

The Berea City Council met in regular session, Tuesday, November 19, 2024.

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, Jerry Little, Steve Caudill,
Cora Jane Wilson, Ronnie Terrill

COUNCIL ABSENT: David Rowlette

OFFICIALS PRESENT: Jerry Gilbert, Robin Adams, Tommy Horn, Donna Angel, Priscilla Bloom,
Amanda Haney, Jason Hays, Matt Kenney, Kevin Howard, Shawn Sandlin,
Jared Rigsby, John Kerns, Derek Abney, Eli Lakes, Dani Gift

INVOCATION: Teresa Scenters

PLEDGE OF ALLEGIANCE: Teresa Scenters

APPROVAL OF AGENDA

Startzman motioned; Caudill seconded motion to amend agenda by moving Public Comments prior to #10, due to not having public comment(s) at the previous Special Called City Council Meeting.

Roll Call: Ayes - Startzman, Caudill

Nays - Davis, Scenters, Little, Wilson, Terrill

Motion failed.

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

Voice Vote: Six in favor; one opposed.

Motion carried.

APPROVAL OF MINUTES - NOVEMBER 6, 2024

Little motioned; Terrill seconded motion to approve minutes as presented.

Voice Vote: All ayes Motion carried.

2024 SMALL BUSINESS SATURDAY PROCLAMATION

Mayor Fraley read Proclamation and presented to Patty Coyle, Hays Furniture, celebrating fifty-five years of business, on behalf of the City of Berea's small businesses.

SALVATION ARMY LOVE BEYOND THE HOLIDAYS DAY PROCLAMATION

Mayor Fraley read Proclamation and presented to Captain Kevin Justice, Salvation Army, Corps Commanding Officer, Richmond, Kentucky, on behalf of the City of Berea.

CENTRAL KENTUCKY REGIONAL AIRPORT UPDATE

George Wyatt, Chairman, Central Kentucky Regional Airport Board, presented a slide presentation with updates of the Central Kentucky Regional Airport.

The airport included four entities, i.e., City of Berea, City of Richmond, Madison County, and Eastern Kentucky University, and was centrally located to nine industrial areas and five population centers within a 30-minute drive, serving Madison, Fayette, Estill, Jackson, Rockcastle, Clark, Jessamine, and Garrard Counties.

The Central Kentucky Regional Airport is a general aviation airport, with multi uses, serving corporate business jets, private piloted aircrafts, provides local access for industrial and commercial corporate aircrafts, flight instruction, aircraft maintenance, fueling station, and other aircraft operations. The

airport was also home of the Eastern Kentucky University (EKU) Aerospace Program. The EKU student and EKU aviation program's economic impact to Madison County economy estimated at over \$5 million dollars annually. The area supported by the airport had over \$2 billion dollars in retail sales and 14,000 manufacturing jobs. Other activities at the airport included open houses, Young Eagles Program, aircraft maintenance, and student field trips. Funding for the airport was supported by Federal Funding, State Funding, and Local Funding. Proposed improvements included an additional ramp, additional hangars, a new terminal building, and a new control tower. A new future development plan was shared for the next ten to twenty years, along with priorities for the next five to six years. Come visit and enjoy the sunset!

SAFE HAVEN BABY BOX

Shawn Sandlin, Chief, Fire Department, shared information regarding a Safe Haven Baby Box (SHBB). SHBB is a compassionate, secure option for mothers in crisis who are unable to care for their newborns. The compartment would be installed on an exterior wall of a fire station or medical facility, providing a safe and anonymous way to surrender infants to a firefighter and medical staff. The exterior door locks with an interior door that could be opened after an alarm has sounded, notifying dispatch and warning firefighters and/or medical staff that a baby had been surrendered. Once the exterior door closed, it could not be opened. The compartment would be climate-controlled, feature multiple alarms, staff would be trained on how the device operated, and within five minutes the infant would be rescued. As firefighters' mission was to safeguard life, property, and the environment, Sandlin felt this was a tool to support their mission. The location could also assist surrounding counties, i.e., Jackson, Northern Rockcastle, and Eastern Garrard. A tentative agreement had been entered with the Pregnancy Help Center's Executive Director, Sarah Roof, to place a Safe Haven Baby Box in Fire Station #2. According to Roof, funds would be raised through private donors to purchase the baby box at a cost of \$15,500.

