**BEREA CITY COUNCIL \_\_\_ \_\_ REGULAR MEETING \_ \_\_\_ \_\_ DECEMBER 7, 2021**

The Berea City Council met in a regular session, Tuesday, December 7, 2021.

Mayor Bruce Fraley presiding.

A quorum being present, the meeting was called to order at 6:34 p.m.

WORK SESSION

6:00 PM - 6:30 PM

RESOLUTION #17-2021 INTENTION TO OPERATE JOINT PUBLIC SAFETY RADIO SYSTEM

Dustin Heiser, CSEPP Director

RESOLUTION #18-2021 HIGHWAY NAMING IN HONOR OF CAPTAIN HUGH M. “MAC” BYRD, JR.

ORDINANCE #28-2021 AMENDING PERSONNEL POLICES & PROCEDURES

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

Steve Caudill, Cora Wilson, Ronnie Terrill

**COUNCIL ABSENT:** None

**OFFICIALS PRESENT:** Jerry Gilbert, Rose Beverly, Robin Adams, Tommy Horn, Susan Meeks,

Kevin Howard, Donna Angel, Amanda Haney, Eric Scott, Jason Hays,

Aaron Boycan, Adam Short

**INVOCATION:** Teresa Scenters

**PLEDGE OF ALLEGIANCE:** Teresa Scenters

**APPROVAL OF AGENDA**

Davis motioned; Payne seconded motion to approve agenda as presented.

Vote: All ayes

**APPROVAL OF MINUTES - November 16, 2021**

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

Vote: All ayes

**PUBLIC COMMENTS**

Jacquelyn Bowling, Berea

Although none of us were here on this date eighty years ago, December 7, 1941, attack on Pearl Harbor, we should continue to remember the men who lost their lives protecting our freedom. When you think you should take a knee during the National Anthem or pretend to say the Pledge of Allegiance to our flag, think of the sacrifice they gave for us.

**RECOGNITION OF POLICE DEPARTMENT PROMOTIONS - Eric Scott**

Police Chief Eric Scott recognized Officers Boycan, Short, and Hays for their promotions within the Berea Police Department. Captain Aaron Boycan, who had been with the City for over ten years, was stepping into the role of retired Captain Danny Brewer. Corporal Adam Short, with over ten years of experience, was stepping into the position of Sergeant. Lieutenant Jason Hays, who had been with the City for almost twenty years, earlier this year, had stepped into the position of Major.

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**BID OPENING & RECOMMENDATION – ADMINISTRATIVE SERVICES FOR THE ADMINISTRATION OF AMERICAN RESCUE PLAN ACT OF 2021 FUNDS - Mayor Fraley**

Only one bid was received which was opened on December 7th, City Clerk’s office, in the presence of Mayor Fraley and Rose Beverly, City Administrator.

Bluegrass Area Development District (BGADD) Lexington, KY Received 11/15/21

The bid only included a Statement for Qualifications with plans to provide services for 1% ($41,501.00) of the funds, for life of the funds, which were to be committed by 2024.

Corporate Counsel was consulted and recommended approval for bid from BGADD.

Wilson motioned; Davis seconded motion to approve bid recommendation.

Caudill stated he would like to postpone approval to review the RFQ before approving.

Motion died.

Caudill motioned; Little seconded motion to postpone approval to allow time for review.

Voice Vote: All ayes

**PLANNING COMMISSION APPOINTMENT - Mayor Fraley**

Mayor Fraley requested Council approval of Greg Lakes to fill the unexpired term of Ben Robinson, III, on the Berea Planning & Zoning Commission, to expire January 16, 2023.

Scenters motioned; Little seconded motion to approve the appointment of Greg Lakes to fill the unexpired term of Ben Robinson, III, to expire on January 16, 2023.

Voice Vote: All ayes

**BID RECOMMENDATION FOR ALTITUDE VALVE REPLACEMENT PROJECT - K. Howard, General Manager, Berea Municipal Utilities**

September of 2021 only one bid was received from Currens Construction Services, LLC, and opened on September 21st at the City Council meeting for the Altitude Valve Replacement of the Chestnut Street 500,000 Gallon Elevated Water Storage Tank Project for a total amount of $176,500.

Since the bid opening, Berea Municipal Utilities (BMU) requested a Value Engineering Estimate and had negotiated an $8,080.00 reduction in the total cost of the project.

The project involved replacement and upgrade of the existing altitude valve, real-time chlorine residual monitoring, and off-site level control of the tank water level. Each critical to optimizing drinking water quality and system water pressure which would enhance fire protection capabilities.

BMU recommended Council to accept the bid at the reduced total cost of $168,420.00 and enter into a contract agreement with Currens Construction Services, LLC to complete the project.

Little motioned; Wilson seconded motion to accept bid from Currens Construction Services, LLC in the reduced amount of $168,420.

Voice Vote: All ayes

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**BALANCING CHANGE ORDER #2 FOR 2021 SANITARY SEWER REHABILITATION & CHERRY ROAD / CHESTNUT COURT IMPROVEMENTS - K. Howard, General Manager, Berea Municipal Utilities**

Project had been completed. In order to close out the project, Howard requested approval of a final balancing Change Order totaling $33,996.09.

