the Chamber of Commerce; he hopes the Chamber and city can work towards bringing back the Spoonbread Festival. He appreciates their hard work for the festival, he takes a lot to put on a big community event.

Meeting adjourned; 7:57 p.m.