Caudill motioned; Terrill seconded motion to support the Safe Haven Baby Box Project.
Voice Vote: All ayes. Motion carried.

ORDINANCE #23-2024 AN ORDINANCE OF THE CITY OF BEREA, KENTUCKY, REVISING THE ALCOHOL CONTROL CODE BY ADDING SECTION 56.005 (B)(o) TO PROHIBIT NUDITY AND ADULT ENTERTAINMENT ACTIVITIES ON LICENSED PREMISES, AND TO PROHIBIT SALES OF ALCOHOLIC BEVERAGES ON CITY-CONTROLLED PROPERTY. – 2ND READING

Having read proposed revisions at the 1st Reading, Corporate Counsel, Gilbert, read Ordinance #23-2024 by Title Summary.

Scenters motioned; Davis seconded motion to approve and adopt Ordinance #23-2024.

Startzman shared a portion of a Legal Opinion from Corporate Counsel regarding the City's potential liability of alcohol sales on city property, stating, "...there is legal risk in almost every activity engaged in by the city. Legal risk is a part of existing municipal governance. That is the reason for liability insurance." Startzman also noted part of the Legal Opinion stating the City's legal liability would not be significantly raised as a result of alcohol sales on city property, and that the risk would be carried by third party vendors.

Terrill motioned; Wilson seconded motion to call for the previous question.
Voice Vote: Ayes - 5 Nays - 2 Motion carried.

Scenters motioned; Davis seconded motion to approve and adopt Ordinance #23-2024.

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

Nays - Caudill, Startzman

Motion carried.

DEPARTMENT HEAD REPORTS

Amanda Haney, Administrator, Codes & Planning

As it was nearing the year's end, Haney presented an Annual Review.

Exceeding last year's total, 689 permits had been issued this year consisting of:

- New Single-Family Dwellings (118)
- Commercial Buildings (22) which included some large projects and/or renovations, i.e., Berea College (Edwards Building, Hutchins Library, Frost Building, Stephenson Building, & Evans House/duplex), Hitachi, Novelis, Circle K, State Farm, EQI facility, and Starbucks.
- In-fill - Oak Street and Morning View townhouse development
- In-fill - Madison & Water Streets, 8 new houses

Inspections totaled 2,140.

Code Enforcement

- Addressed 246 grass, trash, and nuisance complaints.

Planning & Zoning

- Updated the Land Management & Development Ordinance.
- Reviewed / Approved 5 Development Plans & 25 Plats (Stoney View Subdivision, Stoney Creek Subdivision), and a Preliminary Plat (West Park Subdivision).
- Paving completed on Garden Gate and Ridgewood Drive.

GIS

- Actively mapping the City's Stormwater System, required by Division of Water (DOW) MS4 Program.
- Trash & Cash – 8 events this year.

Capital Projects

- Folk Center windows were completed.
- Tolle Building was nearing completion.
- Design for Concession Stand was completed.
- Basketball Court paving and resurfacing was completed.
- New projects consisted of Pickleball Courts and Memorial Park restrooms.

2025

- Update to a new code cycle / changes through the Kentucky Department of Housing, Buildings & Construction.
- Comprehensive Plan update.

Complimented the Codes & Planning Staff. They were professional, knowledgeable, efficient, and given the daily workload, they enjoyed working with one another. Appreciated her crew and could not do without them.

Kevin Howard, General Manager, Berea Municipal Utilities (BMU)

Due to FY 2025 Original Budget Request (\$25,000) not including engineering design work for the new Edward's Building waterline relocation on the Berea College Campus, Howard requested an increase of \$50,000 for Budget Line-Item #200-1035-56732 / New Service-Water. The revised FY 2025 Budget Request would total \$75,000.

