**BEREA CITY COUNCIL \_ \_\_\_\_\_ \_SPECIAL CALLED MEETING \_\_\_ \_\_ \_ \_\_ MARCH 31, 2020**

The Berea City Council met in a special called meeting via videoconference, Tuesday, March 31, 2020.

Mayor Bruce Fraley presiding.

A quorum being present, the meeting was called to order at 6:00 p.m.

**COUNCIL PRESENT**: Jim Davis, David Rowlette, John Payne, Emily LaDouceur, Jerry Little,

Steve Caudill, Cora Wilson, Ronnie Terrill

**OFFICIALS PRESENT:** Jerry Gilbert, David Gregory, Robin Adams, Daniel Brindley, Shawn Sandlin

**APPROVAL OF MINUTES: MARCH 3, 2020 & MARCH 24, 2020**

Caudill motioned; Rowlette seconded motion to approve minutes as presented.

Vote: All ayes

**PLANNING COMMISSION APPOINTMENT**

Mayor Fraley requested a motion to re-appoint Chester Powell to the Planning Commission Board.

Caudill motioned; Little seconded motion.

All ayes.

**MUNICIPAL ORDER #02-20**

**AN ORDER OF THE CITY COUNCIL OF THE CITY OF BEREA, KENTUCKY, REPEALING MUNICIPAL ORDER 02-17 AND REVISING THE POLICY AND PROCEDURE FOR OPENING WITH AN INVOCATION AND THE PLEDGE OF ALLEGIANCE BEFORE CITY COUNCIL MEETINGS.**

Corporate Counsel, Gilbert, read Municipal Order #02-20 in its entirety.

Payne motioned; LaDouceur seconded motion to table Municipal Order #02-20.

Roll Call Vote Ayes: Payne, Ladouceur, Caudill

Nays: Davis, Rowlette, Little, Wilson, Terrill

Motioned defeated 5 to 3.

Item went to discussion.

**LaDouceur** stated she was disappointed to be discussing this item when the public could not be present. She was not aware of it being reviewed by the Invocation Committee and not sure if there could be a second motion to table on the basis that it had not gone to the Committee. She asked for clarification.

**Payne** stated the Order seemed to be divisive and understandably so as it does go against the original Municipal Order. The original Order was to acknowledge all religious denominations and faiths. With only a handful, of presumably all Christian presenters, it would not remove any contentions for someone outside of the Christian faith. Several requests for non-Christian faiths have gone unanswered. Also, with the absence of public comment, he felt it was important to allow the respect of public comment.

**Rowlette** stated although he preferred the language of Municipal Order 02-17, there obviously was no good solution and felt providing the prayer should be left in the hands of the ministers.

LaDouceur motioned; Payne seconded motion to refer Municipal Order #02-20 to the Invocation Committee at the next public committee meeting.

Roll Call Vote Ayes: Payne, LaDouceur, Caudill

Nays: Davis, Rowlette, Little, Wilson, Terrill

Motion defeated 5 to 3.

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Little motioned; Wilson seconded motion to approve and adopt Municipal Order #02-20.

Roll Call Vote Ayes: Davis, Little, Caudill, Wilson, Terrill

Nays: Rowlette, Payne, LaDouceur

Motion carried 5 to 3.

Municipal Order #02-20 adopted.

**RESOLUTION #02-2020**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BEREA, KENTUCKY AUTHORIZING THE MAYOR TO APPLY FOR A GRANT FROM THE 2020 KENTUCKY RECREATIONAL TRAILS PROGRAM FOR THE CONSTRUCTION OF THE SCAFFOLD CANE TRAIL IN THE AMOUNT OF $250,000, AND TO EXECUTE THE DOCUMENTS NECESSARY TO OBTAIN AND ADMINISTER SUCH GRANT.**

Corporate Counsel, Gilbert, read and summarized Resolution #02-2020 by title.

**LaDouceur** asked if this Resolution was connected to the survey that was sent out.

**Mayor Fraley** stated yes, the City applied for a $250,000 grant with the assistance of Bluegrass Area Development District (BGADD) to help with the construction of the Scaffold Cane Trail.

**LaDouceur** was concerned about the method used to gather public information with Survey Monkey as it was not a reliable source for research to submit for a grant. If the City was putting their name on it, she felt an alternative way should be considered and also look at institutional research.

