



A PLANNED PROGRESSIVE COMMUNITY

City of Berkeley, Missouri
City Council Meeting
 November 7, 2016
 Minutes

Meeting Called to Order:

Mayor Hoskins called the council meeting to order at 7:00 pm.

Roll Call:

Councilwoman Mitchell (W1)	present	Councilwoman Williams (W2)	present
Councilwoman Hoskins (W3)	absent	Councilwoman Mathison (W4)	present
Councilwoman Kirkland (W5)	present	Councilman-at-Large McDaniel	present
Mayor Hoskins	present	Quorum established at this open meeting.	

There was a recitation of the Pledge of Allegiance. Attorney Smith and Department Directors were present.

Approval of the Minutes:

Councilman-at-Large McDaniel moved, Councilwoman Mathison seconded, and the motion carried to approve the 10/17/2016 regular meeting minutes.

Public Hearings:

Case #16-13: Shall a Special Use Permit be Granted to Renita Addison to Operate a Hair Salon Business Located at 8557 Airport Rd, in the City of Berkeley, St. Louis County, MO?

This public hearing is put on hold, due to Ms. Addison nor a representative appearing.

Case #16-15: Shall the Zoning Code be Amended by Adding New Definitions and Creating a New Section in Chapter 500 Entitled, "Model Housing Code" in the City of Berkeley, MO?

Councilman-at-Large McDaniel moved, Mayor Hoskins seconded, and the motion carried to close this public hearing.

Case #16-16: Shall the Zoning Code be Amended by Adding New Definitions and Regulating Asphalt Driveways in the City of Berkeley, Missouri?

Councilman-at-large moved, Mayor Hoskins seconded, and the motion carried to close this public hearing.

Case #16-17: Shall the Zoning Code be Amended by Adding New Definitions and Establishing Tree Preservation Code Throughout Certain Districts in the City of Berkeley, MO?

Councilwoman Mitchell moved, Councilman-at-Large seconded, and the motion carried to close this public hearing.

Case #16-18: Shall the Zoning Code be Amended by Grandfathering Non-Conforming Lot Sizes Section 400.110, "R-3" Single Family, in the City of Berkeley, MO?

Councilwoman Mitchell moved, Councilwoman Williams seconded, and the motion carried to close this public hearing.

Councilwoman Mathison moved, Councilwoman Williams seconded, and the motion carried to close the public hearing section of this meeting.

Request for Rezoning, Special Use Permits, Resubdivision:

Citizens Hearing:

Clementine's Ice Cream Company Request a Referral to the City Plan Commission for a Special Use Permit to Conduct Business at 6138 Madison Ave (Council)

Councilwoman Mathison moved, Councilwoman Mitchell seconded, and the motion carried to refer Clementine's Ice Cream Company to the City Plan Commission's agenda, as long as the necessary paperwork must be completed and turned into the Public Works Dept.

TDN Nagin LLC Request a Referral to the City Plan Commission for a Special Use Permit to Operate Under New Ownership the Travel Lodge Hotel at 9645 Natural Bridge (Council)

Councilwoman Kirkland moved, Councilwoman Mathison seconded, and the motion carried to refer TDN Nagin LLC to the City Plan Commission's agenda. All the necessary paperwork must be completed and turned into the Public Works Dept.

Mayor Hoskins moved and Councilman-at-Large McDaniel seconded the motion that Berkeley senior citizens and age appropriate disabled residents that can provide a doctor statement stating they cannot drive can utilize the senior bus service. Roll Call: Mayor-Aye, Hoskins-Absent, Kirkland-Aye, Mathison-Nay, McDaniel-Aye, Mitchell-Aye, and Williams-Aye (Aye-5, Nay-1) motion passed.

Councilman-at-Large McDaniel moved, Councilwoman Mitchell seconded, and the motion carried to close the citizen hearing session of the meeting.

Resolutions:

Res #3392 – A Resolution to Reimburse Such Councilpersons and City Manager for Expenses Specifically Incurred by Them, if any, For the Month of October 2016 (Council)

Councilman-at-Large McDaniel moved and Councilwoman Williams seconded the motion to approve Resolution #3392. Roll Call: Mayor-Aye, Hoskins-Absent, Kirkland-Aye, Mathison-Absent, McDaniel-Aye, Mitchell-Aye, and Williams-Aye (Aye-6) motion passed.

Res #3393 – A Resolution Authorizing Renita Addison a Special Use Permit to Operate a Hair Salon Business Located at 8557 Road, in the City of Berkeley, St. Louis County, MO (Council)

Resolution #3393 put on hold due to hearing not held.

