**BEREA CITY COUNCIL REGULAR MEETING FEBRUARY 6, 2018**

The Berea City Council met in a regular session, Tuesday, February 6, 2018; Mayor Steven Connelly presiding. A quorum being present, the meeting was called to order at 6:30 p.m.

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

**ABSENT:** J. Davis

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

\*A work session was held at 5:40 to hear the changes to the LMDO in reference to ordinance #01-2018; Codes Enforcement Director, Amanda Haney, presented.

**INVOCATION & PLEDGE**

**APPROVAL OF AGENDA:**

Caudill moved, Little seconded to approve the agenda; all ayes.

**APPROVAL OF MINUTES: JANUARY 16, 2018**

Fraley moved, Caudill seconded to approve the minutes of January 16, 2018; all ayes.

**MADISON SOUTHERN FOOTBALL TEAM RECOGNITION/PROCLAMATION**

Mayor Connelly read a proclamation recognizing the football team and proclaiming Wednesday, February 7, 2018 as Madison Southern Varsity Football Day in the city.

**STEPHANIE ROGERS – WOMEN’S CARE CENTER**

Ms. Rogers, Center Manger/Counselor invited the council and public to ribbon cutting on Thursday, February 22, 2018 at 5:30 p.m. The center offers many services including counseling, pregnancy test, and education opportunities to any pregnant woman. They also have an area to provide infants and children with supplies. People can donate at any time; fund raisers are being planned in the upcoming months.

**TINA MCINTOSH – RAILROAD AND SYCAMORE STREET**

Ms. McIntosh stated she lives on Pennington Street, and owns property on Railroad Street; the owners of 103 Railroad have been living in inadequate conditions, tents, and campers without hook-ups, they are burning trash on the property and using the bathroom on the ground without proper facilities. She has called the police and fire departments numerous times; homeless people are also going on to Sycamore Street. There was a hearing with the Codes Enforcement Board two weeks ago; she asked about the status of the hearing. Corporate Counsel responded, stating orders have been placed requiring the property owners to clean-up both properties within 30 days of the hearing. If the orders are not complied with, the city can clean up the properties, and place liens against each property. Ms. McIntosh expressed concerns that Railroad Street has been cleaned up before, but the owners continue to cause problems; she asked about the time table for payments and fines to be paid. Mayor Connelly suggested she seek legal measures with the County Attorney’s office.

Holly Hill resident Jason Conn, asked if the property on the Sycamore Street has in fact been sold. And if so, does this change the status of the orders? Mayor Connelly stated orders issued by the Codes Enforcement Board will be followed.

**BID OPENING – FIRE DEPARTMENT – BREATHING AIR MODULE**

One bid was received from Pro-Air in the amount of $38,600.00. The bid will be referred to the fire department for review and referral.

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**BID RECOMMENDATION – UTILITY DEPARTMENT – FLYGT SUBMERSIBLE PUMP**

Utility Director, Ed Fortner reported two bids were received and opened by Mayor Connelly, witnessed by the City Clerk, Cheryl Chasteen, and himself. Service Specialties bid $31,088.00, and BL Anderson bid $30,663.00. After review the utility department recommends accepting, and awarding the bid to BL Anderson. No objections.

**ACCEPTANCE OF CITY STREETS – VINEYARD SUBDIVISION**

Public Works Director, Dwayne Brumley reported work is now complete on the following streets within the Vineyard Subdivision, he recommended them to be accepted in the city’s maintenance plan.

Sterling Drive; 288 feet

Chardonnay Way; 139 feet

Merlot Court; 672 feet

Vineyard Way; 1063 feet

Total of 2,162 of roadway, assessed value of streets, sidewalks, curbs, gutters, and storm sewer; $540,500. No objections.

**ORDINANCE #01-2018; AMENDING LAND MANAGEMENT AND DEVELOPMENT ORDINANCE – 1ST READING**

Corporate Counsel read the ordinance by title and summary.

