**BEREA CITY COUNCIL REGULAR MEETING FEBRUARY 19, 2019**

The Berea City Council met in a regular session, Tuesday, February 19, 2019; Mayor Bruce Fraley presiding. A quorum being present the meeting was called to order at 6:30 p.m.

**COUNCIL PRESENT**: J. Davis, D. Rowlette, J. Payne, E. LaDouceur, J. Little, S. Caudill, C. Wilson, R. Terrill

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

**INVOCATION:** Larry Harrison

**PLEDGE:** John Payne

**APPROVAL OF AGENDA:**

Caudill motioned, Little seconded; all ayes.

**APPROVAL OF MINUTES: FEB. 5, 2019**

Motioned by Caudill seconded by Caudill to approve the minutes of Feb. 5, 2019; all ayes.

**RECOGNITION OF VISITORS:**

Jim Hamner, Berea; questioned the name change of his street from two words “North Fork Drive” to one word “NorthFork Drive”. Codes Director, Amanda Haney stated the change was due to much confusion for deliveries from UPS and Fed X, residents were complaining. People were thinking it was called Fork Drive, and North was the direction, or side of the street for deliveries.

Ollie Drezek, Berea, thanked the council for the job they do to move our city forward, she announced murals will be going up soon throughout the city. Two blocks on Chestnut Street will participate in the program.

Steve Wilkins, Berea; read an email he had sent to the city leaders stressing the importance of engaging the citizens in the Strategic Planning during the formative stage of the process. He is concerned that the plan has already been largely formed before engaging the public. He asked the council to work with the KLC to craft the planning process that incorporates city government, city departments, and the citizens as collaborators during the formulation of the Strategic Plan. He reminded the mayor and council that the Comprehensive Plan is due in 2020; he encouraged the council to involve the college and other groups in town in our planning process.

Grace McKensie, Berea; emphasized the need for more directional signage to the council meetings; she supports Emily LaDourceur in the importance of an Ethics Committee.

Shane Morris, Berea; has concerns of people giving the invocations at the beginning of the council meeting; that those people are to be the head of a recognized church. If it is waived it could be the First Amendment Rights. The Fairness Ordinance was defeated on grounds of the First Amendment Rights. He is looking forward to next months invocations. He asked the council, if they look at the Ethics Committee to beware of hoax’s in the future.

Mike VanWinke, Berea, stated he has emailed the mayor several times concerning Ethics, Codes, Conduct and Transparency; concerning the first Municipal Order of 2019. He was told one member of the council made the appointments of the committee’s; who gave him that authority. Everybody was seated on the council with out one ounce of due diligence, nobody asked education level, training, experience, or desire to be on certain committees. If one person is making the committee seating assignments, we are opening the city council up to compromise; whether it be for a political agenda, a personal paragraph, or for voting blocks. He agrees with the mayor to have transparency, the mayor wants everyone on the council to work together for a stronger, safer, and an inclusive Berea. The seating of the committees is just a job interview, make sure you have the right people in the right seats! Our governments integrity is as stake here! He has spoke to incumbents in Richmond about leading a charge on Ethics Reform, if the council doesn’t have any standards to follow, or guidelines, or can’t figure out a procedure to seat people on committees, how can they effectively represent our community?

Ollie Drezek has observed a lot of fighting on Facebook, she encouraged the council members to please be aware of what they put on FB, don’t let a party line divide the city.

Jacqueline Bowling, Berea, likes to be informed; it troubles her that the public is not allowed to speak until after everyone else has spoken, after two weeks you might be calmer but the people you intended to ask questions to, are not in the room anymore. She requested the “Recognition of Visitors” to be in place, and to also have “Public Comments” at the end. In listening to the people who have spoken before, it puts you on the spot of

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what you would like to say or shouldn’t say. Ethics seems to be on the front burner now, people should examine their own ethics. There is a big difference between “Ethics”, and “Code of Conduct”. In the past, she has asked that people who run for office; that they have background checks, it would reveal a lot of back history, citing DUI’s, tickets, etc. The ordinance for the invocation; why make an ordinance and then not honor it, if we are not going to back it, what worth is the rule? She was hoping this council could move forward and work in harmony, but she has not seen it yet, and it been two months.

Ali Blair, Berea; quoted the heading at the top of the agenda that reads; “Comments should be business oriented and we ask for no inappropriate language or naming any person individually during your comments”.

