BEREA CITY COUNCIL REGULAR MEETING MINUTES OCTOBER 20, 2026

The Berea City Council met in a regular business session, Tuesday, October 20, 2026.
Mayor Bruce Fraley presiding.
A quorum being present, the meeting was called to order at 6:30 p.m.

WORK SESSION
Audit Draft - RFH CPAs
Ordinance #16-2026 - Data Center Moratorium

COUNCIL PRESENT: Mike Barnett, John Payne, Katie Startzman, Teresa Scenters, Jerry Little, Steve Caudill, Virgil Burnside

COUNCIL ABSENT: Barry Poynter

OFFICIALS PRESENT: Jerry Gilbert, Shawn Sandlin, Robin Adams, Tommy Horn, Priscilla Bloom, Kevin Howard, Amanda Haney, Jason Hays, Susan Helton, Nancy Conley, Charlie Russell

INVOCATION: Steve Caudill
PLEDGE OF ALLEGIANCE: Steve Caudill

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES - OCTOBER 6, 2026

Caudill motioned; Little seconded motion to approve minutes as presented.
Voice Vote: All ayes Motion carried.

PUBLIC COMMENTS

The following attendees expressed their opposition regarding the use of Flock cameras within the City of Berea: Sydney McCarter, Abraham Smith, Hasel Perez-Garcia, Miles Verlane, Max Alshehah, Sandy Enriquez Vazquez, Chris Scrivastava, Beth Suters, Steve Wilkins.

FLOCK CAMERAS

Ameer Abedy
On behalf of many concerned community members, expressed that he believed considerably more public attention should be given to Flock cameras than it had already received. He was not questioning the integrity of our police officers nor suggest that public safety should be anything less than top priority for our city and realized that technology could make that job easier. He believed the government's responsibility to protect public safety should be balanced against its equally important responsibility to protect the constitutional liberties of the people it serves. Felt Berea should seriously consider discontinuing use of Flock cameras and offer several concrete recommendations for how Council could reasonably approach that decision. He addressed what he believed was the fundamental problem with the cameras compared to ordinary police observation, the constitutional aspects of the cameras comparing the relationship between government surveillance and individual privacy, whether public benefit was sufficiently substantial to justify the intrusion, whether less instrusive alternatives could achieve comparable results, and appreciated the Mayor's willingness to revisit the City's existing policy suggesting the review should not be confined to the police department and city administration

alone. Abedy recommended the Council establish a transparent review process that included a perspective independent of the police department, the City make relevant information about the Flock program publicly accessible, and Council establish a definite timetable for reconsidering whether Berea should continue operating the cameras. If the City determined immediate removal of cameras was not feasible, encouraged Council to consider interim safeguards, including restriction on external data sharing, stronger auditing requirements, and limits on permissible searches. Asked Council to consider whether a temporary suspension of the program would be appropriate while the review was completed, subject to the City's legal obligations. Ultimately, he would like to see Berea discontinue its use of the Flock cameras. Regardless of where he or any individual Council Member stood on the question, hoped we could all reasonably agree that the City should not maintain a system of routine vehicle surveillance without a transparent examination of its necessity and consequences.

Toney Allen, Kentucky State Police

Native of Berea, 59 years, proud to say he was from Berea, had been in law enforcement for thirty-two years, had attended numerous government events, and had taken an oath to defend the laws of the Commonwealth of Kentucky. As being a State Trooper in law enforcement and taking the oath, they do not have to know you to die for you. Regarding Flock cameras, over 10,000 people went missing last year, in which Flock cameras helped find, some as young as six-years old. Everyone deserved to be safe. Flock cameras did not determine race, gender, did not use facial recognition, and did not track nor follow. A recent double murder in Berea, April 30th, US Bank, first time ever in Berea, his town. Although video cameras, video footage, and photos were provided, law enforcement were able to find the person who committed this crime through Flock. A great tool in assisting law enforcement to bring this person to justice. Other cities and counties with Flock cameras included City of Richmond, Jessamine County, Fayette County, Garrard County, and Clark County. He had also recently solved a crime in Richmond, in which, without Flock would not have been able to solve. Commented there were more cameras in Walmart than Flock cameras in the City of Berea. Every business had video. When you leave your house and go into the public, you lose your expectation of privacy. Also, anyone could video someone on their cell phone and put it on the internet. They could use your photo, create a social media profile, etc. Forty percent of all crimes involved cell phones. Stated Flock cameras were a great tool for law enforcement and helped solve crimes. The State Police used Flock and had guidelines and/or policies for the use of Flock. Flock cameras were a great tool for law enforcement, one of the greatest things they have ever had, greatly increased the percentage of crime solving, and protected the citizens.

