**BEREA CITY COUNCIL REGULAR MEETING AUGUST 20, 2019**

The Berea City Council met in a regular session, Tuesday, August 20, 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. Gilbert, D. Gregory, C. Chasteen, R. Stone S. Sandlin, S. Meeks, A. Haney, K. Howard, E. Taylor

**INVOCATION:** H. E. Eades

**PLEDGE:** Jim Davis

* A council work session was held at 5:45 with Finance Director, Susan Meeks to discuss the Ad Valorem Tax rate.

**APPROVAL OF AGENDA:** Caudill motioned, Davis seconded to approve the agenda. Little motioned to amend the agenda by removing Municipal Order #03-19, LaDouceur seconded; all ayes to the amendment. Caudill motioned to add the Ad Valorem Tax Ordinance, Payne seconded; all ayes. All ayes to approve the amended agenda.

**APPROVAL OF MINUTES: AUGUST 6, 2019:** Caudill motioned, Little seconded to approve the minutes of August 6, 2019; all ayes.

**RECOGNITION OF VISITORS; PUBLIC COMMENT:**

Tony Crachiolo, Berea; the job of the city council is to recognize and anticipate problems and through planning and action, to solve them for the benefits of all Berean’s. There are many other issues like sidewalk repairs, road repairs, drainage, etc. that the city needs to solve rather than hiring a Chaplin for the council meetings. The proposed order seems like a tool to shut out and silence Berean’s because they may not be of your faith. He urged the council to vote no on the order.

Peggy Coyne, Berea; commends the council for tabling the order. She doesn’t want her tax dollars to be used for a Chaplin, if the council needs a Chaplin prior to a council meeting, then they should pay for that out of their own pocket. She encouraged the council to go to a moment of silence so no one will be offended. Once a Chaplin is brought in to a public meeting, then it becomes a public affair, then you cross the line of separation of church and state which will exclude non-Christians, Christians of other faiths, and non-believers. The council needs to build bridges in our community and not create canyons.

Dr. John Payne, Berea; a moment of silence doesn’t cost anything, anybody can meditate for themselves or what’s best to accomplish in the meeting. The money can be used to fix potholes and needed things in town. A moment of silence is the way to go.

George Strange, Berea; the suggestion of a moment of silence is wonderful, it excludes no one.

Pastor Kent Gilbert, Union Church, President of the KY Council of Churches. Prayer is very important to him, but it doesn’t mean his prayer is more valuable than the prayers, or silence of anyone else. God is everywhere and God should not be a point of division. He has concerns with the order; as KY Council of Churches President he has been previously involved in actions that have privileged single religious traditions over others; they are adamantly opposed to this order. No religious tradition must be privileged over others; it violates the constitution. He would offer the services of the KY Council of Churches to the committee, he would hate to see the city to a lawsuit or discrimination. He thanked the council for postponing the order.

Jim Shelf, Berea; he came before the council previously to state his discomfort with the prayer before the meeting. This is so obviously about privileging a certain belief system and excluding others. This is just about excluding people. He doesn’t know the pastor/Chaplin the council has chosen; five-years ago he responded to a letter to the editor by the Chaplin that appeared in the Berea Citizen. The letter the pastor wrote was against

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the Fairness Ordinance and opposed gay marriage, (his right), but he went on to compare relationships of people in our community. A moment of silence would be a good, this would make room for everyone.

Shane Morris, Berea; asked the council to vote no against the order; citing the plain language of the first amendment. Congress shall make no law respecting an establishment of religion or prohibit the free exercise thereof. The city council is not congress; he cited many other court cases. The original ordinance was just fine, they don’t need a new one.

Katie Hines, Berea; she returned to Berea to raise her family because of the inclusiveness, diversity and its ability to allow people of different religions, and faith to be in one place and work together on things. To believe that one person was able to write a column in the paper and then be invited to represent as a religion leader; our council is despicable; it’s not needed. Think about the cost of attorneys to fight this! She agreed with the first speaker, there are many other things that we need to be focusing on. Allow a moment of silence.

Reverend Ollie Drezek, Berea; our city should focus on all of us being one; our religious differences is what makes us each unique, not right or wrong; we need to show respect to all ideologies. Our individual preferences are what we believe; what is important to us; we can’t choose what others want to believe. People shouldn’t put their ego’s first, let’s look at each other as all divine creations regardless of our personal beliefs; let us respect each other. She asked the council to consider a moment of silence to have respect for everyone.

Andri Kukas, Berea; she is a moral person, the invocation before the council meetings was already a problem for people who choose to follow the US Constitution; plain and simple the keep state and church separate. She feels like she is being disrespected by reading bible verses and being asked to pray; to attend a meeting and be on time she is being forced to sit through someone else’s prayer. The original proposal to pay a minister is outrageous. She will contact the KY General and the ACLU if this proposal goes through.

**BMU ELECTRIC UPDATE - J. LITTLE**

We are 3 months into the new electric contract with AMP Ohio; he is very pleased with the contract. In 2024 we will get another good contract by getting the right company. He proposed the council to vote on any utility increases; does the council have an interest in forming a council committee for utilities? Also, the city can look in to generating more revenue for our Public Works for streets, drainage and maintenance issues. We need to start looking at reducing our electric usage. MACED can assist us with reducing our peaks to help lower our bills, they have good programs for both business and residential. If we can reduce our peaks it is something we can pass on to our customers.

**360 EVALUATIONS – J. LITTLE**

Our employees are one of the most important things we have here in the city; everyone needs to be evaluated. Our employees need to evaluate the mayor, the city administrator, and all the department heads. The personnel committee talked about this previously. He suggested to implement this prior to the first of the new year.

