



**City of Berkeley, Missouri
City Council Meeting
May 5, 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 City Manager Nathan Mai-Lombardo 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:

Councilwoman Hoskins moved and Councilman-at-Large McDaniel seconded to approve the minutes for April 21, 2014 meeting. Mayor Hoskins opened the floor for corrections. Mayor Hoskins moved, Councilwoman Hoskins seconded, and the motion carried to amend a vote tally from Abstain vote to a Nay vote.

Public Hearings:

#14-06: Sherman Davis and Keith Gigers were referred by the P & Z Committee for approval to receive a special use permit to run a Full Auto Detailing Service, located at 5938 Evergreen. The hours of operation will be Monday - Friday 8:00 am – 6:00 pm and Saturday – Sunday 7:00 am – 7:00 pm. The council expressed concerns about keeping control of the noise level in the neighboring residential area.

#14-07: Stock & Associates Consulting Engineers representing North Park Partners were referred by the P & Z Committee for approval for a boundary adjustment to Lot 5 of North Park Plat 6, located at 4700 & 4800 North Hanley and 8641 Evans Lane.

#14-08: Ada Taylor was referred by the P & Z Committee for approval to receive a special use permit to run a Restaurant, located at 8600 Airport Rd, Suite #106. The hours of operation will be Monday – Friday 6:00 am – 8:00 pm and Saturday – Sunday 10:00 am – 6:00 pm, with carry out and dine in service. Ms. Taylor will serve brunch on Sunday morning. The goal date to open is in approximately three weeks.

Mayor Hoskins opened for the floor for questions and answers during each vendors turn.

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

Request for Rezoning, Special Use Permits, Resubdivision:

None

Citizens Hearing:

Vivian Weathersby of the 6600 block of Dunwold Drive was reassured, by the council, that the old IGA building on Frost will be demolished and that it is the future location of the Berkeley Police Department.

Willia McKinney of the 6500 block Alder Ave expressed concerns about the schools in Berkeley. The school district need to rezone the schools to allow more of Berkeley’s resident children to attend the schools in Berkeley. In addition, expressed concerns about the high cost of renting a Berkeley park pavilion.

Reverlea Coleman of the 8200 block of Cadillac request that the council analyze the comments of the residents about the seniors club.

Kevin McConnell of the 8000 block of Packard Ave expressed concerns about changing the culture of the city and making it more of a residential friendly city. In addition, requested the council to look into the cost of trash removal.

Helen Dunbar of the 8400 block of Midway expressed her appreciation for the Animal Control employee.

Ricky Jameson of the 8100 block of Packard requests the council to have a forensic audit of the finance of the city.

Shuntay Sanders with "We Are Family Learning Center" request permission to receive a special event permit for a Community Day. The event will be on May 17, 2014 at 8606 Frost and include a petting zoo, clowns, and a bounce house. Mayor Hoskins moved, Councilwoman Hoskins seconded, and the motion carried to approve the request. Ms. Sanders was referred to the Public Works department.

Councilwoman Hoskins moved, Councilwoman Mitchell seconded, and the motion carried to close the citizens hearing portion of the meeting.

Resolutions:

a. # 3299: Special Use Permit

A Resolution Authorizing Sherman Davis & Keith Gigers a Special Use Permit for a Full Auto Detail Service Located At 5938 Evergreen, In the City Of Berkeley, St. Louis County, Missouri

Councilwoman Mathison moved and Councilwoman Hoskins seconded the motion to adopt Resolution #3299. Roll Call: Mitchell-Aye, Hoskins-Aye, Mathison-Aye, Kirkland-Aye, McDaniel-Aye, and Mayor Hoskins-Aye (Aye-6) Motion passed.

b. # 3300: Special Use Permit

A Resolution Authorizing Ada Taylor a Special Use Permit for a Restaurant Located at 8600 Airport Road, Suite # 106, in the City of Berkeley, St. Louis County, Missouri

Councilman-at-Large McDaniel moved and Councilwoman Hoskins seconded the motion to adopt Resolution #3300. Roll Call: Mitchell-Aye, Hoskins-Aye, Mathison-Aye, Kirkland-Aye, McDaniel-Aye, and Mayor Hoskins-Aye (Aye-6) Motion passed.

c. # 3301: Senior Citizen Club

A Resolution Rescinding Resolution 3253 and Reinstating the Berkeley Senior Citizen Club with Additional Rules for Membership and Holding Office

Mayor Hoskins moved and Councilwoman Mathison seconded the motion to table Resolution #3301 until the next meeting, because of major concerns. Roll Call: Mitchell-Aye, Hoskins-Aye, Mathison-Aye, Kirkland-Aye, McDaniel-Aye, and Mayor Hoskins-Aye (Aye-6) Motion passed.

