

**AGENDA**  
**BEREA CITY COUNCIL**  
**BUSINESS MEETING**  
**TUESDAY, MAY 17, 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 - Steve Caudill
3. PLEDGE OF ALLEGIANCE - Steve Caudill
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES - May 3, 2022
6. PUBLIC COMMENTS
7. PROCLAMATION - BUILDING SAFETY MONTH - Mayor Fraley
8. PROCLAMATION - NATIONAL PUBLIC WORKS WEEK - Mayor Fraley
9. PROCLAMATION - OLDER AMERICANS MONTH - Mayor Fraley
10. ACCEPTANCE OF BID RECOMMENDATION - PUBLIC WORKS - Roy Curtis
11. RECOGNITION OF APPA RELIABILITY AWARD FOR BMU ELECTRIC DIVISION - Kevin Howard
12. **RESOLUTION #05-2022** - NATIONAL HERITAGE AREA DESIGNATION - Mayor Fraley
13. **RESOLUTION #06-2022** - RURAL MUNICIPAL AID AGREEMENT - Mayor Fraley
14. **ORDINANCE #09-2022** - ZONE CHANGE 1620 MENELAUS ROAD – **1<sup>ST</sup> READING**
15. CITY ADMINISTRATOR'S REPORT - Rose Beverly
16. MAYOR'S COMMENTS
17. COUNCIL COMMENTS
18. 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, May 3, 2022.  
Mayor Bruce Fraley presiding.  
A quorum being present, the meeting was called to order at 6:31 p.m.

**COUNCIL PRESENT:** Teresa Scenters, Katie Startzman, John Payne, Steve Caudill,  
Cora Wilson, Ronnie Terrill

**COUNCIL ABSENT:** Jim Davis, Jerry Little

**OFFICIALS PRESENT:** Jerry Gilbert, Rose Beverly, Robin Adams, Tommy Horn, Donna Angel,  
Priscilla Bloom, Aaron Boycan, Roy Curtis

**INVOCATION:** Cora Wilson

**PLEDGE OF ALLEGIANCE:** Cora Wilson

**APPROVAL OF AGENDA**

Payne motioned; Startzman seconded motion to approve agenda as presented.  
Voice Vote: All ayes

**APPROVAL OF MINUTES - April 19, 2022**

Scenters motioned; Startzman seconded motion to approve minutes as presented.  
Voice Vote: All ayes

**PUBLIC COMMENTS**

Eleanor Workman

The April 19<sup>th</sup> City Council Meeting was troublesome, enlightening, interesting, and encouraging. It was troublesome and enlightening as it admitted assumption brought in an amendment that caused enlightening in a discussion. It was encouraging as it gave assurance that council members were diligently pursuing information pertaining to issues before voting. Political thinking on the part of one council member, the quiet impartial leadership from Mayor Fraley helped bring a peaceful solution, and glad she was present.

**NATIONAL SMALL BUSINESS WEEK PROCLAMATION - Mayor Fraley**

Mayor Fraley read and presented proclamations (2) to Katie Startzman and the Mountain Association Finance Team. Per Michael Ashcraft, Federal US Small Business Administration, out of eight business of the Kentucky Small Business Awards, Berea had two awards. Those were Katie Startzman, Native Bagel Co., 2022 Kentucky Woman Small Business of the Year, and Mountain Association Finance Team, 2022 Financial Services Advocates of the Year.

Startzman was honored to be a small business owner in Berea, grateful for her staff as a business could not function without them, and grateful to be in Berea and Madison County.

**CODES ENFORCEMENT BOARD APPOINTMENT - Mayor Fraley**

Mayor Fraley requested Council approval of James Anderson for a three-year term on the Codes Enforcement Board to expire May 3, 2025.

Terrill motioned; Caudill seconded motion to approve appointment of James Anderson for a three-year term on the Berea Codes Enforcement Board.

Voice Vote: All Ayes

**HOUSING AUTHORITY BOARD APPOINTMENT - Mayor Fraley**

Mayor Fraley requested Council approval of Rick Fulton for a four-year term on the Berea Housing Authority Board to expire May 3, 2026.

Payne motioned; Wilson seconded motion to approve appointment of Rick Fulton for a four-year term on the Berea Housing Authority Board.

