

**AGENDA
BEREA CITY COUNCIL
SPECIAL CALLED MEETING / BUSINESS SESSION
TUESDAY, MAY 4, 2021
6:30 PM**

**SPECIAL CALLED MEETING / WORK SESSION
6:00 PM – 6:15 PM CODES & PLANNING / GIS OVERVIEW - AMANDA HANEY
6:15 PM – 6:30 PM PROCUREMENT POLICY AND MANUAL - DAVID GREGORY**

Please take notice of Special Called meetings of the Berea City Council. The meetings will be held by video teleconferencing per KRS 61.826. The public may see and hear the meetings by the City of Berea Facebook Page,
[@bereakygov](https://www.facebook.com/bereakygov/) or <https://www.facebook.com/bereakygov/>

Anyone wishing to address the Berea City Council may submit comments on any agenda item electronically to publiccomment@bereaky.gov no later than 5:00 p.m. on the date of the meeting. Comments should be business oriented, no more than three minutes of speaking time, and we ask for no inappropriate language or naming any person individually during your comments. Please include your name and city of residence for the record.

1. CALL TO ORDER
2. ROLL CALL
3. INVOCATION - Cora Wilson
4. PLEDGE OF ALLEGIANCE - Ronnie Terrill
5. APPROVAL OF AGENDA
6. APPROVAL OF MINUTES - April 20, 2021
7. PUBLIC COMMENTS
8. BID RECOMMENDATION - RUSSEL ACTON FOLK CTR INTERIOR/EXTERIOR WORK - D. Gregory
9. **RESOLUTION #09-2021** - MUNICIPAL ROAD AID COOPERATIVE PROGRAM AGREEMENT
10. **ORDINANCE #12-2021** - PROCUREMENT POLICY AND MANUAL - **1ST READING**
11. CITY ADMINISTRATOR'S REPORT - D. Gregory
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 special called meeting via videoconference, Tuesday, April 20, 2021. Mayor Bruce Fraley presiding. A quorum being present, the meeting was called to order at 6:30 p.m.

A WORK SESSION WAS HELD AT 5:15 PM
LONGEVITY AWARDS - DAVID GREGORY
PUBLIC WORKS OVERVIEW - DONNIE DAVIDSON
INTERNAL CONTROL REVIEW - SUSAN MEEKS, FINANCE

COUNCIL PRESENT: Jim Davis, Teresa Scenters, John Payne, Katie Startzman, Jerry Little, Steve Caudill, Cora Wilson, Ronnie Terrill

OFFICIALS PRESENT: Jerry Gilbert, David Gregory, Robin Adams, Daniel Brindley, Donna Angel, Susan Meeks, Kevin Howard, Priscilla Bloom, Donnie Davidson

VISITORS PRESENT: None

INVOCATION: Katie Startzman

PLEDGE OF ALLEGIANCE: Jim Davis

APPROVAL OF AGENDA:

Davis motioned; Caudill seconded motion to approve agenda.
Roll Call Vote: All ayes

APPROVAL OF MINUTES: April 6, 2021 & April 8, 2021

Caudill motioned; Scenters seconded motion to approve minutes as presented.
Roll Call Vote: All ayes

PUBLIC COMMENTS - D. Gregory

None

BID OPENING - RUSSEL ACTON FOLK CENTER INTERIOR / EXTERIOR WORK

Mayor Fraley opened bids. Two bids received.

Justin's Pressure Washing Received 4/5/21 Total Bid \$19,307.50
Berea, KY

Jacob's Ladder Caulking, LLC Received 4/16/21 Total Bid \$60,833.00

Submittals would be presented to Gregory, City Administrator, for review and recommendation.

BID RECOMMENDATION – ROBERTS FILTER & AQUA DAF INTEGRATION UPGRADE AT WATER TREATMENT PLANT - K. Howard, General Manager, Berea Municipal Utilities

Only one bid received. After review of bid and specifications, Howard recommended bid received from Rawdon Myers, Inc., Milford, OH, \$59,401, to City Council for acceptance. Berea Municipal Utilities had a positive history with Rawdon Myers from previous SCADA system work at the water and wastewater treatment plants. They were familiar with the Roberts Filter and Aqua DAF control systems and had a history of high-quality work with the City's utility.

Payne motioned; Wilson seconded to accept and approve bid received from Rawdon Myers, Inc., Milford, OH, in the amount of \$59,401.

Roll Call Vote: All ayes

RESOLUTION #08-2021 - AIRPORT CORONAVIRUS RESPONSE GRANT

Corporate Counsel, Gilbert, read Resolution #08-2021 in entirety.

Wilson motioned; Startzman seconded motion to approve and adopt Resolution #08-2021.

Roll Call Vote: All ayes

ETHICS BOARD APPOINTMENT - Mayor Fraley

Mayor Fraley requested Council approval of Mike Cornelison, current chair for the Ethics Board, for a second three-year term on the Ethics Board.

