

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 related and we ask for no inappropriate language or naming any person individually during your comments.

- . CALL TO ORDER
- . INVOCATION - John Payne
- . PLEDGE OF ALLEGIANCE - John Payne
- . APPROVAL OF AGENDA
- . APPROVAL OF MINUTES - February 15, 2022
- . PUBLIC COMMENTS
- . PROCLAMATION - CHILDREN'S CHAMPIONS OF MADISON COUNTY - Mayor Fraley
- . MADISON COUNTY AIRPORT ANNUAL UPDATE - George Wyatt
- . CITY ADMINISTRATOR'S REPORT - Rose Beverly

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0. MAYOR'S COMMENTS

1. COUNCIL COMMENTS

2. ZONE CHANGE APPEAL HEARING - 104 JOHN STREET - Jerry Gilbert

3. ADJOURNMENT

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11. Invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of private citizen. The views or

12. expressed by the invocation speaker have not been previously reviewed or approved by the Council, and the Council does not endorse the

13. religious beliefs or views of this, or any other speaker."

"Any in  
beliefs

**AGENDA**  
**BEREA CITY COUNCIL**  
**BUSINESS MEETING**  
**TUESDAY, MARCH 1, 2022**  
**COUNCIL CHAMBERS**  
**304 CHESTNUT STREET**  
**6:30 PM**

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 20<sup>th</sup> 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.

**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

**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). - 2<sup>ND</sup> 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. - 2<sup>ND</sup> 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. - 2<sup>ND</sup> 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 14<sup>th</sup>, 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 15<sup>th</sup> 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.

**COUNCIL COMMENTS**

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

**Davis** An Economic Development Committee meeting was scheduled for Monday, February 21<sup>st</sup>, 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 21<sup>st</sup>, 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

*Office of the Mayor*

*Berea, Kentucky*

PROCLAMATION  
AWARD

*Presented To:*

**CHILDREN'S CHAMPIONS OF MADISON COUNTY**

**WHEREAS,** the City of Berea values every child and family, and our city is willing to demonstrate that children are our most important asset, and

**WHEREAS,** citizens need to care for children and support children's issues, programs, and activities, and

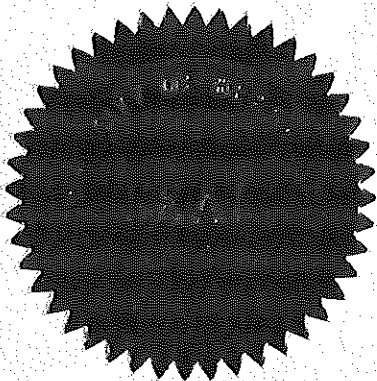
**WHEREAS,** organizations, businesses, hospitals, schools, churches, and service agencies should join forces to promote public awareness of keeping children drug and alcohol free, and

**WHEREAS,** citizens of Berea and Madison County need to collaborate to ensure that every child has the type of environment at home, at school, at child care, and in the community that will promote healthy development and appropriate learning opportunities.

**NOW, THEREFORE,** I, Bruce Fraley, Mayor of the City of Berea, by the authority vested in me, do hereby proclaim the month of March in the year 2022 as

**"Children's Champions of Madison County"**

in the City of Berea, in support of the campaign promoted by the Children's Champions of Madison County.



*In witness whereof I have hereunto set my hand and caused the seal of this city to be affixed*

*Mayor* \_\_\_\_\_

*Date* \_\_\_\_\_