**BEREA COLLEGE UPDATE; PRESIDENT LYLE ROELOFS**

Mayor Fraley recognized Mrs. Roelofs, Judge Wilson, and Virgil Burnside of Berea College in the audience. President Roelofs brought greetings from the staff, faculty and students of the college, and thanked the first responders for their wiliness to work with the public safety department at the college. He, and the mayor agree that both the city, and the college are prospering, and it is very much in everyone’s interest to work in corporation and unity, to advance the entire community. He covered three topics; the infrastructure at the college; the joint projects; and how the relationships between the college and city can continue and evolve. The new science building was opened at the beginning of the school year and it was dedicated this past October; it was the largest project the college has ever undertaken. All the residence halls are currently being updated, and a new drainage plan will take place on the college fields. The new Forestry Center that was built at Indian Fort has been well received, with over 10,000 visitors to date, with many coming from out of the country. The new walking trails have created a much safer alternative for the walkers, the runners, and family’s utilizing outdoor activities. The continuing trail projects will increase visitors to our city and will generate more business and revenue opportunities for both the city and the college. He proposed another loop to the trail to run through Dead Horse Knob to the Artisan Center. The college now has its own “Horse Logging Team” that has been working in the forest, this will be another tourist draw to our area during the harvesting times. The college will work with Berea Community School as “Partners in Education”, which will be underway soon. For the future, he hopes to see the continuing livability improvements by our city, to help enhance the experience of our visitors and students when they come to Berea. He thanked the mayor for his work to make our area better. He would like to see a retirement community development in the future for our community.

**ROOM IN THE INN UPDATE; JACKSON NAPIER**

Mr. Napier began by saying the “Room in the Inn” began in 1985 in Nashville TN, and is the fifth such location in KY. The Inn is open to men, women and children, who are homeless. Currently five churches, and one business has opened their locations to serve as an “Inn” for the evening. Registration takes place each evening from 5-6 pm, then the guests are taken to the location, giving a warm place to sleep, and a hot meal, (showers are provided at some locations) along with toiletries and some supplies. Two “Inn Keepers” stay the night with the guest, then they are given breakfast and a sack lunch for the day. RITI is wheel chair accessible, and they have provided 554 meals with 144 volunteer shifts. They recently we able to facilitate vaccinations through our local health department. The Berea Police Department has partnered with them and will run background checks before anyone is accepted into the program, so far, only one person did not qualify. He thanked the many donors for the supplies and support they have given; and for the many volunteers who have made this program a reality. Good things have already taken place for some of the guest; the RITI will run through March 15th, and will close for the season, they will re-open Nov. 15th.

**BEREA HOUSING AUTHORITY APPOINTMENT NOMINATION**

Mayor Fraley asked for council’s approval of Althea Webb to finish the un-expired term on Betty Olinger. LaDouceur motioned, Davis seconded to approve the nomination; all ayes.

**CDBG GRANT – WALNUT MEADOW PUMP STATION & SOUTH MIDDLETOWN TRUNK SEWER PROJECT:**

City Administrator Stone informed the council the resolutions they have before them this evening is for a $2.1 million-dollar project that will extend the sewer collection system from Menelaus Road to Menelaus Pike, Brooklyn Boulevard and Central Park; which is a large multi-family housing development. The city has been

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able to acquire a one-million-dollar grant, and the resolutions are required to receive the grant. We also have received a five-hundred-thousand KIA Grant to be used with this project. We would have been paying this project from city funds, had we not acquired these grants. The cities portion should be approximately 600,000.

**RESOLUTION NO. 02-2019; SECURING DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR THE BEREA WALNUT MEADOW PUMP STATION & SOUTH MIDDLETOWN TRUNK SEWER IMPROVEMENTS PROJECT.**

Mayor Fraley read the resolution in entirety. Caudill motioned to approve, seconded by Payne all ayes.

**RESOLUTION NO. 03-2019; FUNDS TO BE USED IN ACCORDANCE FOR THE WALNUT MEADOW PUMP STATION & SOUTH MIDDLETOWN TRUNK SEWER IMPROVEMENTS**.

Mayor Fraley read the resolution by its entirety. Davis motioned to approve, Caudill seconded; all ayes.

**RESOLUTION NO. 04-2019; PROCUREMENT STANDARDS, CDBG FUNDS.**

Mayor Fraley read the resolution by title and summary. Little motioned to approve, Payne seconded to approve the resolution; all ayes.

**RESOLUTION NO. 05-2019; GUIDE FORM RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN UNDER SECTION 014(d) OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED.**

Mayor Fraley read the resolution in its entirety. LaDouceur motioned to approve, Caudill seconded; all ayes.

**ORDINANCE #02-2019; AMENDED THE 2018-2019 FISCAL YEAR BUDGET – 1ST READING**

Mayor Fraley read the ordinance by title and summary.

