**BEREA CITY COUNCIL \_\_\_ \_\_ REGULAR MEETING \_ \_\_ \_\_ NOVEMBER 2, 2021**

The Berea City Council met in a regular session, Tuesday, November 2, 2021.

Mayor Bruce Fraley presiding.

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

**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, Kevin Howard,

Donna Angel, Amanda Haney, Priscilla Bloom, Eric Scott

**INVOCATION:** Jerry Little

**PLEDGE OF ALLEGIANCE:** Jerry Little

**APPROVAL OF AGENDA**

Caudill motioned; Payne seconded motion to approve agenda.

Vote: All ayes

**APPROVAL OF MINUTES - October 19, 2021**

Davis motioned; Startzman seconded motion to approve minutes as presented.

Vote: All ayes

**PUBLIC COMMENTS**

None

**PROCLAMATION - 2021 SMALL BUSINESS SATURDAY**

Mayor Fraley read the 2021 Small Business Saturday Proclamation recognizing November 27, 2021 as Small Business Saturday. The proclamation was presented to Shelley Lakes Wolfe, Foley’s Florist, Berea, on behalf of local small businesses. Residents of the community, and communities across the country, were encouraged to support small businesses and merchants on Small Business Saturday and throughout the year.

**ZONE CHANGE APPEAL - 100, 136, 164 NEELY STREET -** Jerry Gilbert

Corporate Counsel, Gilbert, recapped the City Council’s responsibility regarding a Zone Change Appeal and stated the appeal to the City Council was on the agenda due to a Planning & Zoning Commission decision on August 24, 2021 to deny application request for a Zone Change, from R-1 (Single Family) to MP/C (Mobile/Manufactured Home Park/Community District) for property located at 100, 136, & 164 Neely Street. At the October 19, 2021 the City Council chose to have an ‘argument type’ hearing to hear evidence / arguments for the proposed zone change and evidence / arguments for opposed zone change to consider the zone change request. (Prior to the November 2, 2021 City Council meeting, the Council had been provided a copy of the application, exhibits, and findings of the Planning & Zoning Commission that the current zoning was appropriate and the proposed zone change was inappropriate, and a video made available to them of the hearing conducted by the Planning & Zoning Commission.)

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Amanda HHaeHaney, Codes & Planning Administrator, stated at the August 24, 2021 Planning & Zoning meeting, the Commission determined the proposed zone change request was not in compliance with the current Comprehensive Plan as the Future Land Use Map showed the property as ‘low density residential’ and the existing Zone of R-1 (Single Family) was appropriate and the proposed zone change was inappropriate. As the mobile home park existed prior to City zoning and prior to annexation, it can remain as a mobile home park, a non-conforming use.

Kory Isaacs, attorney for property owner/applicant, Larry Baker, requested to remove vacant lot 100 Neely Street from the appeal/application, leaving only the consideration of lots 136 and 164 Neely Street for the proposed zone change request. The mobile home park had existed since the 1960’s and provided primary residence for many citizens. When annexed into the City, it was not annexed appropriately. The mobile home park retained a license from the state and the county and had been taxed as a mobile home park. There were eleven state approved spaces for mobile homes with no plans to add more nor take away.

Caroline Eades, Neely Street, requested that lot 100 Neely Street remain as green space as she, and other adjacent neighbors, felt if additional mobile homes were added that the dead-end street would be unable to handle additional traffic and/or parking. She expressed other concerns, i.e., adding Recreational Vehicles (RVs), drugs, domestic violence, thievery, parking on the street, etc. and asked Council to consider these concerns.

Terrill motioned; Little seconded motion to call the question.

Voice Vote: All ayes.

Caudill motioned; Scenters seconded motion, specifically excluding 100 Neely Street, to approve the zone change application request, for 136 Neely and 164 Neely Street, as the existing zoning classification of R-1 (Single Family) was inappropriate and the proposed zoning classification to MP/C (Mobile/Manufactured Home Park/Community District) was more appropriate.

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

Nays: Startzman, Payne

Motion carried.

