**BEREA CITY COUNCIL \_\_\_ \_\_ REGULAR MEETING \_ \_\_\_\_ \_\_ FEBRUARY 15, 2022**

The Berea City Council met in a regular session, Tuesday, February 15, 2022.

Mayor Bruce Fraley presiding.

A quorum being present, the meeting was called to order at 6:33 p.m.

WORK SESSION

5:30 PM - 6:25 PM

AMERICAN RELIEF PLAN ACT (ARPA) UPDATE

Greyson Evans, Bluegrass Area Development District (BGADD)

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

Steve Caudill, Cora Wilson

**COUNCIL ABSENT:** Ronnie Terrill

**OFFICIALS PRESENT:** Jerry Gilbert, Rose Beverly, Robin Adams, Tommy Horn, Donna Angel,

Priscilla Bloom, Shawn Sandlin, Eric Scott, Amanda Haney, Kevin Howard

**OFFICIALS ABSENT:** None

**INVOCATION:** Jim Davis

**PLEDGE OF ALLEGIANCE:** Jim Davis

**APPROVAL OF AGENDA**

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

Vote: All ayes

**APPROVAL OF MINUTES - February 1, 2022**

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

Vote: All ayes

**PUBLIC COMMENTS**

None

**BEREA FOOD BANK -** Tony Crachiolo

Crachiolo gave an overview of the Berea Food Bank which was one of the programs of Berea Faith Community Outreach. Year 2022 marked their 20th anniversary of their incorporation as a non-profit in Berea. The Berea Food Bank began approximately a decade prior. Later, the City of Berea made a house available for the Food Bank’s operations. Food was collected and distributed to citizens of Berea with eighteen years of steady growth until the COVID pandemic in 2020. Many volunteers had to step back, and some were retiring. In order to continue growth, their business model changed from requesting item donations to requesting monetary donations. In turn, they reached out to hunger in Berea, gained control of inventory, worked with a nutritionist, and with a retired restaurant manager on their staff, created a food pyramid of a nutritious diet. They are now able to provide a family enough food for up to one week, once a month.

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Through their “Reach Out” program and partnering with other agencies, they provide / deliver fresh produce and groceries to families residing in affordable housing in Berea, which includes nearly one hundred families, mostly seniors, assist in providing means of growing their own food, hygiene products for local schools and college, emergency food boxes for local police cruisers, and assistance from the Community Resource Office.

To gain a perspective of the Food Bank’s service, 14,000 meals were provided in 2019 and 95,000 meals were provided in 2021. Ninety-three cents of every dollar donated went directly to aid.

On behalf of Berea Faith Community Outreach Board of Directors, volunteers, partners, donors, and the thousands of people they have been able to help, Crachiolo offered thanks and deepest gratitude for continuous support and assistance.

**BEREA HOME VILLAGE PROCLAMATION -** Mayor Fraley

Mayor Fraley read proclamation in its entirety recognizing the week of February 12, 2022 through February 18, 2022 as Berea Home Village Week in Berea, Kentucky.

Katie Heckman, Executive Director of Berea Home Village, stated Berea Home Village began five years ago providing volunteer and paid providers to help seniors in Berea thrive at home. They offer members an affordable option for staying in their own homes when transportation and household chores become difficult, in lieu of, leaving their familiar surroundings. A perfect solution for those who wish to remain active, independent, and socially connected their communities.

**BOARD OF ADJUSTMENTS APPOINTMENTS -** Mayor Fraley

Mayor Fraley requested Council approval of Dave Wallace for a four-year term on the Berea Board of Adjustments to expire February 15, 2026.

Davis motioned; Caudill seconded motion to approve appointment of Dave Wallace for a four-year term on the Berea Board of Adjustments.

Voice Vote: All ayes

Mayor Fraley requested Council approval of Danny Brewer for a four-year term on the Berea Board of Adjustments to expire February 15, 2026.

Scenters motioned; Little seconded motion to approve appointment of Danny Brewer for a four-year term on the Berea Board of Adjustments.

Voice Vote: All ayes

Mayor Fraley requested Council approval of Joshua Bills for a four-year term on the Berea Board of Adjustments to expire February 15, 2026.

Payne motioned; Caudill seconded motion to approve appointment of Joshua Bills for a four-year term on the Berea Board of Adjustments.

Voice Vote: All ayes

Mayor Fraley requested Council approval of Katherine Berry for a four-year term on the Berea Board of Adjustments to expire February 15, 2026.

Startzman motioned; Caudill seconded motion to approve appointment of Katherine Berry for a four-year term on the Berea Board of Adjustments.

Voice Vote: All ayes

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**BALANCING CHANGE ORDER AND CONTRACT MODIFICATION REQUEST FOR WALNUT MEADOW PUMP STATION AND SOUTH MIDDLETOWN SEWER TRUNK LINE IMPROVEMENT PROJECT CLOSEOUT -** Kevin Howard, General Manager, Berea Municipal Utilities

Howard requested approval of Change Order #3 for the improvement project. Substantial completion had been achieved making this the final change order request before project closeout. The request was summarized as shown below.