Voice Vote: All Ayes

**ETHICS BOARD APPOINTMENT - Mayor Fraley**

Mayor Fraley requested Council approval of Peggy Baker for a three-year term on the Berea Board of Ethics to expire May 3, 2025.

Payne motioned; Scenters seconded motion to approve appointment of Peggy Baker for a three-year term on the Berea Board of Ethics.

Voice Vote: All ayes

**ETHICS BOARD ALTERNATE APPOINTMENT - Mayor Fraley**

Mayor Fraley requested Council approval of Diane Kerby, as an alternate, for a one-year term on the Berea Board of Ethics to expire May 3, 2023.

Payne motioned; Caudill seconded motion to approve alternate appointment of Diane Kerby for a one-year term on the Berea Board of Ethics.

Voice Vote: All ayes

**ORDINANCE #08-2022 - AN ORDINANCE OF THE CITY OF BEREA, KENTUCKY, AMENDING THE 2021-2022 FISCAL YEAR BUDGET FOR THE CITY OF BEREA, ORDINANCE #05-2022 REVENUES AND EXPENDITURES. - 2<sup>ND</sup> READING**

Corporate Counsel, Gilbert, read Ordinance #08-2022 in entirety.

Caudill motioned; Startzman seconded motion to approve and adopt Ordinance #08-2022.

Roll Call Vote: All ayes

**CITY ADMINISTRATOR'S REPORT - R. Beverly**

- Administration's focus remained on preparing the 2022-2023 budget. The First Reading was scheduled for June 7<sup>th</sup>.
- Nancy Conley, Berea Tourism Operations Manager, and Patrick Huston, Boone Tavern Hotel Assistant General Manager interviewed with the Lee & Haley tv show in promoting 12 Days of Mothers. Boone Tavern Hotel would be giving away an overnight stay & breakfast for the Mother's Day event.
- Business Development would be hosting Fox 56 News at the end of May for a three-day visit of "What Makes Berea, Berea." Fox 56 News was seeking small town / big charm stories about overcoming the pandemic and why small businesses choose Berea.
- The Pavilion sign should soon be ready and installed early next week.
- The Pavilion is open and available for renting. Excited to have the facility available to assist families and other event opportunities. Information regarding Pavilion reservations, fees, etc. had been posted on Berea's website.

- National Travel & Tourism Week was May 1<sup>st</sup> thru May 7<sup>th</sup>. Berea was excited to welcome back all motorcoach busses and travel tourist across the state and nationally.
- National Small Business Association Week was the week of May 2<sup>nd</sup>. Visit your favorite small business, shop, and “thank” the owners for choosing Berea to open in our city. Congratulations to Katie Startzman, Native Bagel Co., and the Mountain Association Finance Team for receiving their recent Small Business Awards.
- National Police Week would be celebrated the week of May 15<sup>th</sup> thru May 21<sup>st</sup> under President Kennedy’s decree to honor the men and women who risk their lives every day in the line of duty. It’s a time for police officers to honor their fallen colleagues, make sure those surviving were supported, as well as remember their commitment to keeping people safe. National Police Week is all about honor, gratitude, remembrance, servitude, and peer support. Please stop by the Berea Police Department and “thank an Officer.”
- The Parks Committee recommended moving forward with applying for a \$900,000 block grant application to upgrade the City pool. Submission date was September 2022.

**MAYOR’S REPORT / COMMENTS**

- Two new Police Officers had been sworn-in, i.e., Stevie Wood and Austin Scholes. Both came as experienced Police Officers from the University of Kentucky Police Department. Happy to have them, looked forward to having them as part of Berea’s workforce.
- Recognized National weeks during the month of May, i.e., National Police Week, Traveling Tourism Week, Small Business Appreciation Week, and Municipal Clerks Week.

**COUNCIL COMMENTS**

**Cora Wilson** Happy Clerks Week to Robin. Congratulations to Katie. Thanked everyone who came tonight. Have a good week, enjoy it, spring is here.

**Payne** Shared Parks & Rec events, i.e., May 4<sup>th</sup> - Star Wars Trivia Night, May 7<sup>th</sup> - Kites Away, May 14<sup>th</sup> – Bark in the Park. Thanked everyone for coming out tonight.