Petitions:

Unfinished Business:

HOLD: Bill #4487 – An Ordinance Amending the Zoning Code by Regulating Asphalt Driveways and Adding New Definitions (City Manager) – 2nd & 3rd Reading (*Ordinance #4334*)

Councilwoman Mitchell moved, Mayor Hoskins seconded and the motion carried to bring Bill #4487 off Hold.

Councilwoman Mitchell moved, Councilman-at-Large McDaniel seconded, and the motion carried for the 2nd reading by title only of Bill #4487. Councilwoman Mathison moved and Councilwoman Mitchell seconded for the 3rd reading and adoption of Bill #4487. Roll Call: Mayor-Aye, Hoskins-Absent, Kirkland-Aye, Mathison-Aye, McDaniel-Aye, Mitchell-Aye, and Williams-Aye (Aye-6) motion passed.

HOLD: Bill #4489 – An Ordinance of the City of Berkeley Creating a New Section in Chapter 500 Entitled, "Model Housing Code" (City Manager) – 2nd & 3rd Reading (*Ordinance #4335*)

Councilwoman-at-Large McDaniel moved, Councilwoman Mitchell seconded and the motion carried to bring Bill #4489 off Hold. Councilwoman Mitchell moved, Councilman-at-Large McDaniel seconded, and the motion carried for the 2nd reading by title only of Bill #4489. Councilman-at-Large McDaniel moved and Councilwoman Mitchell seconded for the 3rd reading and adoption of Bill #4489. Roll Call: Mayor-Aye, Hoskins-Absent, Kirkland-Aye, Mathison-Aye, McDaniel-Aye, Mitchell-Aye, and Williams-Aye (Aye-6) motion passed.

Bill #4492 – An Ordinance of the City of Berkeley, MO, Authorizing the Mayor to Execute the Attached Agreement with Morpho Trak, LLC (Council) – 2nd & 3rd Reading (*Ordinance #4336*)

Councilman-at-Large McDaniel moved, Councilwoman Williams seconded, and the motion carried for the 2nd reading by title only of Bill #4492. Councilman-at-Large McDaniel moved and Councilwoman Mitchell seconded for the 3rd reading and adoption of Bill #4492. Roll Call: Mayor-Aye, Hoskins-Absent, Kirkland-Aye, Mathison-Aye, McDaniel-Aye, Mitchell-Aye, and Williams-Aye (Aye-6) motion passed.

Bill #4493 – An Ordinance Adopting and Enacting a New Chapter 210, Offenses, of the Code of Ordinances of the City of Berkeley, County of St. Louis, State of Missouri; and Providing for the Repeal of Existing Code Chapter 210; and Providing when this Ordinance Shall Become Effective (Council) – 2nd & 3rd Reading (*Ordinance #4337*)

Councilwoman Mitchell moved, Councilman-at-Large McDaniel seconded, and the motion carried for the 2nd reading by title only of Bill #4493. Councilwoman Mitchell moved and Councilman-at-Large McDaniel seconded for the 3rd reading and adoption of Bill #4493. Roll Call: Mayor-Aye, Hoskins-Absent, Kirkland-Aye, Mathison-Aye, McDaniel-Aye, Mitchell-Aye, and Williams-Aye (Aye-6) motion passed.

Bill #4494 – An Ordinance for the Berkeley Police Department General Order #26 “Secondary Employment” Policy (Council) – 2nd & 3rd Reading (*Ordinance #4338*)

Councilman-at-Large McDaniel moved, Councilwoman Mitchell seconded, and the motion carried for the 2nd reading by title only of Bill #4494. Councilwoman Mitchell moved and Councilman-at-Large McDaniel seconded for the 3rd reading and adoption of Bill #4494. Roll Call: Mayor-Aye, Hoskins-Absent, Kirkland-Nay, Mathison-Aye, McDaniel-Aye, Mitchell-Aye, and Williams-Aye (Aye-5, Nay-1) motion passed.

Bill #4495 – An Ordinance for the Berkeley Police Department General Order #27 “Grievance Procedures” Policy (Council) – 2nd & 3rd Reading (*Ordinance #4339*)

Councilman-at-Large McDaniel moved, Councilwoman Mitchell seconded, and the motion carried for the 2nd reading by title only of Bill #4495. Councilwoman Mitchell moved and Councilwoman Williams seconded for the 3rd reading and adoption of Bill #4495. Roll Call: Mayor-Aye, Hoskins-Absent, Kirkland-Aye, Mathison-Aye, McDaniel-Aye, Mitchell-Aye, and Williams-Aye (Aye-6) motion passed.

