**BEREA CITY COUNCIL \_\_ \_ \_ SPECIAL CALLED MEETING \_ \_\_\_\_\_JUNE 15, 2021**

The Berea City Council met in a special called meeting / business session, Tuesday, June 15, 2021.

Council Members and Staff met in person continuing CDC Guidelines for COVID-19 with meeting televised live for public viewing.

Mayor Bruce Fraley presiding.

A quorum being present, the meeting was called to order at 6:30 p.m.

A WORK SESSION WAS HELD AT 6:00 PM

ORDINANCE #15-2021 SEASONAL EMPLOYMENT EXCEPTION TO NEPOTISM - DAVID GREGORY

ORDINANCE #16-2021 AIRPORT BOARD INTERLOCAL AGREEMENT - MAYOR FRALEY

**COUNCIL PRESENT:** Jim Davis, Teresa Scenters, John Payne, Katie Startzman, Jerry Little,

Steve Caudill, Cora Wilson, Ronnie Terrill

**OFFICIALS PRESENT:** Jerry Gilbert, David Gregory, Robin Adams, Daniel Brindley, Tommy Horn,

Shawn Sandlin, Donna Angel, Kevin Howard, Aaron Boykan

**VISITORS PRESENT:** Lyle Roelofs, President, Berea College

Melissa Gross, Coordinator, Berea Craft Festival

**INVOCATION:** Jim Davis

**PLEDGE OF ALLEGIANCE:** Jim Davis

**APPROVAL OF AGENDA:**

Caudill motioned; Payne seconded motion to approve agenda.

Vote: All ayes

**APPROVAL OF MINUTES: June 1, 2021**

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

Vote: All ayes

**PUBLIC COMMENTS -** D. Gregory

None

**BEREA COLLEGE UPDATE -** Lyle Roelofs, President

Roelofs was glad to be back, delighted to see everyone was well.

Berea College had a successful and unusual academic year due to the COVID-19 pandemic. There were very few minor cases of COVID on campus with close monitoring, lots of testing, and strict rules with impressive compliance results from students and employees.

In reading the journals of Berea College President Frost, the last pandemic Berea College experienced was in 1918 - 1919 in which, sadly, twelve students were lost. As the medical staff became ill, students, medical and non-medical, stepped up to provide assistance to patients in the hospital. Sobering.

Although there was not an in-person graduation, the average number of students were still able to graduate. As many staff and/or faculty worked from home, there were no layoffs or furloughs.

Berea College would be all remote for the summer, thus resulting in a labor shortage. They were hiring for temporary positions for the summer, i.e. high school, students home from college for the summer, etc.

As Berea College was making more of a commitment to sustainable management of improving the health of our forests, they have begun a series of horse logging with two teams of horses and he introduced

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Lucy, a foal in training. Plans were to eventually have approximately six teams working throughout the college’s nine thousand acres.

Normal operations were planned for the fall. As all students, with medical and religious exceptions, were required to have COVID vaccinations and 78% of their workforce had been vaccinated, this enabled the college to operate without the concern of a major COVID outbreak. Confident that Berea College campus would be a safe place.

Berea College and students benefitted financially from the stimulus funding, largely due to PELL eligible students. Students received 50% of the funding and the remainder enabled the college to continue to operate on an even keel without tremendous cutbacks.

Announced he and his wife, Laurie, would be retiring from their roles at Berea College as of June 30, 2023. Plans were to announce a new president by October 2022.

**SUMMER CRAFT FESTIVAL UPDATE -** Melissa Gross

The Summer Craft Festival began forty years ago and this year’s festival will look like the festival we all have known and loved. They continue to look for high quality artists, musicians, etc. which includes approximately ninety-five booths. They have been given approval from the Health Department and still suggested social distancing. Everything is in place with hopes of good weather.

The Festival would be opening at 10:00 a.m., Friday, July 9th. City Council and staff were invited to attend the re-opening of the Festival, inviting and welcoming the first guests to arrive.

**BEREA CRAFT FESTIVAL PARKING AGREEMENT**

Per the Ethics Ordinance #02-2020, Section 27.011 (A) (4), to meet disclaimer requirements, a contract, with the City of Berea, was recommended and/or provided to Rick Terrill, 1950 Big Hill Road, Berea, for parking space rental ($1000.00) located at 2006 Big Hill Road during the Summer Craft Festival, July 9, 2021 through July 11, 2021.

Davis motioned; Payne seconded motion to approve entering into a contract agreement with Rick Terrill for parking at 2006 Big Hill Road, for the purpose of public safety and shortage of parking space during the Berea Summer Craft Festival.

Vote: All ayes

*Note:* Ronnie Terrill abstained vote.

**2021 SEWER REHABILITATION AND CHESTNUT COURT STORM DRAINAGE PROJECT CHANGE ORDER -** Kevin Howard, BMU General Manager

Howard presented an update on the 2021 Sewer Rehabilitation & Chestnut Court Storm Drainage Project and requested a change order.