Petitions:

None

Unfinished Business:

Bill # 4286: Securus Technologies Service

An Ordinance of the City of Berkeley, MO, Authorizing the Mayor and Chief of Police to Execute the Attached Securus Technologies Master Services Agreement

Councilwoman Hoskins moved, Councilwoman Mathison seconded, and the motion carried for the 2nd reading of Bill # 4286. City Clerk Jones read Bill # 4286. Councilwoman Hoskins moved and Councilman-at-Large McDaniel seconded the motion for the 3rd and final reading of Bill # 4286. Roll Call: Mitchell-Aye, Hoskins-Aye, Mathison-Aye, Kirkland-Aye, McDaniel-Aye, and Mayor Hoskins-Aye (Aye-6) Motion passed.

Bill # 4286 becomes Ordinance # 4133

New Business:

The council received the 2014/2015 Budget. Councilwoman Mathison moved, Councilwoman Hoskins seconded, and the motion carried to set the Budget Hearing for June 16, 2014. Councilwoman Hoskins moved, Councilwoman Mathison seconded, and the motion carried to have a budget workshop on Tuesday, May 13, 2014 at 6:00 pm until 8:00 pm, starting with the revenue section.

Introduction of Bills:

Bill # 4287: Approving Council Expenses

An Ordinance Establishing a Policy for the Approval of the City Manager and Council Expenses

City Clerk Jones read Bill # 4287. Councilwoman Mathison moved and Councilwoman Kirkland seconded for the 2nd reading for discussion. There was a question about the council needing an additional approval. This is putting an internal control in place to make sure the budget funds are available for the expenses. Mayor Hoskins will approve the City Manager and the City Clerk's expenses. Councilwoman Mathison will approve the council members' expenses, and a council member will approve Councilwoman Mathison's expenses.

Bill # 4288: Gasoline Allowance

An Ordinance Establishing a Monthly Gasoline Allowance for Members of the Council for Council Related Activities

Councilwoman Hoskins moved and Councilwoman Mitchell seconded the motion for the first reading. City Clerk Jones read Bill # 4288. Councilwoman Mathison moved and Councilwoman Kirkland seconded for the 2nd reading for discussion. There was a question of legality of the council receiving extra money for gasoline purchase without having to track mileage. There was a request for legal guidance, which will come from the auditors. Payment for mileage comes from the budgeted expense account.

Bill # 4289: Repealing Ordinance # 3740

An Ordinance Repealing Ordinance # 3740 Which Created a Senior Advisory Commission

City Clerk Jones read Bill # 4289.

Bill # 4290: Boundary Adjustment

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

City Clerk Jones read Bill # 4290.

Bill # 4291: Harrison Fisheries

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

City Clerk Jones read Bill # 4291.

Appointments to Boards and Commissions:

Councilwoman Hoskins will have an appointment for Planning & Zoning.

Communications:

None

Reports and Recommendations from the City Manager:

The Police & Fire Pension needs to be discussed before getting to the Police Department and Fire Department expenditures in the Budget.

The City of Ferguson requested to borrow the Berkeley bus on Saturday, May 17, 2014 for their Ferguson Twilight 5K/10K & Fun Run, returning it with a full tank of gas. The bus has to be returned on Sunday, May 18th by 10:00 am. Councilwoman Mathison moved, Mayor Hoskins seconded, and the motion carried to approve the request with the stipulations.

Councilwoman Mathison moved, Councilwoman Hoskins seconded, and the motion carried to approve Vatterott College tent permit for their special event on May 22, 2014.