Howard noted that Engineering Design Fee and Material Cost would be a pass through which would be returned and applied to Revenue Line-Item #200-1035-43180 / Customer Reimbursement.

Scenters motioned; Little seconded motion to approve increase for Budget Line-Item #200-1035-56732 / New Service-Water, in the amount of \$50,000, from \$25,000 to \$75,000.

Voice Vote: All ayes. Motion carried.

PUBLIC COMMENTS

Erica Chambers (co-owner, Rebel Rebel, Berea), Steven Johnson (owner, Top Drawer Gallery, Berea), and Alysia Mora (Berea), shared their thoughts and opposition on the City Council's decision regarding Ordinance #23-2024.

Shane Morris (Berea) shared his thoughts and approval of the City Council's decision regarding Ordinance #23-2024.

MAYOR'S REPORT / COMMENTS

- Requested a Line Item Overage for 010-1035-56210 / Capital Projects / Building Construction, adding \$825,000, which is currently budgeted at zero. The overage was for the Farristown Community Project which had not been approved at the time the FY 2025 budget was approved. Since that time, the City had received an approval letter for \$750,000 from the Community Development Block Grant Fund. The City would need to provide matching funds for the grant, therefore the City wanted to budget \$825,000 for the project.

Terrill motioned; Caudill seconded motion to approve Line Item Overage for 010-1035-56210 / Capital Projects / Building Construction by adding \$825,000 to provide matching grant funds for the Farrisotwn Project.

Voice Vote: All ayes. Motion carried.

- Small Business Saturday was November 30th. Encouraged everyone to shop local as businesses depended on us.
- Mayor's Merry Mingling was scheduled for Saturday, November 30th, 6:00 p.m., Old Town Welcome Center.
- The Berea Chamber of Commerce Twilight Christmas Parade was scheduled for Saturday, December 7th, 6:00 p.m., with the theme of "Peace on Earth, a Christmas Wish." Encouraged everyone to come out and kick-off the holiday season.

COUNCIL COMMENTS

Davis Thanked and appreciated the large attendance for tonight's meeting. Thanked George Wyatt for the airport report as it was very important to our community and county. Shawn Sandlin's Baby Box project was great. Thanked Amanda Haney for her work.

Terrill No comment.

Wilson Thanked everyone for being at tonight's meeting. Shawn Sandlin, great. Appreciated Amanda Haney and all employees for what they do.

Caudill Regarding the Ordinance, they could disagree on things but could not understand why they did not want to have conversations. When they move forward, they need to have conversations, that's why they do this. Did not like it when they took a very open, congenial process and turned it into something that no one wants to have a conversation about. Tonight was disappointing, not to the outcome of the vote but the manner in which they did it.

Little As far as the Tolle Building, Folk Center, etc., if anyone wants to have an event and set up a bar, the Ordinance does not prohibit that. You just could not sell it. Appreciated everyone for their reports. Appreciated everyone for coming out. Thinking on transparency, asked the next Council if they would want to begin televising the work sessions.

Startzman As this was the first time she had requested a Legal Opinion, trying to research in good faith, after working with the Council since 2020, and trying to build relationships, felt it was a bummer that conversation was cut off. She shared the Legal Opinion summary related to the selling of alcohol on City controlled property. Also shared thoughts about some of her priorities for the next two years, i.e., transparency and engagement guidelines, create a workplan for a more transparent process, City communications, diversifying revenue, housing issues, economic development, relationship with Berea College, downtown development, tourism, parks, etc.

Scenters Thanked everyone for citizens' engagement, appreciated the comments. Appreciated what was going on at the airport and in the Codes Department. Highlight of the night was the Baby Box and thank Sandlin for his willingness to embrace the project, life changing.

ADJOURNMENT

Caudill motioned; Startzman seconded motion to adjourn at 7:56 p.m.

Voice Vote: All ayes Motion carried.

Mayor Bruce Fraley

City Clerk