**BEREA CITY COUNCIL REGULAR MEETING NOVEMBER 7, 2017**

The Berea Council met in a regular session, Tuesday, November 7, 2017; Mayor Steven Connelly presiding. A quorum being present, the meeting was called to order at 6:30 p.m.

* A council work session was held at 5:45 to hear the 2016-2017 Audit findings.

**COUNCIL PRESENT**: J. Davis, B. Fraley, T. Schultz, B. Wooten, J. Little, S. Caudill, C. Wilson, R. Terrill

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

**VISITORS:** Heather Cochran, Ronica Shannon, Kelly McKinney, Melanie Adams Johnson, Ken Scott, Junior and Lanetta Chasteen, Tim Taylor, Shane Morris, Michael Lile, Ron McMaine, Jon Burdette, Bill Suters, Ed LaFontaine, Jacqueline Bowling, David Rowlette, Randy Coffey, John Steinmetz

**INVOCATION & PLEDGE**

**APPROVAL OF AGENDA:**

Mayor Connelly suggested to move the water conservation resolution to follow the Bell Engineering report. Davis motioned to approve the agenda with the change; Fraley seconded; all ayes.

**APPROVAL OF MINUTES; OCTOBER 17, 2017**

Caudill motioned, Little seconded to approve the minutes of October 17, 2017; all ayes.

**HANNAH WALLHAUSSER RECOGNITION**

Mayor Connelly recognized Hannah Wallhausser for her recent record setting of the most goals scored in soccer, in the state of KY. She achieved 201 career goals, averaging 2.8 goals per game. She thanked the mayor and council for publically recognizing her during the council meeting.

**PROCLAMATION = WORLD DIABETES DAY**

Mayor Connelly read and signed the proclamation along with Mayor Jim Barnes and Judge Executive Reagan Taylor declaring November 14, 2017, as National World Diabetes Month. Dr. Melanie Johnson spoke and accepted the proclamation. An event open to the public is on Sat. November 11th for free screenings.

**2016-2017 AUDIT REPORT**

Heather Cochran of Ray, Foley & Hensley reported no incidents or non-compliance was discovered during the recent annual audit. We received a clean opinion from the firm. Caudill motioned to approve, and accept the audit report as presented, Little seconded. All ayes.

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**BELL ENGINEERING-WATER CONSERVATION AND DROUGHT/EMERGENCY CONSERVATION PLAN**

Michael Lile presented the Water Supply/Dam Rehabilitation portion of the presentation. The earthen dam at Owsley Fork that was built in the 70’s was previously designated at a Class B dam, in 2010 an assessment was preformed, and the dam is now considered to be a Class C, due to downstream development. Due to expected growth in our area, and the possibility of droughts, increasing storage in the Owsley Fork Reservoir is our best alternative for both cost, and location.

Ron McMaine also presented the Water Conservation Plan, based on the information gathered for Berea, the long range goal is to reduce projected demand by 1mgd. He went over the suggested measures Berea could take to efficiently reduce our current water usages.

**RESOLUTION #09-2017; WATER CONSERVATION AND WATER RESPONSE PLAN**

Mayor Connelly read the resolution in its entirety. Fraley motioned, Davis seconded to approve and adopt Resolution #09-2017; all ayes.

**ORDINANCE #12-2017; ZONE CHANGE – BEAUMONT DEVELOPMENT – 1300 MULBERRY TRACE**

Corporate Counsel read the ordinance in its entirety; first reading.

**ORDINANCE #13-2017; ZONE CHANGE – BEAUMONT DEVELOPMENT – 1201 WOODCHUCK DRIVE**

Corporate Counsel read the ordinance by title and summary; first ready.

**RANDY COFFEY – PAINT THE TOWN PROPOSAL**

Mr. Coffey stated that in 2005 a resident of Princeton, KY started a grass-roots effort to paint and repair store fronts in his town. He has determined there are at least six buildings in Berea that could use some touch-ups; all currently have businesses in them. The owner would have a say in what color, or area that is to be painted. His group would approach places that could donate the paint. He previously emailed a video to the council of the idea that took place in Princeton, KY. He needs the city’s help with man lifts and labor; this would be a part of a beautification project. He challenged the council to help him, and he is looking for volunteers.

**COMMITTEE REPORTS:**

**Audit & Finance – S. Caudill**

There will be meeting next Monday at 5:30 p.m. Thanks to the auditing firm for the presentation this evening.

