

**AGENDA
BEREA CITY COUNCIL
BUSINESS MEETING
TUESDAY, JANUARY 18, 2022
COUNCIL CHAMBERS
304 CHESTNUT STREET
6:30 PM**

The public is given an opportunity to speak to the City Council during public comment portion of the meeting. Any public comments exceeding three-minutes should be scheduled as a presentation through the Mayor's office and will be placed on the agenda. When recognized by the mayor, please go to the podium, state your name for the record. Comments should be business oriented and we ask for no inappropriate language or naming any person individually during your comments.

1. CALL TO ORDER
2. INVOCATION - Cora Jane Wilson
3. PLEDGE OF ALLEGIANCE - Cora Jane Wilson
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES - January 4, 2022
6. PUBLIC COMMENTS
7. BEREА COLLEGE UPDATE - Lyle Roelofs
8. PLANNING COMMISSION APPOINTMENT – Denise Hagan-Rubin - Mayor Fraley
9. AMERICAN RESCUE PLAN ACT (ARPA) FUNDS UPDATE - Mayor Fraley
10. **ORDINANCE #01-2022** - WASTEWATER TREATMENT SERVICE TO PRIVATE
COMMERCIAL OR INDUSTRIAL PROPERTY OUTSIDE CORPORATE LIMITS AND ADJACENT /
CONTIGUOUS TO CITY BOUNDARIES - **2ND READING**
11. CITY ADMINISTRATOR'S REPORT - Rose Beverly
12. MAYOR'S COMMENTS
13. COUNCIL COMMENTS
14. ADJOURNMENT

"Any invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of private citizen. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council, and the Council does not endorse the religious beliefs or views of this, or any other speaker."

The Berea City Council met in a regular session, Tuesday, January 4, 2022.

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, Donna Angel, Priscilla Bloom, Casey Botkin

OFFICIALS ABSENT: None

INVOCATION: Cora Wilson

PLEDGE OF ALLEGIANCE: Ronnie Terrill

APPROVAL OF AGENDA

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

Vote: All ayes

APPROVAL OF MINUTES - December 21, 2021

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

Vote: All ayes

PUBLIC COMMENTS

None

RESOLUTION #01-2022 - RESOLUTION TO HONOR KENTUCKY HUMANITIES FOR 50 YEARS OF SERVICE TO THE COMMONWEALTH OF KENTUCKY

Corporate Counsel, Gilbert, read Resolution #01-2022 in entirety.

Payne motioned; Scenters seconded motion to approve and adopt Resolution #01-2022.

Voice Vote: All ayes

ORDINANCE #01-2022 - AN ORDINANCE OF THE CITY OF BERE, KENTUCKY, AMENDING THE CODE OF ORDINANCES OF THE CITY OF BERE, KENTUCKY, BY ADDING SECTION 31.315, PROHIBITING WASTEWATER TREATMENT SERVICE TO ANY PRIVATE COMMERCIAL OR INDUSTRIAL PROPERTY OUTSIDE OF THE CORPORATE LIMITS. - 1ST READING

Corporate Counsel, Gilbert, read Ordinance #01-2022 in entirety.

CITY ADMINISTRATOR'S REPORT - R. Beverly

- Andrea Walker, Channel 27, Lexington, had visited Tourism / Old Town. She interviewed Liz Todd, Tourism's Program Manager, regarding the LearnShops and featured the interview on the noon news. A great promotion for the LearnShop program.

- Old Town shops reported an outstanding Christmas season. Sales were higher for 2021 than they had been in 2019 (pre-pandemic). Donna Angel, Business & Tourism Development Director, and her team had also worked hard to promote the City's small businesses.
- Requested Council's approval for a budget overage for the following line item:

#010-6005-54500 Building and Grounds R&M, for the Parks Department
Overage of \$19,945, amending the amount to \$30,000

The available balance was \$2400 (originally budgeted for \$30,000).

Due to an emergency water leak in the ballpark / stadium area, an entire water line needed to be replaced, approximately 2000 ft. The cost to the City was \$22,345, creating a budget overage of \$19,945. Increasing the amount to \$30,000 would allow payment for the contractor, leaving the Park approximately \$10,000 for repairs if other issues arose prior to budget amendment(s) in March.