**Caudill** Thank you to Robin, appreciated all she did and keeping them organized. Congrats to Katie and small businesses, another testament of a citizen’s dedication to our City. Enjoy Police Week, appreciated everything they do. Good meeting, thanks.

**Scenters** Thank you to all ‘National Weeks.’ Congratulations to Katie. Thank you to Robin. Appreciated everyone being at tonight’s meeting.

**Ronnie Terrill** Agreed with everyone’s comments.

**Startzman** As finishing her first year on Council, echoed thank you to Robin for cluing her in and being gracious during her learning curve. Thanked her for the work she does.

**ADJOURNMENT**

Caudill motioned; Wilson seconded motion to adjourn at 7:06 p.m.

Voice Vote: All ayes

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Mayor Bruce Fraley

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City Clerk

OFFICE OF THE MAYOR  
Berea, Kentucky  
Proclamation

**Building Safety Month**

**Whereas**, City of Berea is committed to recognizing that our growth and strength depends on the safety and essential role our homes, buildings, and infrastructure play, both in everyday life and when disasters strike, and;

**Whereas**, our confidence in the resilience of these buildings that make up our community is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, tradespeople, design professionals, laborers, plumbers and others in the construction industry—who work year-round to ensure the safe construction of buildings, and;

**Whereas**, these guardians are dedicated members of the International Code Council, a nonprofit that brings together local, state, territorial, tribal and federal officials who are experts in the built environment to create and implement the highest-quality codes to protect us in the buildings where we live, learn, work and play, and;

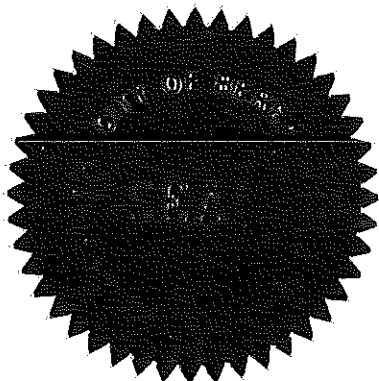
**Whereas**, these modern building codes include safeguards to protect the public from hazards such as hurricanes, snowstorms, tornadoes, wildland fires, floods and earthquakes, and;

**Whereas**, Building Safety Month is sponsored by the International Code Council to remind the public about the critical role of our communities' largely unknown protectors of public safety—our local code officials—who assure us of safe, sustainable and affordable buildings that are essential to our prosperity, and;

**Whereas**, "Safety for All: Building Codes in Action," the theme for Building Safety Month 2022, encourages us all to raise awareness about planning for safe and sustainable construction; career opportunities in building safety; understanding disaster mitigation, energy conservation; and creating a safe and abundant water supply to all of our benefit, and;

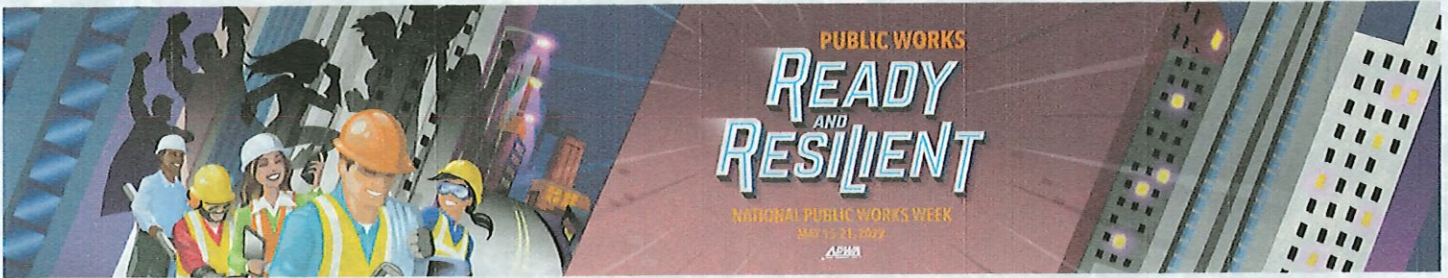
**Whereas**, each year, in observance of Building Safety Month, people all over the world are asked to consider the commitment to improve building safety, resilience and economic investment at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property.

**NOW, THEREFORE**, I, Bruce Fraley, Mayor of the City of Berea, KY do hereby proclaim the month of May 2022 as Building Safety Month. Accordingly, I encourage our citizens to join us as we participate in Building Safety Month activities.