Little motioned; Davis seconded motion to approve the appointment of Mike Cornelison, for a second three-year term, on the Ethics Board.

Roll Call Vote: All ayes

MUNICIPAL ORDER #04-2021 – LONGEVITY AWARDS

Corporate Counsel, Gilbert, read Municipal Order #04-2021 in entirety.

Little motioned; Terrill seconded motion to approve and adopt Municipal Order #04-2021.

Roll Call Vote: All ayes

ORDINANCE #07-2021 - ANIMAL CONTROL AND SANITATION - 2ND READING

As having previously been posted on the City of Berea website, Corporate Counsel, Gilbert, read Ordinance #07-2021 by summary.

Sceners motioned; Little seconded motion to approve and adopt Ordinance #07-2021.

Roll Call Vote: All ayes

NAMING OF DOG PARK – J. Payne, Parks & Recreation Committee Chairman

As Tillie was a well-known hiking companion on the trails throughout the past several years, the Parks & Recreation Committee recommended to City Council to approve the name "Tillie Park, off-leash dog area," for the new dog park.

On behalf of the Parks & Recreation Committee, Payne motioned for approval from City Council.

No second motion required.

Roll Call Vote: All ayes

CITY ADMINISTRATOR'S REPORT - D. Gregory

- Thanked Council for adoption and approval of Municipal Order #04-2021, Longevity Awards.
- Spring Clean-Up was scheduled for the current week, April 19th – 23rd, along with brush pick-up week for the City.
- Progress had been made on the pavilion as foundation footers had been poured. Pavilion structure material was expected to be shipped on April 30th.
- Work had begun on the Mountain Bike Trail with a completion date scheduled for August 15th.
- Currently reviewing departmental budget requests for fiscal year 2022. Plans were to present a draft budget in a scheduled Audit & Finance Committee meeting in mid-May.
- The Small Business Investment Program had distributed a total of \$10,000 to seven local businesses.
- Worked with Donna Angel, Business & Tourism Development Director, on signage for Trail Town areas and new signage for the back of 'Welcome to Berea' signs.
- Worked with Teresa Scenters, Council Member, on signage for Tillie Park.

MAYOR'S REPORT / COMMENTS

- Business & Tourism Development had scheduled a Job Fair for Thursday, May 6th, 10:00 a.m. – 2:30 p.m., at the Intergenerational Center (Senior Citizens Center), 214 West Jefferson Street. The job fair would be focused on local restaurants, cafeterias, and delis. COVID-19 guidelines would be recognized and/or followed.

COUNCIL COMMENTS

Startzman Thanked everyone included in the previous night's joint meeting of the City Council, Berea Tourism Commission, and the Artisan Search Committee. Expressed a lot of gratitude.

Little No comment.

Caudill No comment.

Wilson Thanked the presenters involved in the Work Session, everyone did a great job. Wished everyone a good evening.

Terrill No comment.

Davis No comment.

Payne The last year had been a rough year and was proud of our community. So much had gone well and continued to go well. Looked forward every day for it to keep getting better.

Scenters So much going on in the City and felt progress was being made. Grateful everyone was able to work together, getting things done.

ADJOURNMENT

Wilson motioned; Payne seconded motion to adjourn at 7:21 p.m.

All ayes

Mayor Bruce Fraley

City Clerk

RESOLUTION NO. 09 - 2021
CITY OF BERA, KENTUCKY

A RESOLUTION ADOPTING AND APPROVING THE EXECUTION OF A MUNICIPAL ROAD AID COOPERATIVE PROGRAM AGREEMENT BETWEEN THE CITY OF BERA, KENTUCKY AND THE COMMONWEALTH OF KENTUCKY, TRANSPORTATION CABINET, DEPARTMENT OF RURAL AND MUNICIPAL AID, IN THE AMOUNT OF \$275,429.15 FOR THE CONSTRUCTION, RECONSTRUCTION AND MAINTENANCE OF CERTAIN ROADS AND BRIDGES

WHEREAS, the City of Berea has determined that various roads within the City are in need of resurfacing; and

WHEREAS, the Commonwealth of Kentucky Transportation Cabinet, Department of Rural and Municipal Aid (hereafter Department), has determined that the Project is worthwhile and is willing to reimburse the City up to \$275,429.15 in state funds for the completion of the Project; and

WHEREAS, the City of Berea desires to accept the state funding on the terms and conditions as set out in the Agreement between the City and the Department (hereafter the Agreement);

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Berea, Kentucky, as follows:

SECTION 1. That the City of Berea does hereby ratify and adopt all statements, representations, warranties, covenants, and agreements contained in said Agreement, a copy of which is attached hereto, and does hereby accept the funds provided in said Agreement and by such acceptance agrees to all the terms and conditions therein stated; and

SECTION 2. That the Mayor of the City of Berea, Kentucky, is hereby authorized, directed, and empowered to execute the Agreement and all other necessary documents

or agreements, and to otherwise act on behalf of the City of Berea to implement the Agreement.