**Fraley** stated the questions on the survey were created by BGADD who assisted the City in applying for the grant.

**Gregory** stated the Department of Local Government provided advice on using the survey due to not being able to seek face-to-face public input. The survey was more of a gauge for public input for questions and answers to provide to the grantor.

Caudill motioned; Little seconded motion to approve Resolution #02-2020.

Roll Call Vote Ayes: Terrill, Wilson, Caudill, Little, Payne, Rowlette, Davis

Nays: LaDouceur

Motioned carried 7 to 1.

Resolution #02-2020 approved.

**ORDINANCE #07-20 2nd READING**

**AN ORDINANCE OF THE CITY OF BEREA, KENTUCKY, AUTHORIZING THE SALE OF CERTAIN SURPLUS REAL PROPERTY LOCATED AT 103 MEADOWLARK DRIVE, BEREA, KENTUCKY, TO DONALD L. COMBS FOR $71,OOO.OO.**

Corporate Counsel, Gilbert, read and summarized ordinance by title.

Davis motioned; Payne seconded motion to approve and adopt Ordinance #07-20.

Roll Call Vote All ayes

Ordinance #07-20 approved and adopted.

**CITY ADMINISTRATOR’S REPORT - DAVID GREGORY**

* March 13th Met with Department Heads to develop tier levels for staffing during the COVID-19

pandemic.

* March 16th Decision to close City Hall to public access due to Governor’s comments.

Mayor Fraley issued a State of Emergency Executive Order.

* Due to Executive Orders issued by the Governor, Administration and Department Heads had worked on procedures to follow enactments.
* Utility billing can be paid by phone. At this time, convenience fees were waived. Website would be updated with this information.

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* Currently, Departments had minimum staffing. To assist in limited exposure and/or quarantine, most departments were using the team concept of weekly rotating Team A and Team B.
* Departments with essential employees were, i.e. Public Safety, were following requirements to meet proper procedures such as social distancing, had appropriate gear/equipment, etc.
* During the emergency, deemed as an emergency expenditure, videoconference software had been purchased to communicate with departments, other government entities, organizations, etc. outside of our own.
* Videoconference calls had been taking place three times per week with other entities, i.e. Madison County Government and other organizations.
* Recent decisions had to be made, due to social distancing requirements not being followed, especially to the City’s park areas. Restrooms were closed to the public, basketball goals removed, tied-up swing sets, public access areas/shelters taped off, etc. Citizens were encouraged to take the pandemic seriously and practice social distancing.
* Waste Connections sent notification and posted on their website that although trash service was continuing, due to more people being at home and a larger amount of trash, service would be delayed for some streets until the next business day before 8:00 a.m. Streets included in the delay were Peachtree, Plumtree, Allie Ct., Misty Dr., Northway, and all of Vineyard Subdivision.
* Regarding the Coronavirus/COVID-19, the local Health Department and Governor’s report were being monitored daily. In order to share information with the citizens, the City had also created an internal taskforce and added a response page to the City’s website.
* Thanked Department Heads for working together on research and creating an active document on policies/procedures for a pandemic plan.

**MAYOR’S REPORT**

* March 6th The first dated informed of 2 Coronavirus/COVID-19 cases in Kentucky.
* March 9th He and David Gregory, City Administrator, had a joint conference call with

Reagan Taylor, County Judge Executive; Colleen Chaney, Deputy Judge;

Robert Blythe, Mayor, City of Richmond; and Rob Minerich, Richmond City Manager, to determine the response and/or approach for COVID-19.

* March 10th Met at the Emergency Management Agency Joint Information Center with County

Executives, Richmond City Executives, Presidents of St. Joseph Berea & Baptist Health Hospitals, the Public Health Director, and the Public Information Officer for the Health Department.

* March 11th Reconvened with the Emergency Management Agency Joint Information Center for

an informational video to place on all three social media sites, i.e. City of Berea, City

of Richmond, and Madison County.

* March 13th Along with City Administrator, D. Gregory, and Department Heads, the decision was

made to close City Hall, along with other City buildings, to walk-in traffic beginning

Monday, March 16th.

