

**AGENDA
BEREA CITY COUNCIL
BUSINESS MEETING
TUESDAY, NOVEMBER 2, 2021
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 - Jerry Little
3. PLEDGE OF ALLEGIANCE - Jerry Little
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES - October 19, 2021
6. PUBLIC COMMENTS
7. PROCLAMATION - 2021 SMALL BUSINESS SATURDAY
8. ZONE CHANGE APPEAL FOR 100, 136, 164 NEELY STREET - Jerry Gilbert
9. CITY ADMINISTRATOR'S REPORT - Rose Beverly
10. MAYOR'S COMMENTS
11. COUNCIL COMMENTS
12. 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, October 19, 2021.
Mayor Bruce Fraley presiding.
A quorum being present, the meeting was called to order at 6:33 p.m.

A WORK SESSION WAS HELD AT 5:45 PM
ZONE CHANGE APPEAL - 100, 136, 164 NEELY STREET
JERRY GILBERT, CITY ATTORNEY

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, Robin Adams, Tommy Horn, Susan Meeks, Kevin Howard,
Amanda Haney, Priscilla Bloom, Eric Scott, Anisa Ross, Jeff Harness,
Terri Johnson (KLC)

INVOCATION: Jim Davis

PLEDGE OF ALLEGIANCE: Jim Davis

APPROVAL OF AGENDA:

Caudill motioned; Startzman seconded motion approve agenda.

Vote: All ayes

APPROVAL OF MINUTES: October 5, 2021

Davis motioned; Wilson seconded motion to approve minutes as presented.

Vote: All ayes

PUBLIC COMMENTS

Jacquelyn Bowling, Berea

Gave a citizen's view of Ordinance #25-2021 regarding the Work Session discussion of October 5, 2021 on forgiveness for late utility payment fees.

KENTUCKY LEAGUE OF CITIES, Terri Johnson

Terri Johnson, Member Relations Manager, Kentucky League of Cities (KLC), recognized and presented training certificates to officials within the City of Berea.

Those who received certificates were the following:

Mayor Fraley, Level II, Excellence in City Governance

Robin Adams, City Clerk, Level III, Master of City Governance

John Payne, Council Member, Level I, Achievement in City Governance

Joshua Bills, Board of Adjustments, Level I, Achievement in City Governance

Katherine Berry, Planning & Zoning Commissioner, Level I, Achievement in City Governance

Denise Hagan-Rubin, Planning & Zoning Commissioner, Level I, Achievement in City Governance

Anisa Ross, Codes & Planning, Building & Electrical Inspector, Level I, Achievement in City Governance

AUDIT REPORT - Baldwin CPAs

Susan Meeks, Audit & Finance Director, stated the audit for fiscal year 2021 had been completed. She was proud of her department's professionalism and knowledge. Thanked her staff and department heads for their hard, earnest work on a daily basis.

Drew Ulmer, CPA / Manager, Baldwin CPAs, presented an overview of the 2021 Audit with no audit issues nor internal control deficiencies. The City remained in strong financial condition.

Caudill motioned; Payne seconded motion to approve fiscal year 2021 audit.

Voice Vote: All ayes

BEREA POLICE DEPARTMENT UPDATE - Eric Scott, Police Chief

The Police Department's morale was great, general support from the community was huge, and they were currently working to hire a replacement for retired detective Danny Brewer. The application pool had increased, which also included more qualified individuals. Once the detective vacancy was filled, the Police Department would be at full staff of 36.

BOARD OF ADJUSTMENTS APPOINTMENT - Mayor Fraley

Mayor Fraley requested Council approval of Denise Hagan-Rubin for a four-year term on the Berea Board of Adjustments.

Scenters motioned; Payne seconded motion to approve the appointment of Denise Hagan-Rubin for a four-year term on the Berea Board of Adjustments.

Voice Vote: All ayes

ORDINANCE #25-2021 - AN ORDINANCE OF THE CITY OF BEREA, KENTUCKY, REVISING THE CODE OF ORDINANCES BY REVISING SECTIONS 31.105, 32.103 AND 32.104 TO PROVIDE FOR A ONE-TIME WAIVER OF UTILITY LATE PAYMENTS. - 2ND READING

As being subject to a Work Session and 1st Reading on October 5, 2021, Corporate Counsel read Ordinance #25-2021 by summary.

Motion to amend Ordinance #25-2021 by removing "other penalties" in Section I, § 31.105 PENALTY FOR FAILURE TO PAY, c., to read as: The Customer has had no disconnection fees, returned checks, or fees for tampering with the utilities' services within a twelve (12) month period preceding the request.

Payne motioned; Startzman seconded motion to amend Ordinance #25-2021 by removing "other penalties" from Section I, § PENALTY FOR FAILURE TO PAY, c.

Roll Call Vote: Ayes - Payne, Startzman, Little, Caudill

Nays - Davis, Wilson, Terrill, Scenters

Mayor voted "Aye"

Motioned to amend carried.