SECTION 3. The City of Berea agrees to and does hereby ratify and adopt all statements, representations, warranties, covenants, and agreements contained in the Agreement.

SECTION 4. This Resolution shall take effect immediately upon passage.

CITY OF BEREA, KENTUCKY

APPROVED BY:

Bruce Fraley, Mayor

Date: _____

ATTEST:

Clerk of the City Council

Date: _____

Prepared by:

Corporation Counsel

ORDINANCE # 12 - 2021

AN ORDINANCE OF THE CITY OF BEREÄ, KENTUCKY, AMENDING THE CODE OF ORDINANCES OF THE CITY OF BEREÄ, KENTUCKY, BY REVISING CHAPTER 24, ARTICLE II, SECTIONS 24.100-24.108, TO PROVIDE FOR THE ADOPTION OF A PURCHASING POLICY AND MANUAL.

WHEREAS, Chapter 24, Article II of the Berea City Code provides for certain purchasing procedures; and

WHEREAS, the City Council desires to adopt a Purchasing Policy and Manual to guide City officers and employees in the procurement process; and

WHEREAS, Consequently, it is necessary to revise Chapter 24, Article II, Sections 24.100-24.108 of the City Code so that such sections are consistent with the Purchasing policy and Manual;

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

SECTION I

That the Code of Ordinances is hereby amended to revise Chapter 24, Article II, Sections 24.100-24.108, so that such sections shall read as follows:

ARTICLE II. PURCHASING PROCEDURES

§ 24.100 PURCHASE BY THE ADMINISTRATOR PURCHASING POLICY AND MANUAL

~~The city administrator shall maintain a centralized purchasing system for all budgeted purchases up to twenty thousand dollars (\$20,000.00) pursuant to § 24.102, and may purchase such budgeted items without specific approval. An itemized list of all such purchases and payments shall be provided by the administrator to the council at its first regularly scheduled meeting each month, for the previous month's purchases and payments.~~ The City of Berea hereby adopts and establishes a Purchasing Policy and Manual, by reference herein, and a copy of such Purchasing Policy and Manual shall be maintained in the Office of the City Clerk. The terms and provisions of the Purchasing Policy and Manual shall govern the procurement of materials, supplies,

equipment, and services, except as may be otherwise specified in the following purchasing procedures.

§ 24.101 PURCHASES REQUIRING FORMAL BIDDING PROCEDURE

Formal bidding procedures shall be utilized for purchases and contracts in amounts equal to or in excess of the sum specified in KRS 424.260, as it may be amended.

§ 24.102 REQUESTS FOR PROPOSALS

Purchases not requiring formal advertised bids may be made, if practicable, utilizing a formal "request for proposal" procedure, rather than advertising for bids. ~~The city council will be informed of all major purchases made by this method prior to the purchase, if practical.~~

§ 24.103 USE OF STATE PRICING CONTRACTS

Whenever state pricing contracts are determined to provide acquisitions at a lower price, such contracts shall may be utilized.

§ 24.104 SELECTION OF VENDORS

Vendors will be selected on the basis of product availability, price, delivery, reputation and quality; purchases shall be made with local vendor preference whenever possible.

§ 24.105 LIMITATION OF PURCHASING AUTHORITY

No person other than the administrator or Mayor shall commit the city to any purchase, vendor or product ~~excepting emergency purchases made by department heads pursuant to § 24.106.~~ as provided in the Purchasing Policy and Manual.

§ 24.106 PURCHASE BY DEPARTMENT HEAD

The department head for each department of city government is hereby authorized to make purchases for his or her department, ~~upon his or her own determination, up to the total amount of fifty dollars (\$50.00).~~ as provided in the Purchasing Policy and Manual.

§ 24.107 CERTAIN GRATUITOUS TRANSFERS PROHIBITED

All city employees are expressly prohibited from soliciting or accepting any gift or gratuity from any person who is engaged in or soliciting to engage in business with the city, and all City officers and employees shall comply with the provisions of the Ethics Code, Chapter 27 of this Code of Ordinances.

§ 24.108 BIDS AND REQUEST FOR PROPOSALS

Whenever any purchase of goods or services is made by competitive bids pursuant to § [24.101](#), or by a request for proposal pursuant to § [24.102](#), or in the event that a

request for proposal or bid under any other provision of law or policy is made, any and all bids or requests for proposals received by the city shall be in a sealed form and shall be opened and read on the date and time set for receiving the bids in public and in the presence of the mayor or such public officer as may be his duly authorized representative.

SECTION II

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

FIRST READING: May 4, 2021.

SECOND READING AND ENACTMENT: _____, 2021.

APPROVED BY:

Bruce Fraley, Mayor

ATTEST:

Clerk of the City Council

Published this _____ day of _____, 2021.

PREPARED BY:

Corporate Counsel