**DISCUSSION OF COUNCIL COMMITTEES – E. LADOUCEUR**

Council person LaDouceur stated government bodies create committees to operate efficiently and are subject to the same open meeting act that the council meetings must follow. Three committee meetings have taken place this term have been conducted under violation of the opening meetings law. The first Audit & Finance Committee was held prior to the adoption of the “Municipal Order” to assign the members. There was also full attendance of the council, meaning we reached a quorum. The second was the Public Works Committee meeting, it was not properly publicized, as it was not listed on the calendar, and there is no way for the public to know when these “standing meetings” are held unless they scour through city council video’s searching for when someone states when it will be. Announcing it at a council meeting is an incredibly low bar to set for our transparency. The third committee meeting, Personnel; was held without confirming the entire committee’s availability, and in addition there was no agenda, or public advertisement. And, the third meeting of this term; Economic Development again met quorum, with six council members present. The Opening Meetings Law is very clear that any time council members are present in the same room where city business is being discussed, and the public is not informed, the meeting is in violation, and action taken would be null and void. In consultation with the KLC, she was informed if anyone filed against us under the open meetings law, we would be found in violation. According to our IT Department, our web-site did not have a calendar of our meetings available to the public until yesterday. The purpose of having committees is to reduce the time it takes to get the work done and entrust colleagues to bring recommendations to the entire council. Council members who are not on a committee but want to stay in the know should rely committee reports and minutes.

LaDouceur motioned to hold a work session before the next council meeting to re-visit Municipal Order #01-2019, regarding committee assignments; Payne seconded. Six – no’s, two – yes’s; motion failed.

Additionally, she stated there is a need to have committee designated to address Ethics and social issues. Currently we have a board of ethics that is limited to financial disclosure and criminal activity because our Code is so outdated. She suggested the council apply for a complete the KLC Certified City Ethics Program. KLC would review our Ethics Ordinance for compliance, we would pass a resolution to become a certified city. She suggested an Ad-hoc committee of at least three council members be formed to update the code first, she

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sent a template for review. The goal is to increase the public trust and confidence in our city government. LaDouceur motioned to create an Ad-Hoc Ethics Committee to review and update our Code of Ethics to include at least three council members, the city attorney, and an Ethics Board member; Payne seconded. Roll call vote: Davis-aye, Rowlette-no, Payne-aye, LaDouceur-aye, Little-no, Caudill-aye, Wilson-aye, Terrill-no. Motion carried. 5-3.

**COMMITTEE REPORTS:**

**Audit & Finance – Caudill**

No Report

**Economic Development - Davis**

No report.

**Parks –**

No Report.

**Personnel – Wilson**

No Report

**Public Works – Little**

Next meeting, Monday, March 4th at 5:30 p.m.

**DEPARTMENT HEADS**

Utility Director, Kevin Howard recommended the bid from D & B Electric for the Emergency Generator in the amount of $205.548. Caudill motioned to approve, Wilson seconded; all ayes. Howard also made the recommendation to accept Parker’s Absolute Best Cleaning for the Janitorial Bid. Little motioned to approve Caudill seconded, all ayes.

Utility Director Howard stated a “Boil-Water-Advisory” was issued to the residents of West Jefferson Street area last week as required by the Division of Water. If a leak, or a main break requires more than 8-hours to make repairs, or the PSI drops below 20, the advisory is issued.

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

* Department heads are working on their five-year capital plans. We will start to work on the 2019-2020 budget.
* Weather conditions have permitted the work on the US 25 North Project to proceed; it is expected to be completed by mid-summer.
* The State is surveying the rights-of-way for the second-phase of the By-Pass, the city will be moving some utilities prior to the bidding of this project.
* The Hwy 1016 Sewer-Line-Extension Project is expected to be bid out in the next few weeks, we plan to start this project this summer.
* General Fund monies this week were; $1,379,000. Tourism had $358,978.
* The three new police cars are now marked and ready to go into service; the Public Works Department received their new plow truck. The Public Works and Utility Department will be receiving two new flat beds trucks to add to their fleet

**MAYOR’S COMMENTS**

Mayor Fraley informed the council of two appointments to the Industrial Authority; Heather Resor and Beverly Cummins Harkleroad. He introduced both to the audience.

National FFA Week was proclaimed today at city hall with 16 Madison Southern student officers in attendance.

**COUNCIL COMMENTS**

**LaDouceur;** announced she will be holding office hours at city hall beginning this week for anyone who would like to bring any questions or concerns to her. Additionally, she stated that dissent or disagreement, should not be a cause for animosity, nor does discourse or debate in the public eye, signal unrest or discourse on the

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council. We are all here to represent as many voices as we can, we want to cultivate a better, stronger, community for all of Berean’s.

**Caudill;** thanked to all who spoke tonight, a lot of good information was brought forth this evening; we have people who does amazing work in our community.

**Payne;** echo’s what Caudill said. The city’s I.T. Department is working on updating the city’s community calendar on the web-site; he has been maintaining a calendar on his web-site as well. Residents may email announcements to him or contact him on Facebook.

**Wilson;** thanked everyone who attended this evening, and echo to Caudill’s comments.

**Rowlette**; thanks everyone for showing interest in their local government.

**Terrill**; thanked the college for their work with Berea Community School students.

**Davis** – he was elected as chair of Economic Development Committee at their meeting last evening; the committee discussed the Grocery Store Feasibility Study. Next meeting will be March 14th at 6 p.m.

**MOTION TO ADJOURN**

Caudill motioned to adjourn; Little seconded. Meeting adjourned at 8:08 p.m.