**BEREA CITY COUNCIL \_\_\_\_\_\_\_\_ REGULAR MEETING \_\_\_\_\_\_ \_\_\_\_\_ FEBRUARY 7, 2023**

The Berea City Council met in regular session, Tuesday, February 7, 2023.

Mayor Bruce Fraley presiding.

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

WORK SESSION

5:45 PM – 6:30 PM

MUNICIPAL ORDER #03-2023 - COUNCIL MEETING PROCEDURES

MUNICIPAL ORDER #02-2023 - AMENDMENT TO PERSONNEL POLICIES & PROCEDURES;

Adding Presidents’ Day Holiday

**COUNCIL PRESENT:** Jim Davis, Teresa Scenters, Katie Startzman, David Rowlette, Jerry Little,

Cora Wilson, Ronnie Terrill

**COUNCIL ABSENT:** Steve Caudill

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

Priscilla Bloom, Jason Hays, Aaron Boykin, Kevin Howard, Susan Meeks

**INVOCATION:** Jim Davis

**PLEDGE OF ALLEGIANCE:** Jim Davis

**APPROVAL OF AGENDA**

Little motioned; Wilson seconded motion to approve agenda.

Voice Vote: All ayes

**APPROVAL OF MINUTES - JANUARY 17, 2023**

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

Voice Vote: All ayes

**SAFE PEDESTRIAN PRACTICES AND BIKEWAY UPDATES**

Lloyd Jordison, Madison County Health Department & Member of the Bluegrass Area Development District Transportation Committee, presented a slide presentation regarding safe pedestrian practices and bikeways. Overall, Berea had worked on pedestrian safety for a while through Safe Routes to School (2009), Berea Pedestrian Task Force (2011), and Madison County Bike/Pedestrian Plan (2018). Crosswalk lights, piano-key crosswalks, and countdown clocks had been added.

Jordison shared Berea’s 2020 Comprehensive Plan Transportation Goals & Objectives (#3, #6, #7) of developing and maintaining an accessible, safe, efficient, and diverse transportation system and how they related to pedestrian and bicycle collisions, injuries, and fatalities from 2013 to 2022. The US Department of Transportation Federal Highway Administration had provided Proven Safety Countermeasures of Safety Benefits, i.e., high-visibility crosswalks could reduce pedestrian injury crashes up to 40%, intersection lighting could reduce pedestrian crashes up to 42%, and advance yield or stop markings/signs could reduce pedestrian crashes up to 25%. He also shared Kentucky’s Complete Streets, Roads, and Highways Policy 2022 (Kentucky Transportation Cabinet, Office of the Secretary), and requested that Berea consider adopting a Complete Street Policy.

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**RESOLUTION #01-2023 DEFERRED COMPENSATION PLAN JOINDER AGREEMENT**

**THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF KENTUCKY HAS ENACTED SECTIONS 18A.230 – 18A.275 OF THE KENTUCKY REVISED STATUTES AUTHORIZING THE CREATION OF THE KENTUCKY PUBLIC EMPLOYEES’ DEFERRED COMPENSATION AUTHORITY BOARD OF TRUSTEES AND THE ESTABLISHMENT OF THE KENTUCKY PUBLIC EMPLOYEES’ DEFERRED COMPENSATION AUTHORITY (KDC).**

Corporate Counsel, Gilbert, read Resolution #01-2023 in entirety.

Little motioned; Startzman seconded motion to approve and adopt Resolution #01-2023.

Voice Vote: All ayes

**MUNICIPAL ORDER #01-2023 AN ORDER OF THE CITY COUNCIL OF THE CITY OF BEREA, KENTUCKY, ESTABLISHING THE STANDING LEGISLATIVE COMMITTEES OF THE CITY COUNCIL, THEIR MEMBERS, AND THE CHAIRPERSON.**

Corporate Counsel, Gilbert, read Municipal Order #01-2023 in entirety.

Little motioned; Wilson seconded motion to approve and adopt Municipal Order #01-2023.

Voice Vote: All ayes.

**MUNICIPAL ORDER #02-2023 A MUNICIPAL ORDER OF THE CITY OF BEREA, KENTUCKY, AMENDING SECTION 8 OF THE CITY PERSONNEL POLICIES BY ADDING PRESIDENT’S DAY AS AN OFFICIAL HOLIDAY OF THE CITY OF BEREA.**

As being subject to a Work Session, Corporate Counsel, Gilbert, read Municipal Order #02-2023 by summary.

Startzman motioned; Wilson seconded motion to approve and adopt Municipal Order #02-2023.

Voice Vote: All ayes.

**DEPARTMENT HEAD REPORTS**

**Susan Meeks, Director, Finance Department**

Fiscal Year 2023

As it was the beginning of a new calendar year, it brought a lot of activity for the Finance Department.

Form 1099 had been generated and mailed out on January 30th, issued to vendors which had provided work for the City. Form 1099 was also collected from businesses / contractors doing business within the City and identified with business licenses within the City which may be inactive. Letters were mailed to businesses / contractors with inactive business licenses to correct the issue. Net profit license return forms had been mailed out which were due for most businesses by April 15th. They were currently collecting annual payroll reconciliations, which were year-end payroll filings reconciled monthly and quarterly from active employers with the year-end W-2 totals.

The new year also marked the end of the City’s second quarter. As of the end of December 2022, the General Fund revenue was up $500,000 from last year’s second quarter and Meeks was encouraged with the revenue levels exceeding the prior year. Second quarter General Fund expenses were at 41% of expenses budgeted. Berea Municipal Utilities (BMU) revenue was within $8000 compared to last year’s revenue, which was amazing on an $8M budget. Utility expenses were at 26% of their total budget.