Bill #4496 – An Ordinance for the Berkeley Police Department General Order #29 “Sexual Harassment” Policy (Council) – 2nd & 3rd Reading (*Ordinance #4340*)

Councilwoman Mitchell moved, Councilman-at-Large McDaniel seconded, and the motion carried for the 2nd reading by title only of Bill #4496. Councilman-at-Large McDaniel moved and Councilwoman Mitchell seconded for the 3rd reading and adoption of Bill #4496. Roll Call: Mayor-Aye, Hoskins-Absent, Kirkland-Aye, Mathison-Aye, McDaniel-Aye, Mitchell-Aye, and Williams-Aye (Aye-6) motion passed.

Bill #4497 – An Ordinance for the Berkeley Police Department General Order #24 “Code of Conduct and Appearance” Policy; and Providing for the Repeal of Existing General Order #2016-24 “Uniforms and Identification” Policy (Council) – 2nd & 3rd Reading (*Ordinance #4341*)

Councilman-at-Large McDaniel moved, Councilwoman Mitchell seconded, and the motion carried for the 2nd reading by title only of Bill #4497. Councilwoman Mitchell moved and Councilwoman Mathison seconded for the 3rd reading and adoption of Bill #4497. Roll Call: Mayor-Aye, Hoskins-Absent, Kirkland-Aye, Mathison-Aye, McDaniel-Aye, Mitchell-Aye, and Williams-Aye (Aye-6) motion passed.

New Business:

Discussion – Solid Waste Contract – Expires 09-30-2017 – Public Works (Council)

Introduction of Bills:

Bill #4498 – An Ordinance Creating a New Section in the Zoning Code, Entitled “Tree Preservation and Restoration” of the City of Berkeley (Council)

Bill #4499 – An Ordinance Amending the Zoning Code, Section 400.110 Regulating Lot Size, and Lot Width Which Shall be Grandfathered in R-3 Zoning, and Adding a New Definition (Council)

Bill #4500 – An Ordinance for the Berkeley Police Department General Order #28 “In-Car and Body Worn Audio and Video Recordings” Policy (Council)

Bill #4501 – An Ordinance for the Berkeley Police Department General Order #31 “Recruitment Plan” Policy (Council)

Bill #4502 – An Ordinance of the City of Berkeley, MO, Authorizing the Mayor to Execute the Attached Agreement with Zoll Medical Corporation for EMS Cardiac Monitors (Council)

Bill #4503 - An Ordinance Amending Sections of the City Of Berkeley Employee Handbook Personnel Rules and Regulation, Policies, and Benefits Relating To Employees Appeal Procedures (Council)

Bill #4504 – An Ordinance Amending the City of Berkeley Employee Handbook Personnel Rules and Regulation, Policies, and Benefits; Rule Number 6.00 Discipline; Adding Rule Number 6.11 Employee Grievance Policy (Council)

Appointments to Boards and Commissions:

Communications:**Reports and Recommendations from the City Manager:****Reports from the Clerk:****Reports from the City Attorney:**

Councilwoman Mitchell moved and Councilwoman Mathison seconded the motion for a closed session for litigation. Roll Call: Mayor-Aye, Hoskins-Absent, Kirkland-Aye, Mathison-Aye, McDaniel-Aye, Mitchell-Aye, and Williams-Aye (Aye-6) motion passed.

Reports from the Special Committees:**Reports from the Standing Committees:**

Councilman-at-Large moved, Councilwoman Mitchell seconded, and the motion carried to receive and file the City Plan Commission Meeting Minutes for August 11, 2016.

Reports from the Council:**Audience Participation (Limited to Subjects Addressed During the Meeting):****Adjourn:**

Councilwoman Mathison moved, Councilman-at-Large McDaniel seconded, and the motion carried to adjourn the meeting at 7:44 pm.

Closed Session:

Mayor Hoskins called the closed session to order at 7:53 pm. Roll Call: Mayor-Present, Hoskins-Absent, Kirkland-Present, Mathison-Present, McDaniel-Present, Mitchell-Present, and Williams-Present; quorum present. Assistant City Manager Gibson, City Attorney Smith, and City Clerk Jones were present.

There was no action during this session.

Meeting adjourned at 8:07 pm.

Approved as Amended: 21st day of November 2016

Attest:

Deanna Jones, City Clerk

Theodore Hoskins, Mayor