**Economic Development – J. Davis**

The committee met on Oct. 23th; Beth Flowers presented a follow-up report of the recent AIR Institute event held in Berea. Danny Isaacs reported the Industrial

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Appreciation luncheon event was well attended. He recently attended a site selector’s luncheon in Atlanta; twenty-eight firms were represented. A grocery feasibility study will be conducted to show if Berea could support another full service grocery store. We are in the beginning phase of planning a Berea Job Fair in April of 2018. Next meeting will be Nov.20th; guest will be FAHE representatives. Davis added that discussion was held on sewer project taking place in the Industrial Park, and Mr. Isaacs recently met with the gentlemen from Somerset who might be interested in investing their business in Berea. Kodu’s to Mr. Isaacs for his work.

**Parks – T. Schultz**

The committee met on Oct. 26th and heard the following; an update on the Duerson Stadium; the Dog Park will include a three phase park expansion project; a second location is being considered; a movie pilot project will proceed to Phase II; received a update from members of the Berea Youth League, plans are underway in adding more opportunities for youth in and around Berea. A program with the Lexington Legends will possibly be added. The 2018 Swing for a Cure Tournament is expected to be bigger and better than last year. Next meeting will be Dec. 28th.

**Personnel – C. Wilson**

No report.

**Public Works – J. Little**

The committee met last evening; the South Cumberland Project is completed and done below cost. Public Works Director, Dwayne Brumley requested that one change order be approved for additional drainage work, moving some of the utilities, and additional blacktop; total change is $86,968.64; bringing the total to $314,553.64. No objections to the change order. Next meeting will be Dec. 4th at 5:30 p.m.

Mayor Connelly noted for all committees to provide the minutes of their meetings to the city clerk to keep on file.

**DEPARTMENT HEADS:**

No additional reports.

**PUBLIC COMMENTS:**

Shane Morris; he stated an issue throughout the South, and most recently here in Lexington, and given that our city government, since 2011 has been very active in matters of personal conscience in determining what is, or what is not accepted culturally; and as part of the on-going cultural revolution with the attacks on historical markers, the council and mayor may not be aware that there three makers on the Berea College property that celebrate colonialism; and not more than 200 yards down the street is a statue that commemorates an individual who was a known opponent of Homosexual marriage, that being one John G. Fee. On the Berea College matter, possibly a resolution asking that those markers be taken down and ground up into dust, and put in the reservoir so that we all can drink it as penitence. There might be enough

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employees here tonight who could go put a tarp over the statue so that it may be removed in the dark of night.

Hubert Chasteen, Jr.; concerning the water issue; he has experience in building dams, and there are a lot of restrictions to building dams. He has looked at the land above Owsley Fork; why can’t they dig 40 foot deep and use the surrounding soil as the dams, and we wouldn’t have to fool with the Core of Engineers. There is no need to ration our water, we could build three or four lakes and leave the dirt between them as the dams, then hook them into Owsley Fork. If it’s going to take until 2020 to get this approved, we could start working on that now and not wait.

**CITY ADMINISTRATOR’S REPORT: R. STONE**

* He appreciates the auditor’s report and the Finance Department and Director, Susan Meeks for getting the information to the auditors as they completed the audit. Our cash balance this Monday was $2,418,722 in General Fund; Tourism had $504,141.
* The new Quint Fire Truck has arrived; the fire fighters are installing the equipment on it now. This is the first truck we have to have rescue equipment installed on it.
* The Valve Exercise Equipment the Utility Department purchased has been received; this equipment will help save time and scheduling on annual valve maintenance, and save on water conservation.
* Members of the staff are working with the Airport Board on the new terminal, and hanger space that is in the planning stages; they are wanting to send a forced main from the airport through Beaumont Subdivision to connect our sewer system. Southern Madison Water will also be involved.
* The US25 Project still has one piece of property waiting on the purchase of the Rights-of-Way; we hope to have it cleared by Nov. 17th.
* The South Broadway property will be surplused for sale; Tri-State Wholesale is interested in purchasing the property in order to expand their business and stay in Berea.
* There is one more piece of property to purchase for the Indian Fort Trail project for Rights-of-Way acquisition, we are in negotiations at this time.
* He, and Mr. VanWinkle recently met with Mr. Hogg to discuss the stadium and press box for the Berea Community School field. Payment was discussed through the school. Toadvine Industry is on the State Contract/Vendor list, therefore, we will not have to bid the project out. The stadium will be ordered in mid Jan. or Feb. for the 2018 season.
* The filtration system for the pool has been ordered; we expect delivery in early spring.
* The Park Staff is working on the Conservation Grant paperwork for the Splash Pad, biding will be in Jan.