\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



## National Public Works Week Proclamation

May 15 – 21, 2022

### “Ready and Resilient”

**WHEREAS**, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of Berea, Kentucky; and,

**WHEREAS**, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers, and employees at all levels of government and the private sector, who are responsible for rebuilding, improving, and protecting our nation’s transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

**WHEREAS**, it is in the public interest for the citizens, civic leaders and children in Berea, Kentucky to gain knowledge of and to maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and,

**WHEREAS**, the year 2022 marks the 62<sup>nd</sup> annual National Public Works Week sponsored by the American Public Works Association/Canadian Public Works Association be it now,

**RESOLVED**, I, Bruce Fraley, Mayor, do hereby designate the week May 15 – 21, 2022 as National Public Works Week; I urge all citizens to join with representatives of the American Public Works Association and government agencies in activities, events, and ceremonies designed to pay tribute to our public works professionals, engineers, managers, and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of the City, done at Berea, Kentucky this \_\_\_\_\_ day of \_\_\_\_\_ 2022.



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Mayor

OFFICE OF THE MAYOR

Berea, Kentucky

Proclamation

**Older Americans Month 2022**

**Whereas**, Berea, Kentucky includes a growing number of older Americans who contribute their strength, wisdom, and experience to our community; and

**Whereas**, communities benefit when people of all ages, abilities, and backgrounds are welcomed, included, and supported; and

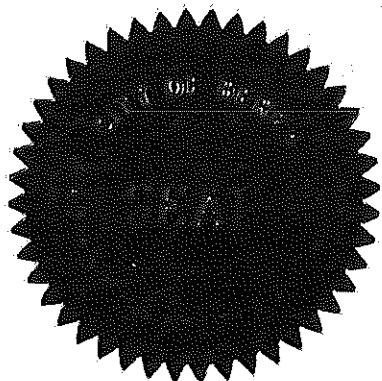
**Whereas**, Berea, Kentucky recognizes our need to create a community that provides the services and supports older Americans need to thrive and live independently for as long as possible; and

**Whereas**, Berea, Kentucky can work to build an even better community for our older residents by:

- Planning programs that encourage independence.
- Ensuring activities are responsive to individual needs and preferences.
- Increasing access to services that support aging in place.

**Now, therefore**, I, Bruce Fraley, Mayor of Berea, Kentucky do hereby proclaim May 2022 to be Older Americans Month. I urge every resident to recognize the contributions of our older citizens, help to create an inclusive society, and join efforts to support older Americans' choices about how they age in their communities.

**In witness whereof**, I have hereunto set my hand and caused the Seal of The City, done at Berea, Kentucky this \_\_\_\_\_ day of \_\_\_\_\_ 2022.



\_\_\_\_\_  
Mayor

## RESOLUTION 05-2022

### In Support of National Heritage Area Designation

**Whereas**, the National Park Service is evaluating the feasibility of including the Kentucky Wildlands, as defined by 41 counties of Appalachia, into the National Heritage Area system, and

**Whereas**, the Kentucky Wildlands represents distinctive aspects of the heritage of the United States, and

**Whereas**, the Kentucky Wildlands has an assemblage of natural, historic, and cultural resources, and

**Whereas**, these resources are of national importance and worthy of recognition, conservation, interpretation and continuing usage, and

**Whereas**, the Kentucky Wildlands is rich in natural beauty, ancient forests, cliffs, lakes, culture and folklore, and

**Whereas**, Eastern Kentucky PRIDE, Inc. has begun an all-out regional tourism marketing initiative to capitalize on the region's majestic beauty and rich heritage, and

**Whereas**, Eastern Kentucky PRIDE, Inc. is spurring economic development in Appalachia by promoting it as a regional tourism destination, and

**Whereas**, the Kentucky Wildlands contains the Cumberland Gap, the original "Gateway to the West," and

**Whereas**, the Warriors' Path was one of the Nation's first interstate trails, a 12,000 year-old path of commerce that began on the Atlantic Coast and traveled through the resource rich Kentucky Wildlands to the Great Lakes and is currently being re-developed as a multi-purpose recreational trail from the Cumberland Gap to the Ohio River, and