As Phase I was nearing completion, additional issues were found during the investigative portion of the Rehabilitation and two additional areas were added to the original project. A Change Order Request was presented to Council in the amount of $169,572.50 for the additional costs from the original contract estimated cost at $659,657.75.

Once the final invoice for the Chestnut Court portion is received, there was a possibility an additional balancing change order would be required to close out this portion of the work.

Plans were to present to City Council, at the next regular scheduled council meeting, the details of Phase II of the sewer rehab work ready to begin in July. Phase II would include the corrective action recommendation based on Phase I in the Cherry Road, Holly Street, and Holly Hill areas.

Terrill motioned; Wilson seconded motion to approve change order request.

Vote: All ayes

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**ORDINANCE #14-2021 - AN ORDINANCE OF THE CITY OF BEREA, KENTUCKY, ADOPTING THE ANNUAL BUDGET FOR THE FISCAL PERIOD JULY 1, 2021 THROUGH JUNE 30, 2022, BY ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS FOR THE OPERATION OF CITY GOVERNMENT AND PROVIDING FOR A LONG RANGE CAPITAL IMPROVEMENT PROJECT AND PUBLIC FACILITIES IMPROVEMENT PROGRAM BUDGET AND PLAN. - 2ND READING**

Corporate Counsel, Gilbert, read Ordinance #14-2021 by summary of City Funds.

On behalf of the Finance Committee, Caudill motioned for approval and adoption from City Council.

No second motion required.

Roll Call Vote: All ayes

**ORDINANCE #15-2021 - AN ORDINANCE OF THE CITY OF BEREA, KENTUCKY, AMENDING THE CODE OF ORDINANCES OF THE CITY OF BEREA, KENTUCKY, BY REVISING SECTION 27.030 TO PERMIT A FAMILY MEMBER OF AN ELECTED OFFICIAL OR APPOINTED CITY OFFICER TO ACCEPT SEASONAL EMPLOYMENT FOR A PERIOD OF NINE MONTHS OR LESS, WHEN APPROVED BY THE MAYOR IN WRITING. - 1ST READING**

Corporate Counsel, Gilbert, read Ordinance #15-2021 by summary.

**ORDINANCE #16-2021 - AN ORDINANCE OF THE CITY OF BEREA, KENTUCKY, REMOVING MEETING PROTOCOLS FOR NOVEL CORONAVIRUS (COVID-19), AND REPEALIING ORDINANCE NOS. 08-2020 AND 11-2021.**

Corporate Counsel, Gilbert, read Ordinance #16-2021 in entirety.

As considered an emergency Ordinance, this Ordinance was effective immediately upon first reading and enactment.

Caudill motioned; Scenters seconded motion to approve and adopt Ordinance #16-2021.

Roll Call Vote: All ayes

**ORDINANCE #17-2021 - AN ORDINANCE OF THE CITY OF BEREA, KENTUCKY, ADOPTING AND APPROVING THE EXECUTION OF AN INTERLOCAL AGREEMENT RELATING TO A LOCAL AIRPORT BOARD FORMED PURSUANT TO KRS 183.132 BY AND BETWEEN EASTERN KENTUCKY UNIVERSITY, THE MADISON COUNTY FISCAL COURT, THE CITY OF RICHMOND, AND CITY OF BEREA - 1ST READING**

Corporate Counsel, Gilbert, read Ordinance #17-2021 in entirety.

**ORDINANCE #18-2021 - AN ORDINANCE OF THE CITY OF BEREA, KENTUCKY, GRANTING UNTO OPENFIBER KENTUCKY COMPANY LLC. (“OFKY”), ITS SUCCESSORS AND ASSIGNS, THE RIGHT, FRANCHISE, AND PRIVILEGE FOR A PERIOD OF TEN YEARS, FROM JULY 15, 2021, TO ACQUIRE, CONSTRUCT AND MAINTAIN IN THE CITY OF BEREA, KENTUCKY, THE NECESSARY FACILITIES FOR THE OPERATION AND MAINTENANCE OF A COMMUNICATIONS SERVICES SYSTEM FOR PUBLIC AND PRIVATE USE, AND TO USE AND OCCUPY THE PUBLIC STREETS, HIGHWAYS, AVENUES, ALLEYS, BRIDGES, AND PUBLIC PLACES FOR SUCH PURPOSES, AND PRESCRIBING THE TERMS AND CONDITIONS THEREOF. - 1ST READING**

Corporate Counsel, Gilbert, read Ordinance #18-2021 by summary.

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**ORDINANCE #19-2021 - AN ORDINANCE OF THE CITY OF BEREA, KENTUCKY, ADOPTING A SUPPLEMENT TO THE CODE OF ORDINANCES OF THE CITY OF BEREA, KENTUCKY. - 1ST READING**

Corporate Counsel, Gilbert read Ordinance #19-2021 in entirety.

