



**City of Berkeley, Missouri
City Council Meeting
May 19 2014**

Meeting Called to Order:

The council meeting was called to order at 7:00 pm.

Roll Call:

Councilwoman Mitchell	present	Councilwoman Hoskins	present
Councilwoman Mathison	present	Councilwoman Kirkland	present
Councilman-at-Large McDaniel	present	Mayor Hoskins	present

Quorum established. Also present were Acting City Manager / Finance Director Joshua Beeks and City Attorney Donnell Smith in addition to other department heads. There was a recitation of the Pledge of Allegiance. This was an open meeting.

Approval of the Minutes:

Councilman-at-Large McDaniel moved, Councilwoman Hoskins seconded, and the motion carried to approve the minutes for May 5, 2014 regular & closed session meeting.

Public Hearings:

None

Request for Rezoning, Special Use Permits, Resubdivision:

None

Citizens Hearing:

Denise Hill, owner of Ol'Henry restaurant, requested to have a grand opening celebration event with a banner, balloons, and a band. Councilman-at-Large McDaniel moved, Mayor Hoskins seconded, and the motion carried to approve this event. Cooking outside is not allowed. Ms. Hill extended an invitation for the Mayor to attend the ribbon cutting.

Kiwanis Club requested to have a Free Kids Fishing Derby on June 7, 2014. Councilman-at-Large McDaniel moved, Mayor Hoskins seconded, and the motion carried to approve this event.

Other residents expressed their concerns to the council about violations in the city, customer service treatment, animals running loose, and joining the betterment committee.

Councilman-at-Large McDaniel moved, Councilwoman Hoskins seconded, and the motion carried to close the citizens hearing portion of the meeting.

Resolutions:

a. # 3301: A Resolution Rescinding Resolution 3253 and Reinstating the Berkeley Senior Citizen Club with Additional Rules for Membership and Holding Office

City Clerk Jones read Resolution # 3301. Mayor Hoskins moved and Councilwoman Mathison seconded the motion to accept Resolution # 3301. Roll Call: Mitchell-Aye, Hoskins-Aye, Mathison-Nay, Kirkland-Nay, McDaniel-Aye, and Mayor Hoskins-Aye (Aye-4, Nay-2) Motion passed.

Petitions:

None

Unfinished Business:

Bill # 4287: An Ordinance Establishing a Policy for the Approval of the City Manager and Council Expenses

Councilwoman Hoskins moved for the 3rd reading of Bill 4287. On the question: Councilwoman Mathison requested for her name to be removed as the appointed approver of the expenses. Mayor Hoskins appointed Councilman-at-Large McDaniel as the approver. Mayor Hoskins called for a seconded on the amendment. Councilwoman Hoskins seconded the amendment, with an all in favor vote, without any objections. Councilwoman Hoskins moved and Councilwoman Mitchell seconded the motion for the 3rd and final reading of Bill # 4287. Roll Call: Mitchell-Aye, Hoskins-Aye, Mathison-Nay, Kirkland-Nay, McDaniel-Aye, and Mayor Hoskins-Aye (Aye-4, Nay-2) Motion passed.

Bill # 4287 becomes Ordinance # 4134

Bill # 4288: An Ordinance Establishing a Monthly Gasoline Allowance for Members of the Council for Council Related Activities

Councilman-at-Large McDaniel moved for the 3rd reading. On the question: Councilwoman Mathison asked about the request from the auditors in writing, if this was okay. Mayor Hoskins stated it was already in writing before the bill was introduced. Councilwoman Mathison requested a legal opinion from the city attorney, if this is legal. City Attorney Smith stated the Constitution of Missouri provides that the salaries of elected officials have to be set prior to their commencement in office. The Internal Revenue Service requires you to identify by mileage any monetary receipts you receive for travel. They set out a specific amount of money that you are entitled to, based on your mileage. If you were to receive this allowance, you are to count it as income. You can't count it as income, because you can't give yourself a raise doing your term of office.

Roll Call: Mitchell-Aye, Hoskins-Aye, Mathison-Nay, Kirkland-Nay, McDaniel-Aye, and Mayor Hoskins-Aye (Aye-4, Nay-2) Motion passed. Mayor Hoskins stated that it will not be counted as income. It is expenses.

Bill # 4288 becomes Ordinance # 4135

Bill # 4289: An Ordinance Repealing Ordinance # 3740 Which Created a Senior Advisory Commission

City Clerk Jones read Bill # 4289 by title only. Councilwoman Hoskins moved, Councilwoman Mitchell seconded, and the motion carried to approve the 2nd reading. City Clerk Jones read Bill # 4289 by title only. Councilwoman Hoskins moved and Councilwoman Mathison seconded the motion for the 3rd and final reading of Bill # 4289. City Clerk Jones read Bill # 4289 by title only. Councilwoman Hoskins moved for the adoption. Roll Call: Mitchell-Aye, Hoskins-Aye, Mathison-Aye, Kirkland-Aye, McDaniel-Aye, and Mayor Hoskins-Aye (Aye-6) Motion passed.