Caudill motioned; Little seconded motion to approve and adopt Ordinance #25-2021 as amended.

Roll Call Vote: Ayes - Startzman, Payne, Little, Caudill, Scenters

Nays - Davis, Wilson, Terrill

Motion carried, 5 to 3

ZONE CHANGE APPEAL – 100, 136, 164 NEELY STREET - Jerry Gilbert

Being subject to a Work Session, Corporate Counsel recapped the City Council's responsibility regarding a Zone Change Appeal.

The City Council shall determine to a) accept the recommendation of the Planning Commission without a hearing, b) hold 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, or c) hold its own trial type hearing and make its own adjudicative facts which may differ from those made by the Planning Commission.

Little motioned; Davis seconded motion to hold 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: Ayes: 7

Nays: 1

Motion carried.

MAYOR'S REPORT / COMMENTS

- November 2nd, Election Day, the City Council Meeting would proceed as a regular scheduled meeting at 6:30 p.m.
- Presented thoughts and condolences of the passing of Magistrate Paul Reynolds. A great leader, servant, friend, and local business owner.
- The Kentucky Transportation Cabinet had advised the bid sent out in August, for the paving of Chestnut Street (Exit 76 to North of Estill Street), had been rejected. Rebidding was scheduled for October 26th and would push the project out to the next calendar year, 2022.
- The annual Halloween at the Park was scheduled for Sunday, October 31st, 6pm – 8pm, Berea Community School parking lot.
- Donna Angel, Business & Tourism Development Director, was planning a job fair for early November and an Industrial Appreciation luncheon for mid-November.
- Roy Curtis, Public Works Director, requested to remind everyone of Fall Clean-Up week, scheduled for October 18th – October 22nd.

COUNCIL COMMENTS

Terrill Agreed w/ Mayor Fraley's thoughts and condolences for Paul Reynolds. We are all going to miss him. It's a sad day in Berea.

Wilson Thanked everyone for coming to tonight's meeting. Also agreed with Mayor Fraley's thoughts and condolences for Paul Reynolds. A sad day, hard to believe. Remember his family.

Little No comment.

Payne Echoed all previous sentiments.

Startzman No comment.

Davis Thanked Mayor Fraley for his comments regarding Paul Reynolds. An Economic Development meeting was scheduled for October 25th, 6pm, City Hall, Randy Stone Room.

Scenters No comment.

Caudill Thanked Mayor Fraley for his comments regarding Paul Reynolds, he was a person who gave back to our community, and would be sorely missed. Hoped everyone enjoyed Halloween, be careful, and make sure to watch out for kids in the neighborhood.

ADJOURNMENT

Wilson motioned; Little seconded motion to adjourn at 7:29 p.m.

All ayes

Mayor Bruce Fraley

City Clerk

OFFICE OF THE MAYOR

BEREA, KENTUCKY

PROCLAMATION

2021 SMALL BUSINESS SATURDAY

Whereas, the government of Berea, Kentucky, celebrates our local small businesses and the contributions they make to our local economy and community; according to the United States Small Business Administration, there are 31.7 million small businesses in the United States, they represent 99.7% of firms with paid employees, and they are responsible for 65.1% of net new jobs created from 2000 to 2019; and

Whereas, small businesses employ 47.1% of the employees in the private sector in the United States, 88% of U.S. consumers feel a personal commitment to support small businesses in the wake of the pandemic, and 92% of small business owners have pivoted the way they do business to stay open during the pandemic; and

Whereas, 97% of Small Business Saturday® shoppers recognize the impact they can make by shopping small, 85% of them also encouraged friends and family to do so, too; and

Whereas, 56% of shoppers reported they shopped online with a small business on Small Business Saturday in 2020; and more than 50% of consumers who reported shopping small endorsed a local business on social media or shopped at a local business because of a social media recommendation; and

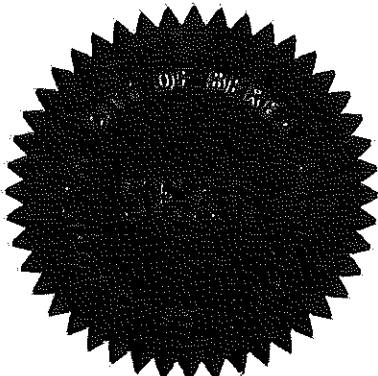
Whereas, Berea, Kentucky, supports our local businesses that create jobs, boost our local economy, and preserve our communities; and

Whereas, advocacy groups, as well as public and private organizations, across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday.

Now, Therefore, I, Bruce Fraley, Mayor of Berea, Kentucky, do hereby proclaim, November 27, 2021, as:

SMALL BUSINESS SATURDAY

And urge the residents of our community, and communities across the country, to support small businesses and merchants on Small Business Saturday and throughout the year.



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

Mayor _____

Date _____