RFH CPAs

Kevin Fisher, CFH CPAs, engaged to perform the City's Financial Statement Audit, shared a brief overview of Berea's 2026 Audit Draft. Fisher explained the Audit was in draft form due to the Federal Government had not yet put out their annual compliance supplement that governed the rules of what auditors were supposed to review. The compliance supplement was currently in draft form. Until the Federal Government issued the final Compliance Supplement, their firm could not issue the final audit report. Fisher presented overviews regarding the Financial Statement Audit Report, Report on Internal Controls & Compliance, and Federal Funds Single Audit.

Overall, there was a clean audit opinion, presented fairly, and there were no findings, a good sound audit report.

Council Member, Caudill stated, during his tenure as a Council Member, the City's Legislative Body and Administration had done an exceptional job of creating control environments to make sure the City's financials were strong, even during down years without cuts and keeping all staff and services.

JUANITA MORGAN DAY PROCLAMATION

Mayor Fraley read proclamation in entirety and presented to Juanita Morgan and family recognizing forty years in Berea's business community.

Elizabeth Rowland, Morgan's daughter, thanked Mayor Fraley and Council Member Scenters, for the Proclamation as it meant a lot to her and her family. Morgan's Discount had originally begun out of a garage. After many years and a few more relocations, the family went out on their own on Highway 25. Her parents taught them the meaning of hard work, were grateful for every dollar, taught this to their children, and were thankful for that.

BEREA CODE ENFORCEMENT BOARD APPOINTMENTS

Mayor Fraley requested City Council approval for the reappointment of Andrew Baskin to the Berea Code Enforcement Board to serve a three-year term, to expire on October 20, 2029.

Payne motioned; Caudill seconded motion to reappoint Andrew Baskin to the Berea Code Enforcement Board to serve a three-year term, to expire on October 20, 2029.
Voice Vote: All ayes Motion carried.

Mayor Fraley requested City Council approval for the reappointment of Ken Vasey to the Berea Code Enforcement Board to serve a three-year term, to expire on October 20, 2029.

Caudill motioned; Burnside seconded motion to reappoint Ken Vasey to the Berea Code Enforcement Board to serve a three-year term, to expire on October 20, 2029.
Voice Vote: All ayes Motion carried.

AMENDED RESOLUTION #08-2026 A RESOLUTION OF THE CITY OF BEREA AMENDING RESOLUTION NO. 08-2026 ACCEPTING THE GRANT, APPROVING THE GRANT ASSISTANCE AGREEMENT, AUTHORIZING THE AMENDMENT OF THE CITY OF BEREA'S ANNUAL BUDGET, AND AUTHORIZING THE MAYOR TO SIGN ALL RELATED DOCUMENTS.

Corporate Counsel, Gilbert, read Resolution #08-2026 by title summary.

Caudill motioned; Barnett seconded motion to approve and adopt Amended Resolution #08-2026.
Voice Vote: All ayes Motion carried.

AMENDED RESOLUTION #09-2026 A RESOLUTION OF THE CITY OF BEREA AMENDING RESOLUTION NO 09-2026 ACCEPTING THE GRANT, APPROVING THE GRANT ASSISTANCE AGREEMENT, AUTHORIZING THE AMENDMENT OF THE CITY OF BEREA'S ANNUAL BUDGET, AND AUTHORIZING THE MAYOR TO SIGN ALL RELATED DOCUMENTS.

Corporate Counsel, Gilbert, read Resolution #09-2026 by title summary.

Scenters motioned; Burnside seconded motion to approve and adopt Amended Resolution #09-2026.
Voice Vote: All ayes Motion carried.