**CITY ADMINISTRATOR’S REPORT**

* Sunday, October 31st, the Parks Department hosted a successful 20th annual Halloween at the Park with twenty-one local businesses participating and approximately 1,200 trick-or-treaters.
* Berea Parks & Recreation Department requested citizens’ input on Tuesday, November 9th, any time between 6:00 p.m. and 8:00 p.m., at the Folk Center, for an opportunity to share ideas on how to enhance Berea’s parks, recreation, trails, and programs. Several interactive stations would be set up for involvement.
* Public Works had been busy with Fall Clean-Up and Brush Pick Up Week. They had also been doing roadside and short grass mowing, started leaf pick up, and had begun Christmas light repairs.
* The pavilion project was wrapping up. The fence had been installed, some final punch list items remained, and they were working with the architect to fix the drainage issue in the parking lot. They would be working with the Tourism Commission this month for clarification on items to be completed, i.e., signage, lighting, striping, etc. With the Commission’s approval, the additional portions for the overall project would be completed.

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* The Berea Police Department would be conducting nighttime firearms training at the shooting range the week of Monday, November 8th – Friday, November 12th, 5:00 p.m. to 10:00 p.m.
* Berea Tourism’s Make It, Take It, Give It! learn shops were scheduled for the weekends of November 12 - 14, November 19 - 21, and December 10 - 12. To view, register, or for more information visit their website at VisitBerea.com.

**MAYOR’S REPORT / COMMENTS**

* Appreciated those who came to and involved with the Daniel Boone US21 Bike Route grand opening on Monday, November 1st. The route passes through ten counties from Middlesboro to Maysville with Berea being the crossroads.
* Thanked those who attended the State of the City Address on Thursday, October 28th. Appreciated the teamwork and collaboration of the City Council, Administration, and City Staff over the past year.

**COUNCIL COMMENTS**

**Wilson** Thanked everyone for coming to tonight’s meeting. Regarding Neely Street, thought Public Works should check on the parking issues as property owners should be able to access their personal driveways.

**Caudill** Reiterated and suggested that citizens attend the Public Works Committee meetings as they would address issues, i.e., parking, etc., and take them seriously.

**Payne** Had absolutely no malice for the trailer park, the owners, or the residents. Expressed appreciation for the judgement of the public servants, Planning & Zoning Department, and other committees within the City. Thankful for the opportunity for a ride-a-long with the Berea Police Department and the professionalism of Officer Manley. Impressed with the Tesla, felt it was serving the community well.

**Little** Berea had a commitment for Chestnut Street, from the Kentucky Transportation Department, thatthe soft spots would be repaired for the winter with paving in the spring. Although they might not be the ‘fix-all,’ Public Works did not mind at all to look at the streets, parking, etc. within the City and do what they could.

**Scenters** Thanked Caroline Eades for her comments regarding Neely Street. Appreciated Shelley Lakes Wolfe for accepting the proclamation for Small Business Saturday. Shop local now and everyday between now and Christmas.

**Davis** The Kentucky Career Center and City of Berea were hosting a job fair on Thursday, November 18th, 10:00 a.m. - 3:00 p.m., Russel Acton Folk Center. Small Business Saturday / Shop Small Saturday was November 12th. In the Richmond Register’s Best of Madison County contest, Old Town was voted as the Best Madison County Tourist Attraction. Thanked everyone for coming and their comments.

**Terrill** Requested confirmation that mobile home parks required parking on the lot, not on the road. Haney, Codes & Planning Administrator, confirmed although that was correct, it did not pertain to the Neely Street mobile home park.

**Startzman** Was familiar with the Neely Street mobile home park and disagreed with the zoning appeal decision relating to how we want our City to grow. After spending time in that neighborhood and hearing testimony of the residents, clearly felt the mobile home park was not a good neighbor. Did not seem as if that is what we want our City to become and keeping the zoning of R-1 would have been more appropriate and not have changed the use. Just because something had existed for a long time does not mean that is how we want our City to grow.

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**ADJOURNMENT**

Caudill motioned; Payne seconded motion to adjourn at 7:40 p.m.

All ayes

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Mayor Bruce Fraley

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City Clerk