**BOARD APPOINTMENTS:**

Mayor Connelly nominated Martin Richards to serve on the P & Z Commission and replace Joyce Mosher, who declined re-appointment. Fraley moved, Caudill seconded to appoint Mr. Richards to serve, all ayes. Kathrine Berry and Betty Olinger agreed to serve another term; Caudill moved, Terrill seconded to approve their re-appointments; all ayes. .Katherine Berry and Terry Manges agreed to serve another term on Board of Adjustments. Fraley moved, Caudill seconded to re-appoint both, all ayes, with Schultz voting no. David Wallace was nominated to serve on Board of Adjustments. Fraley moved, Terrill seconded the nomination; all ayes. Mike Cornelison was nominated to serve on the Board of Ethics. Schultz moved, Little seconded his appointment; all ayes.

Mayor Connelly nominated Richard Olson to serve on Planning and Zoning. Terrill motioned to table the nomination, no second. Nomination died for lack of motion. Any other names for consideration can be submitted to the mayor for the next business meeting.

**BUDGET – J. LITTLE**

Councilman Little presented some history referencing the August 2016 council meeting with a KYMEA presentation on what transmission would cost in our savings. We were told we would pay only an assessment on the transmission portion of the cost estimated to be 8% of the 12% total cost; estimated $9600 to $12,000 per year. On the capacity, we were told if we signed as a member, the 10 megawatts would be free. Fast forward to June, 2017; he asked to see the transmission and capacity contracts to see if we were paying as we told we would at the August 2016 meeting. After reading the contracts, and looking up what we were be charged and paying he asked the administration if were paying as the contracts reads. He still has not received an answer after approximately seven months later. On Nov. 21, 2017 he reminded the administration that at the rate were paying KYMEA in the 54.090 line item, it would have to be amended. Last week he checked the line item in the 2017-18 budget and found that we have spent over the budgeted amount. He then called our CPA firm and spoke to Mr. Jerry Hensley and ask him to explain line items, and requested the information he received to be presented to each of the council members. He asked for our

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Finance Director, Ms. Meeks to schedule a work session with the council to talk about the budget process works.

**CHANGE ORDERS – C. WILSON**

Council person Wilson stated at the last council meeting, the council approved a $68,000 change order that gave them a black eye, because we are spending tax payer’s money. She asked the city administrator if the current procedure for council’s approval of change orders; is it to approve a change order before the work is done, or has the work already been done, or committed to being done. Administrator Stone stated we have had seven change orders on our building project; there are ministerial change orders made to contract, and there are changes we may ask to budget. The change orders we have asked for during the building process are all part of the contract, and in an effort of transparency, we let everyone know what we are doing. None of the change orders we have approved have affected the final budget for the building, nor has it gone over. All the changes orders we have done have been ministerial, they were changes in the project, we ask to complete the fit-up of the basement due to the EOC deciding to move out of our building, and to change out the old elevator; we have not asked for anything to be added to the budget. Mr. McGill fought every change order to our benefit and has saved us enormous amount of money on this entire project. Work sessions held prior to the business meetings will help explain any future change orders.

**COMMITTEE REPORTS:**

**Audit & Finance – S. Caudill**

The committee met last week to further discuss retirement, and the upcoming 2019 Budget, and the amended budget. We will continue to keep an eye on the State Legislative Session for the proposed pension bill and the budget. Both are extremely important to us. We will planning a meeting within the next two weeks.

**Parks – T. Schultz**

The committee met Jan. 25th; we received an update for the “Swing for a Cure” event, and suggestions were presented to upgrade the ball fields. The Matt Ross Fund will donate $1,000 towards changes. Possible ideas to upgrade the Chestnut Street Park were reviewed. A Public Hearing will be held on Feb. 22nd to allow public comment on the proposed “Dog Park”, in the council chambers at 6pm.

**Personnel – C. Wilson**

The committee will met this Thursday to review the department head evaluations forms.

**Public Works** **– J. Little**

The committee discussed future drainage needs around the city. We approved a request for a street light to be installed at the end of Shirley Street.

**Economic Development** **– B. Fraley**

The Women’s Care Center ribbon cutting will be held the 22nd. We have invited Katie Heckman to come to our next council to present information about the new Berea Home Village. The Madison County Young Professional’s organization will be hosting their first networking event also on Feb.22nd. Circuit Court Clerk Allee Combs Whicker was recognized for attending the meeting this evening.

