**BEREA CITY COUNCIL \_\_\_ \_ SPECIAL CALLED MEETING \_ \_\_\_\_\_\_ SEPTEMBER 19, 2022**

The Berea City Council met in a special called session, Tuesday, September 19, 2022.

Mayor Bruce Fraley presiding.

A quorum being present, the meeting was called to order at 6:32 p.m.

WORK SESSION

5:45 PM - 6:30 PM

Parks & Recreation Department Master Plan - Keith Rodenhauser, Brandstetter Carroll Inc.

**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, Daniel Brindley, Donna Angel,

Shawn Sandlin, Chris Neal, Susan Meeks, Kevin Howard

**INVOCATION:** Steve Caudill

**PLEDGE OF ALLEGIANCE:** Steve Caudill

**APPROVAL OF AGENDA**

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

Voice Vote: All ayes

**APPROVAL OF MINUTES - September 6, 2022**

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

Voice Vote: All ayes

**PUBLIC COMMENTS**

None

**WATER & WASTEWATER TREATMENT CHEMICALS BID RECOMMENDATION –** Kevin Howard, General Manager, Berea Municipal Utilities (BMU)

Howard requested approval of treatment chemicals noting an 81% increase in water chemicals and a 36% increase in sewer chemicals. Due to anticipated increases, the budget was adjusted accordingly.

Of the four bids received and opened at the previous City Council meeting, the lowest (annual) bid for each chemical was chosen. Based on estimates, Water recommendation was $167,847 and Wastewater recommendation was $61,056 with a total recommendation of $180,000.

Little motioned; Wilson seconded motion to approve Water and Wastewater Treatment Plant chemicals as recommended by Berea Municipal Utilities General Manager.

Voice Vote: All ayes

Payne motioned; Caudill seconded motion of first budget amendment by approving chemical increase for water line-item total to $167,847 and chemical increase for wastewater line-item total to $61,056.

Voice Vote: All ayes

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**WASTEWATER INFRASTRUCTURE ACCEPTANCE -** Kevin Howard, General Manager, Berea Municipal Utilities (BMU)

Howard requested approval of three projects, all completed in 2021, to be accepted into the City’s wastewater maintenance system, i.e., 1113 Mayde Road Commercial Building with an installation value of $31,065, Vineyard Phase III (Vineyard Way) with an installation value of $77,080, and Fincastle Phase I with an installation value of $283,695, a total of $391,840.

Caudill motioned; Terrill seconded motion to accept three completed projects, i.e., 1113 Mayde Road Commercial Building, Vineyard Phase III, and Fincastle Phase I, into the City’s wastewater infrastructure maintenance system.

Voice Vote: All ayes

**RESOLUTION #12-2022 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BEREA, KENTUCKY AUTHORIZING THE MAYOR TO ENTER INTO A GRANT ASSISTANCE AGREEMENT WITH THE KENTUCKY INFRASTRUCTURE AUTHORITY FOR ASSISTANCE FOR DRINKING WATER AND WASTEWATER INFRASTRUCTURE IMPROVEMENTS PURSUANT TO THE AMERICAN RESCUE PLAN OF 2021/CORONAVIRUS STATE FISCAL RECOVERY FUND, KNOWN AS THE KENTUCKY CLEAN WATER PROGRAM, AND TO EXECUTE THE DOCUMENTS NECESSARY TO OBTAIN AND ADMINSTER SUCH GRANT.**

Corporate Counsel, Gilbert, read Resolution #12-2022 in entirety.

Terrill motioned; Davis seconded motion to approve and adopt Resolution #12-2022.

Voice Vote: All ayes

**DOMESTIC VIOLENCE AWARENESS MONTH PROCLAMATION**

Mayor Fraley read the Proclamation in entirety recognizing the month of October as Domestic Violence Awareness Month in Berea, Richmond, and Madison County, urging all citizens to reach out to victims and help end domestic violence.

Jennifer Lainhart, Executive Director, Hopes Wings, stated Hopes Wings was a resource assisting domestic violence victims throughout Madison County. Men, women, and children were victims of domestic violence. The need for their services continued and the need for citizens’ support continued.

Local events were held during October to raise awareness and to celebrate non-violence relationships.