The main line item in the overage was the change in scope of work regarding the apron entrance entering Chestnut Court from Chestnut Street. The determination was made by City of Berea (COB) and Berea Municipal Utilities (BMU) to remove and replace the existing apron at the conclusion of the project to provide a smoother surface entering Chestnut Court. The change totaled $14,465.00 which would be paid by a 50/50 cost share between the COB and BMU.

The remaining total of the Change Order was a result of balancing the estimated quantities and final quantities of the additional 57 pay line items.

Caudill motioned; Little seconded motion to accept balancing Change Order #2 for the 2021 Sanitary Sewer Rehabilitation & Cherry Road / Chestnut Court Improvements Project in the amount of $33,996.09.

Voice Vote: All ayes

**AMENDMENT TO SANITARY SEWER REHABILITATION WORK ORDER #2 UNIT PRICE LINE ITEM - K. Howard, General Manager, Berea Municipal Utilities**

With the completion of the initial phase of this project, Berea Municipal Utilities (BMU) was ready to issue Work Order #2 as provided in the original contract. The next phase of the work would include remediation work in the Holly Hill, Cherry Road, and Cherry Road Court areas as identified in the investigative work of Phase I. Additionally, investigative and repair work would be performed along the entire planned repaving portion of Chestnut Street and Estill Street.

To adequately capture the various line sizes and anticipated point repairs, Howard recommended and presented amendments to the original contract Unit Price Line Items.

With Council approval of the amendments, BMU would issue Work Order #2 and begin work January 2022.

Davis motioned; Caudill seconded motion to revise/amend the original contract unit pricing line items for the presented schedule of the Sanitary Sewer Rehabilitation Project.

Voice Vote: All ayes

**RESOLUTION #17-2021 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BEREA, KENTUCKY, EXPRESSING INTENTION TO OPERATE A JOINT PUBLIC SAFETY RADIO SYSTEM WITH THE MADISON COUNTY FISCAL COURT AND THE CITY OF RICHMOND. - Mayor Fraley**

Mayor Fraley read Resolution #17-2021 in entirety.

Terrill motioned; Payne seconded motion to approve Resolution #17-2021.

Voice Vote: All ayes

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**PUBLIC HEARING**

**RESOLUTION #18-2021 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BEREA, KENTUCKY, REQUESTING THAT THE KENTUCKY DEPARTMENT OF HIGHWAYS, TRANSPORTATION CABINET, DESIGNATE A PORTION OF KENTUCKY MEMORIAL 21 IN THE CITY OF BEREA AS THE “CAPTAIN HUGH M. “MAC” BYRD, JR. MEMORIAL HIGHWAY.” - Mayor Fraley**

Mayor Fraley read Resolution #18-2021 in entirety.

Jimmy Lakes, Berea, KY, spoke in favor of the Resolution stating that Captain Byrd was one of the last service members from Kentucky who served in Vietnam and designated as “Missing In Action, Presumed Dead.” Remembering Captain Byrd’s service and sacrifice with a memorial highway designation was fitting and proper.

PUBLIC HEARING CLOSED

Caudill motioned; Davis seconded motion to approve Resolution #18-2021

Voice Vote: All ayes

**ORDINANCE #26-2021 - AN ORDINANCE OF THE CITY OF BEREA, KENTUCKY, ANNEXING CERTAIN REAL PROPERTY LOCATED NEAR BEREA, MADISON COUNTY, KENTUCKY. -**

**2ND READING**

Corporate Counsel, Gilbert, read Ordinance #26-2021 in entirety.

Caudill motioned; Scenters seconded motion to approve and adopt Ordinance #26-2021.

Roll Call Vote: All ayes

**ORDINANCE #27-2021 - AN ORDINANCE OF THE CITY OF BEREA, KENTUCKY, CHANGING THE ZONING CLASSIFICATION OF PROPERTY DESCRIBED AS 136 NEELY STREET AND 164 NEELY STREET AND OWNED BY RUTH BAKER HEREIN FROM R-1 (SINGLE FAMLY RESIDENTIAL) TO MP/C (MOBILE/MANUFACTURED HOME/COMMUNITY DEVELOPMENT). - 2ND READING**

Subject to a Public Hearing before the City Council and read in entirety, Corporate Counsel, Gilbert read Ordinance #27-2021 by summary.

Terrill motioned; Little seconded motion to approve and adopt Ordinance #27-2021.

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

Nays - Payne, Startzman

Motion carried.

**ORDINANCE #28-2021 - AN ORDINANCE OF THE CITY OF BEREA, KENTUCKY, AMENDING THE PERSONNEL POLICIES AND PROCEDURES, BY AMENDING THE PROVISIONS FOR SEASONAL AND PART-TIME PAY. - 1ST READING**

Corporate Counsel, Gilbert, read Ordinance #28-2021 in entirety.