**DEPARTMENT HEADS:**

Utility Director, Ed Fortner referenced the past month’s billing cycle and the higher utility bill’s. We have recently experienced a colder December and January than in past winters. Council person Cora Wilson who was formally a utility employee, added the bills are always mailed out the last working day of the month, and they are always due on the 10th of each month, that has never changed. The late fee is assessed after the 10th if not paid, unless the 10th falls on a week-end, then

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the customer has until the following business day. Late notices are then mailed and a penalty is posted if not paid by the 10th. If the bills are then not paid, cut-offs are usually scheduled after the 20th. The average temperature in December was 29 degrees; city residents should be glad they have BMU, Bluegrass Energy bills are much more expensive. Bills are higher for December because it was colder, it was Christmas, people, and children were home more. Mr. Fortner stated a notice will be mailed out to all our customers to help urge them to conserve their consumption and tips to help keep their homes warmer. January 6th was our peak for highest energy usage in Berea, and we have experienced 10-12 days of below freezing temperatures. BMU has not raised our base rates since 2012.

**PUBLIC COMMENTS:**

None.

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

* We appreciate our Utility Staff time in preparing a notice to be mailed out to our customers.
* The city is much closer to completing the Rights-of-Way acquisition on Short Line Pike; we expect to bid out the construction of the project in April, cost is estimated to be $499,000.
* The mayor signed an agreement today with Berea College to construct the Brushy Fort Trail, the trail will follow Brushy Fort Creek from Slate Lick to Scaffold Cane and will be constructed by our Public Works Department, and will not be paved. Once the trail is constructed, Berea College will formally grant the city an easement from the center line of the path.
* The design of the Cherry Road drainage project does continue, we are presently getting the MOU’s signed of all the property owners that will be most impacted by the project.
* The new filtration tank for the pool will be delivered this week. The Parks Department received notification of a grant they had applied for last fall in the amount of $75,000 to create a Splash Pad area at our pool. We have made every effort to comply with the request from the Department of Local Government, but have been told the funds may not be awarded based on the passage of the Federal Budget. He suggested that we proceed with the construction, it is estimated at a cost of around $155,000; Tourism will contribute $25,000 towards the project. If we choose to wait to see if we get funding, we will not be able to have that area of the baby pool open during the 2018 summer season.
* For the first time since the first Patton administration, the Berea By-Pass has not been recommended by the present administration to be included in the 6-year road plans that has been presented to the legislation. Finishing the By-Pass remains very important to the residential, industrial and economic growth to Berea; I have contacted the state Transportation Cabinet, and have talked to the Senator Carpenter to help us with this, and we will continue to talks with them.
* The 25 North Project will begin at Ellipse Street going north. The project will include a share use path.
* On Thursday, Jan. 25th we received four submittals for the collection of Berea’s garbage; two companies marked their paperwork as “no bids”, they were Central KY Hauling, and Advanced Disposal. The other two companies presenting bids were Rumpke and Waste Connections. Residential rates were read at the opening; Rumpke bid $10.05, Waste Connections bid $9.30. Members of the staff will meet with Waste Connections on Feb. 14th to discuss services, recycling improvements and additional upgrades to the transfer station. A work session and a recommendation for acceptance will be prior to Feb. 20th council meeting. The new contact begins March 1st.

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* If all goes well, the city will take possession of the new building this Friday, furniture is scheduled next week. We will plan a grand opening and a tentative opening date of March 5th.
* There is a new Federal Sign Regulation for highway safety; many new signs will begin being installed in the coming weeks.

**COUNCIL COMMENTS:**

**Fraley –** he announced an upcoming conference hosted by the First Baptist Church in Richmond for a Veteran’s History Project through the Library of Congress. Volunteers are needed and will be trained. The event will be held on Sat. March 3rd, from 9:30 am to 4pm. Food will be provided.

**Wilson** – She received a call from a resident of Logan Street, complaining about a cat problem in the area. She asked the Codes office for assistance.

**Caudill** – thanks to Madison Southern Football team for coming this evening and being recognized, the coaches and staff also need to be recognized for their positive influence on these kids. Thank you for Stephanie Rogers or the new Women’s Clinic, she is an inspiration and an example to now offer a solution to a situation she once faced. Please consider to volunteer or donate to her center.

**Terrill** – the Madison County Fiscal court cut $15,000 out of their budget towards funding the youth league, he urged everyone to speak to your magistrate or judge executive about this.

Meeting adjourned: 8:26 p.m.

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Mayor Steven Connelly

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City Clerk