Mayor Hoskins moved and Councilwoman Mathison seconded the motion to have a closed session for personnel. Roll Call: Mitchell-Aye, Hoskins-Aye, Mathison-Aye, Kirkland-Aye, McDaniel-Aye, and Mayor Hoskins-Aye (Aye-6) Motion passed.

Reports from the Clerk:

Councilwoman Mathison moved, Councilwoman Hoskins seconded, and the motion carried to allow the City Clerk permission to destroy meeting tapes from 2003 through 2011, following the rules of the record retention law.

Reports from the Attorney:

No report for the open section of this meeting.

Reports from the Special Committees:

None

Reports from Standing Committees:

Mayor Hoskins called for a motion to receive and file the Economic Development Sales Tax Commission Meeting Minutes for August 15, 2013, and Economic Development Sales Tax Commission Meeting Minutes for March 20, 2014. Councilwoman Hoskins moved, Councilwoman Mathison seconded, and the motion carried to accept the minutes.

Reports from the Council:

Ward 1 Councilwoman Mitchell: Nothing at this time.

Ward 3 Councilwoman Hoskins: *Complaints are being received about vacant homes and they need to be monitored. The request for a home board-up was completed. *Councilwoman Hoskins moved, Mayor Hoskins seconded, and the motion passed to hire an inspector to inspect the Berkeley pool with the possibility of opening it for swimming this season. *Mayor Hoskins moved, Councilwoman Hoskins seconded, and the motion carried to do a follow up on the status of the additional streets that were supposed to be completed under the CDBG.

Ward 4 Councilwoman Mathison: *Residents have reported that the sewer at 3rd / Washington has a horrible smell and is clogged. The street department is asked to check it out. *Concerns were expressed about the sunshine law being followed and not having 3 members' meeting without a notice, members being invited to an employee meeting and other members not, needing to receive a clarification from the attorney general and the city attorney when in doubt about different things with the charter, the city manager is the city's representative and the position being disrespected, and insurance agents not at this meeting because they were met with by some members ahead of time and information not shared. Respect goes both ways and we need to be cognitive of it.

Ward 5 Councilwoman Kirkland: *The walkway between Kathlyn and Harold near Holman school is broken up and needs to be corrected. *There has been a shooting in the park and residents are complaining about drug smoking and fighting. The police needs to patrol more in the park.

Councilman-at-Large McDaniel: Commended the inspection department for the quick response to the downed fence at Midwood Park.

Mayor Hoskins: Nothing at this time.

Adjournment:

Councilwoman Mathison moved, Councilman-at-Large McDaniel seconded, and the motion carried to adjourn the meeting at 8:00 pm.

Closed Session:

Mayor Hoskins called the closed session of the regular council meeting of May 5, 2014 to order to discuss personnel issues at 8:12 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. City Manager Mai-Lombardo, City Attorney Smith, and City Clerk Jones attended this meeting.

City Manager Mai-Lombardo and City Attorney Smith were dismissed from the meeting at 8:19 pm.

Mayor Hoskins passed out a Resolution for the council to review and discuss. Mayor Hoskins moved and Councilman-at-Large McDaniel seconded the motion to approve the Resolution. Roll Call: Mitchell-Aye, Hoskins-Aye, Mathison-Nay, Kirkland-Nay, McDaniel-Aye, and Mayor Hoskins-Aye (Aye-4, Nay-2) Motion passed. City Clerk Jones assigned #3302 to the Resolution.

Mayor Hoskins passed out a Resolution for the council to review and discuss. Councilman-at-Large McDaniel moved and Councilwoman Hoskins seconded the motion to approve the Resolution. Roll Call: Mitchell-Aye, Hoskins-Aye, Mathison-Nay, Kirkland-Nay, McDaniel-Aye, and Mayor Hoskins-Aye (Aye-4, Nay-2) Motion passed. City Clerk Jones assigned #3303 to the Resolution.

Councilwoman Mathison moved, Councilman-at-Large McDaniel seconded, and the motion carried to adjourn the meeting at 8:26 pm.

By a vote of all in favor with no objections, these minutes were approved on the 19th day of May 2014.

Theodore Hoskins, Mayor

Attest:

Deanna Jones, City Clerk