Note: Regarding Amended Resolution #08-2026 & Amended Resolution #09-2026, Mayor Fraley noted previous approved Resolutions stated Berea Municipal Utilities General Manager was authorized required to sign all related documents. Bluegrass Area Development District corrected stating the Mayor was to be authorized to sign all related documents.

ORDINANCE #15-2026 AN ORDINANCE OF THE CITY OF BEREA, KENTUCKY, ANNEXING CERTAIN REAL PROPERTY LOCATED NEAR BEREA, MADISON COUNTY, KENTUCKY. - 2ND READING

Corporate Counsel, Gilbert, read Ordinance #15-2026 in entirety.

Regarding primary access to the annexed property, Amanda Haney, Administrator, Codes & Planning, explained primary access would be from Richmond Road with a connecting point on the bypass. Although a meeting was held with Kentucky Transportation Cabinet, a design had to be done in which had to meet KYTC guidelines. There would be traffic studies submitted for approval. Haney also explained that the bypass had limited access, meaning that not every property along the bypass would get an entrance. However, as a parcel was adjacent to the Kenway Extension, this was meaningful to the citizens in Dixie Park and a priority for the City to figure out a way Dixie Park could get a second exit.

Little motioned; Burnside seconded motion to approve and adopt Ordinance #15-2026 and accept the Findings of Fact of the Planning Commission.

Roll Call Vote: Ayes - Burnside, Barnett, Payne, Startzman, Scenters, Little, Caudill
Nays - None
Motion carried.

ORDINANCE #16-2026 AN ORDINANCE OF THE CITY OF BEREA, KENTUCKY, ESTABLISHING A TEMPORARY MORATORIUM ON THE ESTABLISHMENT, CONSTRUCTION, DEVELOPMENT OR EXPANSION OF DATA CENTERS WITHIN THE INCORPORATED AREA OF THE CITY OF BEREA, KENTUCKY, FOR THE PURPOSE OF ALLOWING THE CITY TIME TO STUDY POTENTIAL IMPACTS AND DEVELOP APPROPRIATE REGULATIONS TO PROTECT THE PUBLIC HEALTH, SAFETY, AND WELFARE. - 1ST READING

Corporate Counsel, Gilbert, read Ordinance #16-2026 in entirety.

DEPARTMENT HEAD REPORTS

None

CITY ADMINISTRATOR'S REPORT

- Fall Clean-Up was scheduled for this week, October 19th through October 23rd.
- Berea's 'Welcome' sign landscaping was scheduled to begin, Wednesday, October 21st.
- Grading work was taking place at Exit 77 to work on the water and smell issues. Water testing had been done resulting in no fluoride present, indicating there was no tap water, only groundwater. They were working to ditch out the area to get it flowing, preventing still water and stagnating.
- Caudill motioned; Little seconded motion to not hold a City Council meeting on Election Day, November 3rd, as it was a Council and Mayoral race.

  Voice Vote: All ayes Motion carried.

MAYOR'S REPORT / COMMENTS

- Thanked the Kentucky Guild of Artists and Craftsmen for their fall fair last weekend. Their fair brought a lot of people into town. A huge success for the Guild.
- Regarding the Rezoning Ordinance, at last week's Planning Commission meeting, legal counsel for Hamburg Place revealed they had an agreement to purchase property that was annexed this evening and plan to build a shopping center that was anchored by a large national grocery chain

on this site, near the intersection of US 25 and the Berea Bypass. There would also be out lots which were likely to be restaurant and retail related. Berea had been working on recruiting a large national grocery to Berea for several years and he had been personally working with Mr. Patrick Madden from Hamburg Place for nearly two years on this project. The passage of the ordinance made the vision of having a new grocery store for our City and our citizens a reality. This was a good example of our City staff, all our elected officials, Planning Commission, property owners, a local attorney, and the developer working together. Looked forward to working with Hamburg Place in the months to come to get the project completed, which would provide much-needed services for our citizens of our community while also creating new jobs in our local economy. Construction was expected to begin in the spring of 2027.