* March 14th Began daily video conferencing, continuing for eleven days, with Judge

Taylor, Mayor Blythe, First Responders, representative from both hospitals, for

updates and communication. After eleven days, video conferencing was reduced to three days per week beginning March 27th.

* March 16th Signed an Emergency Declaration for the City of Berea. On the same date,

Emergency Declarations were also signed in the City of Richmond and Madison

County.

Executive Order #2020-05 was issued codifying the Emergency Declaration.

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* March 17th Executive Order #2020-06 was issued implementing emergency procedures for

Berea Municipal Utilities Billing and Payment, temporarily suspending disconnection

of water, sewer, and electric for non-payment. Convenience fees were waived for

credit/card payments, as well as late fees, for all City of Berea customers.

* March 23rd Executive Order #2020-07 was issued Providing Leave Under the Families First

Coronavirus Response Act. This Order was required in response to the new law enacted at the National level.

* March 24th The City of Berea went live with a One Stop Website with the City’s response to

COVID-19. Compliments to everyone on the committee.

The One Stop Website provides information regarding food assistance,

unemployment support, healthcare, transportation, guidance on social distancing

and avoiding crowds, and links to official sources for information about the

Coronavirus.

* March 26th Executive Order #2020-08 was issued implementing Emergency Procedures for

Payment of City of Berea Occupational License fees on Net Profits, extending the

deadline for filing and payment of Occupational License Fees on net profits from

April 15, 2020 until July 15, 2020.

* As of March 31st, 9 cases of the Coronavirus had been reported in Madison County. Confirmed cases in Kentucky totaled 480.
* Urged everyone to monitor the following websites for official sources of information regarding the Coronavirus and to adhere to the guidance on social distancing and avoiding crowds.

[www.cdc.gov](http://www.cdc.gov)

[www.kycovid19.ky.gov](http://www.kycovid19.ky.gov)

* Encouraged everyone to support local businesses by purchasing online, gift cards, local restaurants carry out, curbside and/or home delivery.
* Complimented citizens on the great work done in the community, i.e. checking on neighbors, providing meals, etc.

**COUNCIL COMMENTS**

**Davis** echoed Mayor in supporting local restaurants, social distancing, and taking care of yourself. With the temporary closing of businesses and/or layoffs, this will hurt our City financially. Next year’s budget will be interesting.

**Rowlette** stated as we are in uncharted waters, all are being affected, especially small businesses. As this will take a long time to recover from, the goal is to minimize the curve. Asked citizens to be patient. Applauded Administration for their efforts in keeping things together, it will be appreciated a long time from now.

**Payne** thanked Mayor Fraley for sharing information. Encouraged everyone to follow Governor Beshear’s briefings as Kentucky has been very fortunate with Frankfort’s leadership. Disappointed that Municipal Order #02-20, as it was divisive, was placed on a special called meeting agenda during an emergency situation where there are abbreviated rules and no public comment.

**LaDouceur** echoed Payne’s comments regarding Municipal Order #02-20. Looked forward to her turn in giving invocation. Felt it was important for everyone on the City Council to impress upon the public of how it will take each one of them to help flatten the curve of the pandemic. A huge thank you to essential workers, grocery store employees, City employees, healthcare workers, etc. as your sacrifices are not going unnoticed. To those healthy at home, as Governor Beshear had mentioned, although we are going to get through this, it was going to take all of us. Put differences aside and take care of one another. If you need help, please reach out. Stay strong, stay home, and stay safe.

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**Little** thanked the community for pulling together. Appreciated how the City, its employees and citizens, had come together. We will get through this, hopes and prays that everyone makes it through.

**Caudill** echoed Payne’s comments regarding the job of Administration. As a City, we were ill-prepared, no one saw the pandemic coming. The City had done a very good job in fulfilling needs/services for the citizens. As it is a hard time for everyone, this is not the time to attack and/or tear one another down but a time to come together. Encouraged everyone to come together, support local businesses, etc. Thanked everyone at the City for their hard work for this had been an extraordinarily hard time.

**Wilson** thanked all essential workers. Stay home, stay safe, check on your neighbors. We’ve got to work together.

**Terrill**  No comment.

**ADJOURNMENT**

LaDouceur motioned; Rowlette seconded motion to adjourn at 6:52 p.m.

All ayes.

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Mayor Bruce Fraley

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City Clerk