* $13,300.00 additional cost for the addition of a manhole and vault for emergency bypass pump connection, which included valves, fittings, and installation labor.
* $1,616.50 additional cost for an access hatch for emergency bypass pump connection manhole.
* Credit of $148,716.42 for balancing of planned Unit Price Quantities to that of actual price quantities installed.
* Extension in Contract time for Final Payment of 194 calendar days. The project had numerous delays beginning with COVID shutdowns and restrictions. The delays led to material delays over the course of the last year and a half, most notably, all the electrical components with the emergency generator, SCADA system, and switchgear. This time period also included inclement weather days during the current winter months.
* Summary: Original Contract Price $2,311,340.00

Contract Price Incorporating this Change Order $2,177,540.08

Total Deduction of $ 133,799.92

Original Substantial Completion September 12, 2020

Original Final Completion October 12, 2020

Substantial Completion Date with Approved Change Order February 2, 2022

Final Completion Date with Approved Change Order February 28, 2022

Little motioned; Caudill seconded motion to approve Balancing Change Order #3 for the Walnut Meadow Pump Station and South Middletown Sewer Trunk Line Improvement Project Closeout as presented.

Voice Vote: All ayes

**ZONE CHANGE APPEAL - 104 JOHN STREET -** Jerry Gilbert

Corporate Counsel, Gilbert, presented options to the City Counsel regarding how they would like to proceed with the Zone Change Appeal for 104 John Street, amending the zoning classification from R-1 (Single Family Residential) to B-2 (Major Business District), per denial decision of the Planning & Zoning Commission.

Caudill motioned; Wilson seconded motion to proceed with the option of holding an argument-type hearing to review the recommendation and the record made before the Planning Commission and make its own adjudicative facts which may differ from those of the Commission.

Voice Vote: All ayes

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**ORDINANCE #02-2022 - AN ORDINANCE OF THE CITY OF BEREA, KENTUCKY, AMENDING THE CODE OF ORDINANCES OF THE CITY OF BEREA, KENTUCKY, BY REVISING SECTION 40.306, TO REQUIRE THAT CURBS MARKING FIRE HYDRANTS SHALL BE PAINTED RED, AND PROHIBITING PARKING WITHIN FIVE FEET OF ANY DRIVEWAY, WITHIN TWELVE FEET IN FRONT OF A RESIDENTIAL MAILBOX, OR ON BRIDGES OR OVERPASSES; AND FURTHER REPEALING THE TEN-HOUR PARKING PROHIBITION IN SECTION 40.308(B). - 2ND READING**

Corporate Counsel, Gilbert, read Ordinance #02-2022 by summary.

Payne motioned; Little seconded motion to approve and adopt Ordinance #02-2022.

Roll Call Vote: All ayes

**ORDINANCE #03-2022 - 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 #03-2022 in entirety.

Little motioned; Wilson seconded motion to approve and adopt Ordinance #03-2022.

Roll Call Vote: All ayes

**ORDINANCE #04-2022 - AN ORDINANCE OF THE CITY OF BEREA, KENTUCKY, DECLARING CERTAIN PROPERTY TO BE SURPLUS AND AUTHORIZING IT TO BE SOLD. - 2ND READING**

Corporate Counsel, Gilbert, read Ordinance #04-2022 in entirety.

Caudill motioned; Little seconded motion to approve and adopt Ordinance #04-2022.

Roll Call Vote: All ayes

**CITY ADMINISTRATOR’S REPORT -** R. Beverly

* The City was honored to have Governor Andy Beshear and Senior Advisor, Rocky Adkins, visit Berea on Monday, February 14th, to award grants to Madison, Estill, and Garrard Counties, and Irvine Municipal Utilities Commission. The City of Berea was awarded $588,571.59 from the American Rescue Plan Act for the Brushy Fork Sanitary Sewer Rehabilitation Project. Numerous local and state elected officials were in attendance. A thank you was extended for the City Departments / Staff that worked together to assist in hosting the event.

Note: This grant funding was in addition to the City’s ARPA funds.

* Currently working on the amended budget. Plans were to have a work session to present the amended budget at the March 15th City Council meeting.

**MAYOR’S REPORT / COMMENTS**

* Thanked City Administrator, Beverly, for her leadership in working with staff on setting up for the Governor’s visit this week. Also thanked Department Heads and all staff involved. This was a regional event and felt Governor Beshear was well pleased. The grant of $588,571.59 was designated for water and sewer infrastructure.
* Appointed Juan Rojas to the Berea Human Rights Commission for a three-year term to expire on February 14, 2025.

Mayor acknowledged and appreciated Virginia Bland’s service to the City on the Berea Human Rights Commission.

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**COUNCIL COMMENTS**

**Cora Wilson** Thanked everyone for coming to tonight’s meeting.

**Davis** An Economic Development Committee meeting was scheduled for Monday, February 21st, 6:00 p.m., Randy Stone Community Room, City Hall, with speaker Brad Thomas, Economic Development Director, East Kentucky Power.

**Payne** Thanked fellow council members for their support of Ordinance #02-2022, Parking Code Revisions.

**Caudill** No comment.

**Startzman** Appreciated Greyson Evans’, Bluegrass Area Development District, presentation/review at the work session regarding the American Relief Plan Act (ARPA) and was glad leadership had been thoughtful in approaching the funding.

**Scenters** Nice to hear positive financial information. Good to have everyone in attendance tonight.

**Little** A Special Called Public Works meeting was scheduled for Monday, February 21st, 6:00 p.m., location to be determined due to a scheduling conflict.

**ADJOURNMENT**

Payne motioned; Davis seconded motion to adjourn at 7:27 p.m.

All ayes

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Mayor Bruce Fraley

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City Clerk