**HRC 2019-2020 BUDGET – Mim Pride**

A total expenditure list for the 18-19 year was distributed to the council for review. Payroll was $11,534.78, other expenditures such as office supplies, meeting notices to the media and trainings, etc. was listed as $5,258.96. The council voted to reduce their budget to $2000.00; the HRC were not asked to submit a budget prior to the fiscal year. LaDouceur motioned to increase the allocation in fund 1010-55100 from $2,000 to $8,000; Payne seconded. Caudill noted it is important to follow procedure and take it back to the committee. Terrill motioned to table, Davis seconded. Roll call vote; Davis-yes, Rowlette-yes, Payne-no, LaDouceur-no, Little-yes, Caudill-yes, Wilson-yes, Terrill-yes. Motion approved. Caudill stated the committee will meet next week with the committee to review the proposed budget amendment.

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**DRAINAGE ISSUE – FAIRGROUNDS RD. – David Powell**

Mr. Powell distributed some maps/plats to better help the council understand his issue. He previously met with the Public Works Committee to request a culvert be rei-installed. The culvert was removed from the public road a few years ago, and the creek was diverted into the city’s drainage. Plat #C list the road as “Old Glades Road” which was later named “Fairgrounds Road”. He owns 178 feet on Fairgrounds Road and to have access to the road will allow his customers to gain access to the traffic light on US25. A culvert is a maintenance issue, not an improvement issue, when he purchased the property, the culvert was there, he had been told by the Public Works Committee that he would have to build a bridge due to the water. The 1981 plat #B shows the stream with 15-foot right-of-way on each side of the road; 30-foot total, going directly across the road; the 1993 plat shows the stream farther over with 70 feet in the cities rights-of-way. This is the cities property. He asked the culvert to be put back, he will gravel his side of the property to access the existing road. Mayor Fraley added the Public Works Committee voted no to reinstalling the culvert. Councilman Caudill stated he would look in to the issue for Mr. Powell.

**AD VALOREM TAX ORDINANCE – 1ST READING**

Corporate Counsel read the ordinance by title and summary setting the sum of 10.5 cents; $0.105 upon each One Hundred Dollars of the assessed value of all real and personal property within the City of Berea.

**COMMITTEE REPORTS:**

**Ad Hoc – S. Caudill**

No report.

**Audit & Finance – S. Caudill**

The committee will meet next Tuesday, Aug. 27th at 5:30 p.m.

**Economic Development – J. Davis**

No report.

**Parks – J. Payne**

The committee will be meeting next Thursday, Aug. 29th at 5:30 p.m.

**Personnel – C. Wilson**

No report.

**Public Works – J. Little**

No report.

**DEPARTMENT HEADS:**

Interim Police Chief, Danny Brewer introduced new hire, Zinnia Hensley; she will be our new Community Resource Coordinator. Ms. Hensley thanked everyone for giving her the opportunity to work with the city, and the people in our community.

**CITY ADMINISTRATOR REPORT: D. GREGORY**

* Thanks to the community for the support they have shown him during the past few days, and thanks to Mr. Stone for his guidance and mentorship.
* The Allen Company is putting down the base blacktop on the US25 North Project.
* He and the mayor attended the Chamber of Commerce’s August meeting.
* Berea College students are back in session; please watch for students crossing the streets.
* City Hall will be closed Monday, September 2nd for the holiday.
* Bids are out for the new Fire Apparatus; they are due on September 3rd.
* General Fund monies this week is $1,108,649 and Tourism is $446,736.
* The pool closed on August 11th; attendance was up from last year.
* The police department will be monitoring and directing traffic on US25 until the construction is completed.
* Brush pick-up is going on this week.

**MAYOR’S COMMENTS:**

Donnie Davidson has been appointed as interim Public Works Director.

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**COUNCIL COMMENTS:**

**Terrill;** thanks to all attended the meeting.

**Wilson**; thanks to all who came this evening.

**Caudill**; congratulations to David in his new position; thanks to Randy for everything he has done for the city. He is looking forward to working with David, and congratulations to Ms. Hensley and Donnie Davidson for his new position. Thanks to everyone who attended the meeting.

**Little;** welcome to Mr. Gregory aboard; he’s very fortunate to have been able to work with Randy, he has some big shoes to fill.

**LaDouceur;** congratulations to the new bakery Brandy’s Bristo, and Sun House Crafts. Welcome to our new employee, Ms. Hensley; she’s heard good things about her! Welcome to the new college students and welcome back to the returning students; be kind to them at the cross walks, and walking to Wal-Mart. Thanks to all who spoke tonight, and the emails we received regarding the separation of church and state, she commends her colleagues for tabling it. The HRC is why we need them in our city, they deserve to be funded. She is disappointed with members of the council who put their personal biases first, instead of city, or the citizens first. We continue to see procedural edits that really are catering to discriminating against one individual, Ali Blair, and her community efforts. Cutting the HRC’s budget as a punishment for supporting her program, or because you don’t want Atheist to give an invocation; it is all centering around the same issues and the same people. Thanks for all who came and spoke this evening.

**Payne;** he is happy to see Mr. Rowlette’s continued recovery. He encouraged the citizens to sign up for the Police Academy that runs Sept. 9th though Nov. 11th; it is a great experience. It is on Monday evenings at the academy in Richmond, and it is a free program. He thanked everyone who has emailed him.

**Rowlette**; he reminded everyone to go out and support the “Battle of Richmond” coming up this week-end.

**Davis**; congratulations to the chief/administrator for his new position. Thanks to Randy for his service. Congratulations to Danny Brewer, and to Ms. Hensley, she is going to do a good job.

Payne motioned, Little seconded to adjourn at 8:06 p.m.; all ayes.