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Currently working on the amended budget for Fiscal Year 2023. A copy of the amended budget request should be expected early next week. A Work Session and 1st Reading were scheduled for February 21st, with a 2nd Reading scheduled for March 7th. Fiscal Year 2024 Budget is also in process with a Special Called Work Session scheduled for June 1st, the 1st Reading scheduled for June 6th, 2nd Reading scheduled for June 20th.

Had been working on the re-design of BMU’s website for approximately a year, which would greatly expand the amount of information provided to customers. Working with the IT Department, the website was scheduled to go live on Monday, February 13th.

For investment purposes, in early January, $14.5M in the City’s Certificates of Deposit (CDs) had been cashed in and reinvested for better rates and structure to assist in providing a long-term investment plan.

Staff development was a goal for the Finance Department in 2023 in documenting internal processes, expanding cross-training, and succession planning.

**PUBLIC COMMENTS**

Peggy Coyne, Homestead, Berea

Thanked City Council for inviting Lloyd Jordison as a presenter this evening and encouraged Council to adopt a Complete Street Policy. Thanked Councilman Terrill for the awareness of the dangerous nature of Highway 21. She had been in contact with Representative Josh Bray and the Kentucky Transportation Cabinet regarding the safety of Highway 21, between Peachbloom Hill and Shortline, and they had considered adding this area in the 2024 budget.

Eleanor Workman, Berea

Thankful for placing Public Comment later on the agenda. Had heard from the State Legislature that the Senate was trying to pass House Bill 50 (HB50) which would change all elections to be partisan. Hoped that Berea City Council opposed HB50 as she did not think every election should be related to a political party.

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

* Upcoming road resurfacing projects were discussed at the February 6th Public Works Meeting and hopes were to resurface several roads in Berea using a combination of American Rescue Plan Act (ARPA) and Municipal Road Aid Funds. City Staff and the Public Works Committee members were using the Capital Improvement Plan (CIP) as a guide to decide which streets were most in need.
* A Work Session was scheduled for the February 21st City Council meeting to work on the Amended Budget. Council could expect delivery of the amended budget paperwork on February 14th.
* Job Announcements: Applications available online
* Parks Department Multiple Seasonal Maintenance Positions
* Public Works Maintenance Worker I
* Berea Municipal Utilities Water/Sewer Maintenance Operator
* Police Department Police Officer / Certified or Non-Certified

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**MAYOR’S REPORT / COMMENTS**

* Regarding Senate House Bill, HB50, the Kentucky League of Cities Board of Directors had taken the position to oppose the Bill.
* The Opioid Settlement Funds involved two national level lawsuits. The City of Berea had signed on for the September 2022 settlement and were expecting approximately $400,000, which could only be used for very specific purposes, i.e., treatment, recovery, prevention, etc. of opioid use. It would later be determined if the funds would be paid out over a 9-year period or an 18-year period. The second national level lawsuit only involved pharmacies. Although there remained a lot of unanswered questions, he would keep the Council updated as further information was received.
* A review had recently been conducted regarding the resignation of employees. When an employee leaves City employment, all City property is accounted for. After the recent resignation of former Police Chief, Eric Scott, exit protocol was followed with any City property returned and credit card purchases reviewed. The City Attorney and Mayor Fraley met with Scott in January, all City property had been accounted for and/or any credit card purchases had been reimbursed that were unrelated to City business to the satisfaction of Mayor Fraley and the City Attorney. Mr. Scott was fully cooperative throughout the process.

**COUNCIL COMMENTS**

**Davis** Appreciated Mayor Fraley’s report regarding former Police Chief, Eric Scott. Glad City Administrator, Beverly, would be monitoring credit card transactions as this was important.

**Scenters** Echoed Davis’s comments. After the Executive Session at the previous City Council meeting, she took a deep dive into financials with the assistance of Meeks in the Finance Department. Was glad the issue was resolved. Asked if the Opioid lawsuits involved only large pharmacies, not local. Per Mayor Fraley, the lawsuits were on a more national level, i.e., mail-order, chains, etc.

**Startzman** No comment.

**Rowlette** Thanked Meeks for her report. Excited for Berea Municipal Utilities’ (BMU) website. Glad to hear Jordison’s report and felt Berea could do better on pedestrian fatalities. Felt Berea had done well over the past decade with funds and resources and wanted to make it a high priority to include pedestrian safety as they worked on budgets. Good to hear Representative Bray was working on pedestrian safety issues. Agreed the bridge on Highway 1016 should also be a safety priority. Highway 21 was a bad area/situation, hoped Berea Police Department continued to monitor area for speed control.

**Little** Thanked Beverly for working on streets. Thanked Mayor Fraley for his report. Thanked Meeks for the City’s CD investments, thought she was on the right track.

**Wilson** Echoed Davis’, Scenters’, Rowlette’s, and Little’s comments. Good night.

**Terrill** Encouraged Mayor Fraley and Lloyd Jordison to visit Frankfort regarding the Highway 1016 Bridge before someone got hurt. Although a new floor had been installed for the bridge, nothing had been done for the safety of the kids.

**ADJOURNMENT**

Rowlette motioned; Scenters seconded motion to adjourn at 7:28 p.m.

Voice Vote: All ayes

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Mayor Bruce Fraley

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City Clerk