**ORDINANCE # 14-2022 - AN ORDINANCE OF THE CITY OF BEREA, KENTUCKY, AMENDING THE CODE OF ORDINANCES OF THE CITY OF BEREA, KENTUCKY, BY REVISING SECTIONS 61.01 AND 61.02 TO SPECIFICALLY PROVIDE FOR THE IMPOSITION OF THE TRANSIENT ROOM TAX TO CABINS, LODGINGS, CAMPSITES, OR OTHER ACCOMMODATIONS CHARGED BY ANY HOTEL, MOTEL, INN, TOURIST CAMP, TOURIST CABIN, CAMPGROUNDS, RECREATIONAL VEHICLE PARKS, OR ANY OTHER PLACE IN WHICH ACCOMODATIONS ARE REGULARLY FURNISHED TO TRANSIENTS FOR CONSIDERATION OR BY ANY PERSON THAT FACILITATES THE RENTAL OF THE ACCOMMODATIONS BY BROKERING, COORDINATING, OR IN ANY OTHER WAY ARRANGING FOR THE RENTAL OF THE ACCOMMODATION. -**

**2ND READING**

Corporate Counsel, Gilbert, read Ordinance #14-2022 by summary.

Payne motioned; Caudill seconded motion to approve and adopt Ordinance #14-2022.

Roll Call Vote: All ayes

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**ORDINANCE #15-2022 - AN ORDINANCE OF THE CITY OF BEREA, KENTUCKY, AMENDING THE CODE OF ORDINANCES OF THE CITY OF BEREA, KENTUCKY, BY REVISING ARTICLE VII OF CHAPTER 54, SECTION 54.603, USE OF FIREWORKS, TO REVISE THE DATES AND THAT CONSUMER FIREWORKS MAY BE USED, IGNITED, FIRED, OR EXPLODED WITHIN THE CITY OF BEREA. - 2ND READING**

Corporate Counsel, Gilbert, read Ordinance #15-2022 in entirety.

Scenters motioned; Wilson seconded motion to approve and adopt Ordinance #15-2022.

Payne motioned; Caudill seconded motion to amend Ordinance #15-2022.

Scenters motioned to table Ordinance #15-2022 until incorporated with a broader noise ordinance in the future. Motion accepted without objection. No second motion required.

Voice Vote: All ayes

**ORDINANCE #16-2022 - 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 #16-2022 in entirety.

Caudill motioned; Little seconded motion to approve and adopt Ordinance #16-2022.

Roll Call Vote: All ayes

**DEPARTMENT HEAD REPORTS**

**Daniel Brindley, IT Director**

Brindley shared the following current and upcoming projects:

**Current Projects** included upgrade of two major servers, migrating police file/evidence server to a virtual platform, working on a network reconfiguration to make City Hall the primary internet connection with Berea Municipal Utilities Building serving as a secondary internet connection / back-up.

**Upcoming Projects** included a new phone system and offsite back-ups for disaster recovery.

**CITY ADMINISTRATOR’S REPORT -** Rose Beverly

* Grateful for the IT Department. Daniel Brindley, IT Director, and Tommy Horn, IT Assistant, do a great job.
* Street resurfacing projects were complete. Public Works Department was currently working on striping.
* Working out final details of the Ellipse Street Shared Use Path with plans to be bid out before end of the year.
* The Spoonbread Festival was a great success and very well attended. Gave a shout out to the Berea Chamber of Commerce, countless volunteers, vendors, and city staff for making the event happen.
* Fire Department sold 112 fire hydrants to paint as a fundraiser for a toy drive with 67 of the 112 entered into a contest. Congratulations to Abigail and Eliza Isaacs for first place and Cerra Miller and Emily Ladouceur for a close second place.
* Department Head Reports would be sent out tomorrow.