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* The Friends of Boone Trace meeting will be this Thursday at the Alumni Building. The city hopes to build the Brushy Fort section of the trail.
* The Ad Hoc Committee of the city council met with the Executive Committee of Tourism last week, it was a very productive 2 hour meeting.
* We have job openings in the Fire Department and Codes Department.

**MAYOR’S COMMENTS:**

There has been a personnel change in the Codes Enforcement office; Dale VanWinkle, who has been the Code Administrator for the past 28 years, is stepping back to be the administrator of the city’s Capital Projects. Amanda Haney has been appointed as our Codes Administrator, she has been employed with the city for six years and has demonstrated strong leadership skills within the department.

As process for the “Due Diligence” of the Utility Contract; he has met with two council members and heard their concerns over the Transmission Contract and Inter-Local Agreement; he ask the remaining council members to share their concerns/descriptions with him during the investigation.

**COUNCIL COMMENTS:**

**Wooten** – thanked the entire city for their outpouring of support during the past week of the three senseless losses of Berea College Students due to drunk drivers. The Berea Business Fest will be held next week, the 13th; 54 vendors are signed up to set-up tables at the event; everyone is invited. Phase 1 of the movie pilot project survey has been completed, and it received very good response, and support. They will now proceed to Phase II, and hopefully begin in 2018.

**Schultz** – Berea is again in the running for the Levitt Amp Concert Series; voting is currently open and Berea is in 12th place. Voting will take place until Nov. 20th, please visit the web-site in order to vote. There are a lot of people who live just outside of the city limits and feel like they don’t have a voice in what goes on in city government; anyone who receives a utility bill from the City of Berea can come to a meeting and voice their opinions concerning the utility contract.

**Fraley** – encouraged everyone to attend the Friends of Boone Trace meeting; Berea needs to be a model to help encourage health and wellness, and to preserve history. Compliments to Danny Isaacs on a successful Industrial Appreciation luncheon, and a job well done. He feels the Ad Hoc Committee and the Tourism Committee held a very positive meeting, many things were discussed. He asked everyone to pause and remember our servicemen for Veterans Day, Nov. 11th.

**Davis** – thanked the Chamber for their help with the Industrial Appreciation Luncheon.

**Caudill** – the rescue equipment on the new Fire Truck is a huge benefit for our department; the truck is being paid in part by a grant from CSEPP. He thanked Randy Coffey for his idea of painting the buildings, and he hopes that he has the opportunity to help; he challenged the other council members to help. Thoughts and prayers to the Berea College community and families.

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**Little** - he requested for the mayor in part of his due diligence, to look into the BMU transmission contract to make sure BMU is only paying what the contract states; find out the reliability of the 30 day notice; and find out what the total cost is for the BMU rate payers to get the 244,500 of savings for buying only 3 months of capacity from KYMEA.

Amp cost to buy 12 month of capacity is 360,000.00. KYMEA cost for 3 months is 115,500.00, a gross savings of 244,500.00 per year for the first 3-years, the last 2-years will be less because it is tied to the consumer price index. Also, the council would like for the mayor to check out our risk factor of not knowing what the administrative cost will be from KYMEA. He asked what is the time table for the mayor’s investigation; he thanked the mayor for doing a due diligence process. Mayor Connelly replied that he hoped to have something ready by the first of the year. He requested for Mr. Little to provide him a list of particular issues he has identified with the two contracts, as well as hear concerns from the other council members. The due diligence process will include more specific objections of the documents. A second aspect is a comment from the Berea Utility Advisory board; and a third aspect will be an opinion from our city auditor of the financial risk involved in the contract within the standards of the industry; a fourth aspect will be an opinion from an independent law firm familiar with utility activities on the financial risk posed by the contracts within the standards of the industry. Lastly he has asked the BMU staff to provide information on the steps that will need to be undertaken if the contracts were terminated, as well as a broader prospective on history of Berea’s relationship with the municipalities over a number of decades, first with the college and then the fifteen years that the city has operated our utilities. This process has already begun and he hopes to have everything ready by the end of the year. He has received a report from the advisory board; he asked the council to consider whether they would like for the mayor and Utility Director to ask to have the 30 day termination from KYMEA be amended to 180 days, making it exactly like AMP’s contract, and respond by the next council meeting. Many of the council members determined they had already voted to terminate the contract. Little responded that he only asked for three concerns of the contract be addressed.

Meeting adjourned: 8:59 p.m.

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Mayor Steven Connelly

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 City Clerk