Bill # 4289 becomes Ordinance # 4136

Bill # 4290: An Ordinance Approving a Boundary Adjustment for Lot 5 of North Park Plat 6, Located at 4700 & 4800 North Hanley and 8641 Evans Lane, in the City of Berkeley, Missouri

Councilwoman Mathison moved, Councilwoman Hoskins seconded, and the motion carried for the 2nd reading of Bill # 4290. City Clerk Jones read Bill # 4290 by title only. Councilwoman Mathison moved and Councilwoman Hoskins seconded the motion for the 3rd and final reading of Bill # 4290. City Clerk Jones read bill # 4290 by title only. Roll Call: Mitchell-Aye, Hoskins-Aye, Mathison-Aye, Kirkland-Aye, McDaniel-Aye, and Mayor-Aye (Aye-6) Motion passed.

Bill # 4290 becomes Ordinance # 4137

Bill # 4291: An Ordinance of the City of Berkeley, MO, Authorizing the Mayor to Execute the Attached Agreement with Harrison Fisheries

Councilwoman Hoskins moved, Councilwoman Mathison seconded, and the motion carried for the 2nd reading of Bill # 4291. City Clerk Jones read Bill # 4291 by title only. Councilwoman Hoskins moved and Councilwoman Mathison seconded the motion for the 3rd reading of Bill # 4291. Roll Call: Mitchell-Aye, Hoskins-Aye, Mathison-Aye, Kirkland-Aye, McDaniel-Aye, and Mayor-Aye (Aye-6) Motion passed.

Bill # 4291 becomes Ordinance # 4138

New Business:

Councilman-at-Large McDaniel moved, Councilwoman Hoskins seconded, and the motion carried to allow Mayor Hoskins to contact the next two candidates that were on the interviewed City Manager list.

Councilwoman Hoskins spoke about adjusting the park rental prices, civic center rental prices, and the ice machine not working.

Mayor Hoskins spoke about the current balance of the CDBG program and the status of the amend applications.

Introduction of Bills:

Bill # 4292: **An Ordinance Establishing a Policy for the Approval of the City Manager and Council Expenses.** Per Acting City Manager Beeks, this Bill is not needed.

Bill # 4293: **An Ordinance Setting the Compensation for the Acting City Manager for the City of Berkeley, Missouri**

Councilman McDaniel moved and Councilwoman Mitchell seconded the motion for the first reading of Bill # 4293. City Clerk Jones read Bill # 4293 by title only. Councilwoman Mathison moved and Councilman-at-Large McDaniel seconded for the 2nd reading for discussion on the dollar amount already entered into the bill. With a vote for all in favor without any objections, the motion passed.

Bill # 4294: **An Ordinance Repealing Ordinance # 3740 Which Created a Senior Advisory Commission**

City Clerk Jones read Bill # 4289.

Appointments to Boards and Commissions:

None

Communications:

None

Reports and Recommendations from the City Manager:

Acting City Manager Beeks spoke about the municipal pool not being able to be opened this season, due to multiple repairs needed.

Councilwoman Hoskins moved, Councilman-at-Large McDaniel seconded, and the motion carried to allow the Acting City Manager to investigate other workers compensation insurance companies, to try to receive lower rates.

Reports from the Clerk:

None

Reports from the Attorney:

None

Reports from the Special Committees:

None

Reports from Standing Committees:

Mayor Hoskins called for a motion to receive and file the Planning & Zoning meeting minutes for April 10, 2014, and Economic Development Sales Tax Commission meeting minutes for April 17, 2014. Councilwoman Mathison moved, Councilwoman Hoskins seconded, and the motion carried to receive and file the minutes.

Reports from the Council:

Ward 1 Councilwoman Mitchell spoke about the high grass and weeds problems, landlord's responsibilities, and the street department. The Acting City Manager was instructed to observe what the workers cutting grass are doing.

Ward 3 Councilwoman Hoskins spoke about vacant homes, overgrowth of vegetation, and the inspectors.

Ward 4 Councilwoman Mathison spoke about the Annie Malone Parade and the municipal pool.

Ward 5 Councilwoman Kirkland spoke about the high grass & weeds problem, derelict homes, Enterprise, and the stop sign at Thomas / Harold.

Councilman-at-Large McDaniel: Nothing at this time.

Mayor Hoskins: Nothing at this time.

Adjournment:

Councilwoman Mathison moved, Councilwoman Kirkland seconded, and the motion carried to adjourn the meeting at 8:03 pm.

By a vote of all in favor with no objections, these minutes were approved on the 02nd day of June 2014.

Theodore Hoskins, Mayor

Attest:

Deanna Jones, City Clerk