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**MAYOR’S REPORT / COMMENTS**

* The Chamber of Commerce Leadership Team quoted this year’s Spoonbread Festival as being “hugely successful.” A perfect weekend. It was a considered one of the top three in attendance and number one in all time sales. Compliments to the Berea Chamber of Commerce, the citizens, City Staff, and everyone involved making it a true community event.
* Doris Wyatt, Executive Director, Berea Housing Authority, is retiring, effective January 1, 2023, with 34 years of service. The Housing Authority Board was currently in the process of filling the Executive Director position. Thank you to Ms. Wyatt for a job well done and congratulations on retirement.
* Due to a recent fatality, he had been contacted regarding pedestrian and vehicle safety on Highway 21, especially in the areas of Bratcher Lane, Christmas Ridge Road, Hillcrest Drive, and Neeley Street. Other than the current warning/safety lights, more needed to be done. An executive team had been asked to gather information for providing to the Kentucky Transportation Cabinet for improvements. The Police Department had also been asked to patrol the area to monitor speeding and asked everyone to slow down, save lives.
* Shared letter received from J.D. Chaney, Executive Director/CEO, Kentucky League of Cities, thanking and appreciating Berea’s efforts with the donation of three SUV’s and a police cruiser to the City of Hazard, devastated by recent flooding. The city’s commitment to other communities highlights the fact that city officials consider themselves one family. These selfless acts had truly been inspirational.

**COUNCIL COMMENTS**

**Terrill** Grew up on Christmas Ridge Road, along with Mayor Fraley, remembered him running around as a toddler.

**Scenters** No comment.

**Davis** Congratulated Chamber of Commerce on the Spoonbread Festival weekend and the Fire Department on their hydrant painting fundraiser.

Requested update on the Owsley Fork Dam from Kevin Howard, General Manager, BMU.

Howard stated the progress made since the last update revolved around the original comments received from the initial design submittal. Of the 194 Fort Worth comments, they felt comfortable that they had a plan of action to resolve the issues. The current outstanding issue was one of the ‘Critical’ comments that required a stilling basin in the new design, which in turn, brought the possibility of pyritic shale expansion. The design team and Kentucky Natural Resources Conservation Service (KYNRCS) had agreed to analyze existing core samples stored at the water treatment plant. Based on those results, they would determine if further sampling and core drilling would need to take place. They were optimistic that they would have resubmittal back to Fort Worth by the end of 2022. If further pyrite shale testing was required, it would likely delay that timeline by a few months. They anticipated bid documents in early spring to early summer of 2023.

Asked the status of blocked culvert on Rose Court.

Mayor Fraley stated the area was in a utilities easement and the Public Works Department was working on a plan to get the entire area cleaned out. City Administrator, Beverly, stated plans were to get the project completed within this fiscal year.

**Wilson** Thanked everyone for coming. Regarding the Spoonbread Festival, the sale of spoonbread was unreal. Due to her business with the antique mall, she often asked people where they were from. While at the Spoonbread Festival, asking visitors where they were from, the farthest was Japan. Shout out to the Chamber of Commerce, Dale Ballinger for countless hours of electrical work, and all volunteers at the festival. They did great.

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**Caudill** Thanked Jennifer Lainhart, Hopes Wings, for coming tonight and her continued work and efforts with awareness of domestic violence. Glad to hear the Big Hill Road situation was being looked into. Commended City Administration and all involved in work done, and ongoing work, in the last four to six years in working with the State to solve our problems. The fire hydrant fundraiser was a creative idea and spruced up the city’s fire hydrants. Complimented and thanked Department Heads / Leadership for doing an incredible job in making Berea being in the best position they can be in while moving into the future.

**Payne** Thanked Mayor Fraley for addressing the improvement of the safety issue(s) on Highway 21. A great year at the Spoonbread Festival and fortunate to join City Officials and others in serving spoonbread. Great seeing everyone out in the community. A lot has been done this year, there was a lot to be thankful for. Glad everyone was able to make it to the Council meeting.

**Little** No comment.

**Startzman** Commended the Steering Committee, the Parks Department, and Administration on the Parks Master Plan. The Entrepreneurship for the Public Good, Berea College, had invited Victor Hwang, Right to Start, Kansas City, Missouri, to Berea to learn more about Berea’s Economic Development landscape. In conversation with Hwang, as Right to Start was an advocacy organizing and providing policy suggestions by supporting small business and entrepreneurs directly, new ideas were created to start thinking about.

**ADJOURNMENT**

Caudill motioned; Wilson seconded motion to adjourn at 7:48 p.m.

Voice Vote: All ayes

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Mayor Bruce Fraley

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City Clerk