**Whereas**, the opening of Boone Trace through Appalachia in 1775, the first road into the land that was to become Ky, combined with the Declaration of Independence of 1776, together began the "Westward Movement", when citizens stopped being British and became Americans, and

**Whereas**, the American Spirit to dream a dream, seek it, achieve it and triumph was born, in part, from the events taking place in Appalachia,

**Whereas**, Boone Trace runs through the City of Berea and clearly contributes to the heritage, natural beauty, and history of Appalachia;

**Be it therefore** resolved that the City Council of Berea, Kentucky fully supports the Kentucky Wildlands and Eastern Kentucky PRIDE in its application to the National Park Service for a National Heritage Area Designation and will participate actively through private and public partnerships where appropriate to achieve that end.

Signed: \_\_\_\_\_  
Bruce Fraley, Mayor, Berea, KY

Date: \_\_\_\_\_



RESOLUTION NO. 06 - 2022

**A RESOLUTION ADOPTING AND APPROVING THE EXECUTION OF A MUNICIPAL ROAD AID COOPERATIVE PROGRAM AGREEMENT BETWEEN THE CITY OF BEREA, KENTUCKY AND THE COMMONWEALTH OF KENTUCKY, TRANSPORTATION CABINET, DEPARTMENT OF RURAL AND MUNICIPAL AID, IN THE AMOUNT OF \$300,667.80 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 \$300,667.80 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:

\_\_\_\_\_ Date: \_\_\_\_\_  
Bruce Fraley, Mayor

ATTEST:

\_\_\_\_\_ Date: \_\_\_\_\_  
Clerk of the City Council

Prepared by:

\_\_\_\_\_  
Corporation Counsel

ORDINANCE NO. 09 - 2022

**AN ORDINANCE OF THE CITY OF BEREA, KENTUCKY, CHANGING THE ZONING CLASSIFICATION OF PARCELS WITHIN AN 87 ACRE TRACT OF LAND LOCATED ON MENELAUS ROAD DESCRIBED HEREIN AND REFERRED TO AS 1620 MENELAUS ROAD AND OWNED BY BEREA INDUSTRIAL DEVELOPMENT AUTHORITY FROM R-1 (SINGLE FAMILY RESIDENTIAL AND A-1 (AGRICULTURE) TO I-2 (INDUSTRIAL PARK DISTRICT); AND A 1.26 ACRE TRACT RECENTLY ANNEXED INTO THE CITY'S BOUNDARIES BE ASSIGNED A ZONING CLASSIFICATION OF I-2 (INDUSTRIAL PARK DISTRICT)**

The City Council of the City of Berea, Kentucky, does ordain as follows:

Pursuant to the authority granted in KRS 100, and in Section 401.2 of the Land Management and Development Ordinance, and further pursuant to hearings held on April 26, 2022 and on May 10, 2022, by the Berea Planning Commission, wherein the Planning Commission found that the proposal for zoning map amendment from R-1 (Single Family Residential) and A-1 (Agriculture) to I-2 (Industrial Park District) for parcels within an 87 acre tract of land located on Menelaus Road; and that the 1.26 acre tract on Menelaus Road recently annexed into the City's boundaries should be assigned the zoning classification of I-2 (Industrial Park Development) was appropriate based on specific factual findings, and said Planning Commission having recommended to the City Council that the requested map amendment be granted; therefore, the City Council adopts the findings of fact and recommendation of the Planning Commission and further, pursuant to KRS 100.211, the area as hereinafter described on Exhibit "A" hereto (parcels within an 87 acres tract) and located at 1620 Menelaus Road be and the same is reclassified to I-2 (Industrial park District) from R-1 (Single Family Residential) and A-1 (Agriculture); and the 1.26 acre tract recently annexed into the City's boundaries be assigned a zoning classification of I-2 (Industrial Park Development).

FIRST READING: May 17, 2022.

SECOND READING & ENACTMENT: \_\_\_\_\_, 2022.

CITY OF BEREА, KENTUCKY

\_\_\_\_\_  
Bruce Fraley, Mayor

Attest:

\_\_\_\_\_  
City Clerk

Published according to law on the \_\_\_\_ day of \_\_\_\_\_, 2022.

PREPARED BY:

\_\_\_\_\_  
Corporation Counsel  
City of Bereа, Kentucky