COUNCIL COMMENTS

Caudill Appreciated everyone and their comments. Wilkins and Abedy expressed concerns that most people have with Flock. Trooper Allen shared good points about why it was important that we have tools for our officers to be able to perform their jobs. Did not have concerns about our Police Department, thought our Chief and Administration were doing everything they could to make sure there were controls in place to prevent bad things from happening. Also understood the concern from a national, global data collection standpoint. Suggested a Work Session to have conversation(s) regarding the Flock camera system as there was a lot of gray area in terms of balancing the support of our Police Department, the safety of our citizens, and the notion of infringing on Constitutional Rights. There was a need to figure out what the path forward looked like. Nice to see a lot of people at the Council meeting.

Little Thanked Trooper Toney Allen for explaining the Flock cameras. He had many years of experience and been out in the field. He knows what the cameras do and do not do.

Scenters As for Flock, she understood both sides and it was going to be hard to work through, but they would. Hoped everyone got out and voted. Although she loved public service, she hated politics and political races and avoided social media. There were good people in place in the City, the staff was exceptional, and Administration does a wonderful job. Hoped everyone would examine the candidates closely before going to the polls. Go vote.

Startzman A great meeting, having so many engaged and offering different viewpoints. Grateful to all who came. Loved having the public comment. Stated if any presenters would like to share their prepared comments at citycouncil@bereaky.gov, this would give Council a chance to review them in more detail. Troubled by the tenor of some of the campaigning that was happening for some of our local races, particularly the mayoral campaign. There was a distinction to be made when running for local office. As we all, i.e., citizens, neighbors, colleagues, seatmates, have different opinions and do not agree on many issues, but fundamentally the City of Berea, the work they do, they could agree on. They could agree on having respectful dialogue and working together. Troubled by assertions, rumors, and asking questions that were lowering the level of discourse. Thought people had an opportunity to decide what kind of community they were, what kind of leaders they wanted to see, and what vision they were bringing to our City. Although she loved her role on Council, she also had a full-time job, owned a restaurant, and many other things. The reason she was serving was because she thought we needed diverse voices on Council. Let us not let frustration or personal slights drive the next two to four years of what happens in our City. Encouraged people to look carefully at the level of capacity and leadership for all positions at local, county, state, and federal levels. Thank you.

Payne Echoed fellow Council Members' comments. Absolutely share prepared information with Council at citycouncil@bereaky.gov, it could help in their decision making and/or considerations over the use of Flock. Made it clear that this should not be seen as any reflection on our Police Department as a whole. He had recently been able to do ride-alongs across two different shifts. Found the officers very professional, used good judgement, and had meaningful conversations with them. Had learned a lot from these experiences and happy for the opportunity afforded him as a Council Member. Should the community decide he needed to come back, then he would be back.

Barnett Loved everyone's input about the Flock cameras. Appreciated Trooper Allen's input as it gave another view regarding the cameras. From ring cameras, cell phones, smart thermostats controlled by Wi-Fi, there was a lot of information out there. Our privacy was not like our privacy was 10, 15, 20 years ago. Appreciated the Department Head report(s), the budget report, and City Administrator's report. Thanked and appreciated Mayor Fraley for everything. Let's get out and vote. Have a nice evening.

Burnside Appreciated a full house tonight. It was issues that brought people out. And Flock was one of those issues. Encouraged fellow Council Members to have a conversation regarding Flock. The distinction was not about the Police Department, not about the tools they use, it was about the company, Flock, and how they aggregate your data. That was different than a ring camera and they could do it without a warrant. The thing about the cities and others who have agreements with them do not have control over how they use their data and what they do with your stuff. That was a big issue, not so much the security piece. Very important. It was a very helpful tool for law enforcement. So, how do you separate those two with a company that was irresponsible and did not address the issues when you have false arrests based on misinformation off the cameras. A big discussion, a challenge to work through. Thought they were up to the task. It was about whether you support law enforcement or individual liberties, it was how to balance those things. We now live in an age with AI and data centers that we are all concerned about. Those things were all connected and we need to think about that as we move forward. Appreciated the people who stood and appreciated when he came to City Council meetings, there was a group that was there all the time doing their work, i.e., our press. The people who report for us. Kudos to those who have been there, not for us, but who make those reports.

ADJOURNMENT

Caudill motioned; Payne seconded motion to adjourn at 8:11 p.m.
Voice Vote: All ayes Motion carried.

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Mayor Bruce Fraley

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City Clerk