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**ORDINANCE #29-2021 - AN ORDINANCE OF THE CITY OF BEREA, KENTUCKY, AMENDING THE 2021-2022 FISCAL YEAR BUDGET FOR THE CITY OF BEREA, ORDINANCE #14-2021 REVENUES AND EXPENDITURES. - 1ST READING**

Corporate Counsel, Gilbert, read Ordinance #29-2021 in entirety.

**CITY ADMINISTRATOR’S REPORT**

* The Christmas parade was a success, i.e., beautiful, well-attended, and organized.

Thanked all involved Departments, Berea Chamber of Commerce, and all local businesses who participated with floats.

* As an energy provider, Berea Municipal Utilities (BMU) was required to submit monthly and yearly reports to the Federal Energy Information Administration. The information is analyzed and compiled for 3,510 electric companies across the nation.

BMU’s average residential electricity rate was found to be 18.17% below the average Kentucky rate. Of the 58 electric providers reporting in Kentucky, BMU ranked 9th best in energy loss levels.

In addition, BMU was recognized for Energy Provider Excellence in the Kentucky, Mid-Sized Provider Category in the following areas:

* Top 3 Lowest Energy Loss (2020)
* Top 3 Lowest Average Residential Monthly Bill (2019)
* Top 3 Lowest Residential Electricity Rate (2019)

This recognition was a result of the dedicated employees in the electric division and the hard

work performed daily to ensure Berea customers were supplied with the most reliable service

possible while maintaining extremely competitive rates.

Congratulated the utility billing and administration employees who continually focused on

providing outstanding customer service.

* Recognized and congratulated Liz Todd, Program Manager, and Sarah Stillwell, Media Manager, both recently new to the Tourism staff, for their efforts in promoting and drawing new visitors to Berea. Todd had shown outstanding skills and workmanship in leading hands-on workshops. Stillwell was recognized by the State Department of Tourism and Travels as one of the top 10 in her field for writing, producing and submitting quality press releases, showing marketing and promotional ads, community projects, and on-going events.
* Mountain Bike Trail signs were up. Recognized individuals / departments who worked together on the signs, i.e., Public Works, Berea Municipal Utilities, Fire Chief Sandlin, and Warren Heckman, local sign designer and maker. Another example of the teamwork it takes to make our city world go around.

**MAYOR’S REPORT / COMMENTS**

* Sensed and glad to see a lot of positive energy, enthusiasm, and excitement within the City, especially this time of year. Glad to see a lot of cooperation in our City. The town looked beautiful.
* A ton of great work was going on within our City and Berea was fortunate to have such a high-performing, well qualified City Staff / Leadership.
* Finance Director, Susan Meeks, was notified on November 16th that her budget document was awarded the Distinguished Budget Presentation Award from the Government Finance Officers Association (GFOA) for the current fiscal period. The award was the highest form of

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recognition in governmental budgeting. Thanked Susan and her staff and other department heads and they all play a key role in budget management.

**COUNCIL COMMENTS**

**Caudill** Susan did it, exceptional, and also credit to the department heads. Congratulations to everyone. Although he had no issues with the bidder for the Administrative Services for the Administration of American Rescue Plan Act of 2021, he would like to review the details.

**Wilson** Appreciated everything the employees do, they make the City, and thank you. Hats off to Tourism. Appreciated everyone being there. Council Members received an e-mail regarding voting on the Zone Change for Neely Street. As the mobile home park on Neely Street had been there for over fifty years, the Zone Change was fixing an oversight from a few years ago.

**Terrill** No comment.

**Startzman** Did not think the Zoning for Neely Street might have been an oversight, but a possible conscious decision of leadership to decide that type of mobile home park was not the way our city wanted to grow. Honored the Facebook group called Berea Creates Together (volunteer citizens) as they created the amazing, crocheted Christmas tree on the corner of Chestnut and Broadway Streets. Hoped it was the first of many community holiday projects. Requested to re-visit the litter ordinance.

**Scenters** Seemed to be and appreciated a very positive meeting. Congratulations to everyone in the City as they all do a great job and were appreciated.

**Little** Thanked everyone. Seemed everyone was working together. Although everyone may not always agree, they would move forward. The only way the City would come together was the employees / people working together in discussions, etc. Proud of Berea.

**Davis** Added to public comment in that we needed to remember the Japanese attack on Pearl Harbor, 80 years ago today, as a lot of us had fathers from the greatest generation and sacrificed for our country. Thanked Amanda Haney and the Codes Office for taking care of trash situation on Scaffold Cane. Thanked Jim Gray, Mr. Ballinger, and District 7 Highway Department for repairing Chestnut Street. Congratulations to our Police Officers. Congratulations to Susan. Thanked the Berea Chamber of Commerce for the Christmas parade. Thanked all involved City Departments.

**Payne** Appreciated City Staff. Congratulations on the accolades, promotions, and the great work they all do. Appreciated the Allen Co. for road prep for winter weather. Recognized Berea College’s success as the first Kentucky college to finish a hydropower project and the first in 90 years in the state of Kentucky. The project was projected to produce enough electricity to meet half of Berea College’s entire electric needs.

**ADJOURNMENT**

Caudill motioned; Scenters seconded motion to adjourn at 7:39 p.m.

All ayes

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Mayor Bruce Fraley

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City Clerk