Caudill motioned; Payne seconded motion, with the Council's acknowledgement, to approve overage of \$19,945 for line item #010-6005-54500 (Building and Grounds R&M) with the intent of a budget amendment in March.

Voice Vote: All ayes

MAYOR'S REPORT / COMMENTS

- Appointed Jeanie Hogg to fill the unexpired term of Robert C. Johnson, beginning January 4, 2022, expiring on February 18, 2023, on the Berea Human Rights Commission.

COUNCIL COMMENTS

Scenters Thanked Sarah Stillwell, Tourism's Media Manager, for her services to the City and gave well wishes for becoming a stay-at-home mom to her soon coming 'little man.' Will miss her services.

Payne Hoped everyone had a good holiday season. Looked forward to good things from the City this year.

Caudill No comment.

Davis Will miss Sarah Stillwell, thanked her for her service. Thanked Donna Angel for her work with Tourism and Economic Development. Happy New Year.

Startzman No comment.

Little Public Works met on January 3rd. Topics of discussion included parking on Herndon Street, marking sidewalks/streets in front of fire hydrants and mailboxes, adding streetlights on Cherry Road and Meadowlark.

Wilson Hoped everyone had a great Christmas and a Happy New Year. Wished Sarah Stillwell the best with her little boy.

Terrill No comment.

ADJOURNMENT

Caudill motioned; Payne seconded motion to adjourn at 6:55 p.m.

All ayes

Mayor Bruce Fraley

City Clerk

ORDINANCE # 01 - 2022

AN ORDINANCE OF THE CITY OF BERE, KENTUCKY, AMENDING THE CODE OF ORDINANCES OF THE CITY OF BERE, KENTUCKY, BY ADDING SECTION 31.315, PROHIBITING WASTEWATER TREATMENT SERVICE TO ANY PRIVATE COMMERCIAL OR INDUSTRIAL PROPERTY OUTSIDE OF THE CORPORATE LIMITS AND WHICH IS ADJACENT AND CONTIGUOUS TO THE CITY BOUNDARIES

WHEREAS, There are pockets of unincorporated area adjacent to or contiguous with the city corporate boundaries which are likely to ultimately be developed for commercial or industrial purposes; and

WHEREAS, In the event of such development, such areas will require city services such as sidewalks and utilities, including wastewater collection and treatment; and

WHEREAS, it is reasonable to require that any such areas requiring such municipal services be within the corporate limits so that such areas pay their fair share of the costs of providing municipal services;

NOW, THEREFORE, be it ordained by the City Council of the City of Bere, Kentucky, that the Code of Ordinances of the City of Bere be revised as follows:

SECTION I

That the Code of Ordinances is hereby amended to add Section 31.315, and such section shall read as follows:

§ 31.315 CONNECTIONS TO SEWAGE SYSTEM PROHIBITED TO COMMERCIAL OR INDUSTRIAL PROPERTY OUTSIDE CITY LIMITS.

- (a) It shall be unlawful for any person, firm or corporation, which owns or occupies commercial or industrial property, or property intended for commercial or industrial use, located outside the corporate limits of the city, and adjacent to or contiguous with city boundaries, to connect, cause to be connected or permit to be connected, any sanitary sewer lateral or main to the sewer system of the city.
- (b) The Municipal Sewer System shall not provide or permit any sewer connection or capacity increase for any commercial or industrial property, or property intended

for commercial or industrial use, located outside the corporate limits of the city, and adjacent to or contiguous with city boundaries, or any commercial, non-industrial BMU sewer customers outside of the corporate limits, and adjacent to or contiguous with city boundaries.

- (c) The provisions is subsections (a) and (b) above shall not apply to property owned or occupied by any governmental or quasi-governmental entity.

SECTION II

All ordinances or parts of ordinances in conflict herewith are repealed. This ordinance shall be published according to law.

FIRST READING: January 4, 2022.

SECOND READING AND ENACTMENT: January 18, 2022.

APPROVED BY:

Bruce Fraley, Mayor

ATTEST:

Clerk of the City Council

Published this 19th day of January, 2022.

PREPARED BY:

Corporate Counsel