**CITY ADMINISTRATOR’S REPORT -** D. Gregory

* Thanked Council for passing the 2021-2022 Budget and thanked Staff for their hard work on the document.
* Pavilion had support beams and trusses in place and working on foundation supports for the shade structures. Weather pending, a completion date was set for July 21st.
* Mountain Bike Trail was in the process of shaping trail 1, trail 2 had been cut, trail head was cut, bridge had been built, and the uphill climb and pump track still needed to be completed. Beginning to address signage for the trail and were still on track for a completion date of mid-August, weather pending.
* Folk Center Project continued with contractor expecting chinking material from the manufacturer to arrive next week. Removal of exterior chinking and staining of exterior logs had begun this week. Public Works had also repaired windows and gutters.
* A Personnel Committee meeting was scheduled for Monday, June 21st, 8:30 a.m., Berea City Annex, Council Chambers, re: Personnel Manual. Morgain Patterson, Attorney with Kentucky League of Cities (KLC), would be attending to discuss the changes. Draft version would be sent to committee members this week for review.
* Auditors would be on-site July 7th – July 9th with plans for a full report to City Council on October 19th.
* Susan Meeks, Finance Director, along with other Department Heads, was working on FEMA paperwork from the February 2021 ice storm and debris removal. A lot of documentation was required and weekly meetings had been scheduled with the City’s FEMA representative.
* Requested motions for budget line items. Although the bottom line was not affected but was over the 10% threshold, requested motion from City Council to approve the following budget line items for spending:

4005-54520 Public Works / Vehicle R&M Budgeted at $90,000 Overage of $6,972.88

4005-54510 Public Works / Equipment R&M Budgeted at $50,000 Overage of $5,886.91

Little motioned; Wilson seconded motion to approve overages.

Vote: All ayes

* Anticipated construction from Ellipse Street to Clay Drive to begin in late fall/early spring, after the State’s rights-of-way purchase from Berea College.
* Sunday, July 4th, was scheduled with Berea Parks & Rec at Berea Community School with kids’ activities, vendors, and fireworks. Levitt-Amp would be having a concert series at the Berea City Annex.

**MAYOR’S REPORT / COMMENTS**

* KLC estimated the City of Berea would receive slightly over 4.1 million dollars from the American Rescue Plan. Half would be received in 2021 and half would be received in 2022 with limited uses for the funding. Department of Local Government, Frankfort, advised to not plan anything until final rules were received as all was subject to change.
* Excited about re-opening City Hall.

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* Mark your calendars for:

July 9 - July 11 Craft Festival, Indian Fort Theater

August Celtic Festival

September Spoonbread Festival, Memorial Park, 3rd week in September

October Kentucky Guild of Artists & Craftsmen

* Congratulations and thank you to Susan Meeks (Finance), Department Heads, the Audit & Finance Committee, Council Members, and especially City Administrator, Gregory, on the 2021-2022 Budget Presentation. Thanks to all involved.

**COUNCIL COMMENTS**

**Caudill** Loved nothing more than going through the budget, discussions, etc. Appreciated the hard work, time, and everyone voting on the budget. Encouraged everyone to visit the website version to view the budget as it included everything, business specifically, that anyone needed to know. An exceptional document. A lot to look forward to, i.e. July 4th, Craft Festival, etc. Thanked Roelofs and Gross for their updates on Berea College and the Craft Festival.

**Startzman** Thanked Berea College President, Roelofs, for the updates and proud of the graduates. Excited about and highlighted the Levitt Amp Concert Series coming up this summer and all performers were from Kentucky. In lieu of ten weeks of concerts, the concerts would be once a month beginning July through October.

**Terrill** Looked forward to the next City Council meeting with people there to cheer them on.

**Payne** Echoed fellow Council Members’ comments. As June 19th was approaching, reminded everyone of the 2020 Resolution for Juneteenth in which was to be recognized annually.

**Wilson** Looked forward to the next City Council meeting. Have a safe July 4th, volunteer, and support the Parks Department.

**Little** A Public Works meeting was scheduled for Monday, June 28th, 6:00 p.m., City Hall, Randy Stone Community Room, re: blacktopping.

**Scenters** Glad to be through the budget process. Anyone interested should view the budget on the website as it was an amazing document. Everyone did a great job. Although there had been frustrations voiced from the public regarding plans for opening the pool due to COVID restrictions planned during the winter months, Priscilla Bloom, Parks Director, and staff had done a good job on getting as many people as possible in the pool. Enjoy it as much as possible this year and look forward to a normal 2022.

**Davis** Congratulations to Berea College President, Roelofs, on his retirement, he had been a good president for Berea College. Glad July 4th was back, go support the Parks Department, and enjoy. Encouraged everyone to utilize the Kroger pick-up service for Berea and see where it leads us in the future with the Kroger company.

**ADJOURNMENT**

Payne motioned; Caudill seconded motion to adjourn at 7:56 p.m.

All ayes

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Mayor Bruce Fraley

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City Clerk