



City of Berkeley, Missouri
City Council Meeting
February 19, 2018
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)	present	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. Interim City Manager Irvin, City Attorney Smith and Department Directors were present.

Presentation

Ceremonial Oath of Office for Police Officer Benjamin Rouggy. Recessed for refreshments at 7:05pm. Meeting called back to order at 7:13pm.

Approval of the Minutes:

Councilman-at-Large McDaniel moved, Councilwoman Hoskins seconded, and the motion carried to approve the 01/08/18 regular meeting and 01/16/18 & 01/23/18 special meeting minutes.

Public Hearings:

Request for Rezoning, Special Use Permits, Resubdivision:

Request for Referral to City Plan Commission to rezone the land 8098 Zoe from R-1 to P-1 for a pocket park. Councilwoman Williams moved, Councilman-at-Large McDaniel seconded, and the motion carried to refer Case #18-01, the Pocket Park project, for Berkeley Public Works to the City Plan Commission Agenda.

Request for Referral to City Plan Commission for a Special Use Permit to operate a hair salon, nail care, and sale of hair products at 8600 Airport, Ste. 205. Councilman-at-Large McDaniel moved, Councilwoman Mathison seconded, and the motion carried to refer Case #18-02 for Christian Osuegh to the City Plan Commission Agenda, with all necessary completed paperwork given to the Public Works Department.

Request for Referral to City Plan Commission to amend site plan, easement request, and reduce area setbacks in the rear yard at 6745 Romiss Ct. Councilwoman Mathison moved, Councilwoman Mitchell seconded, and the motion carried to refer Case #18-03 for Ferguson Enterprises to the City Plan Commission Agenda, with all necessary completed paperwork given to the Public Works Department.

Citizens Hearing:

Councilman-at-Large McDaniel moved, Councilwoman Mathison seconded, and the motion carried to close citizens hearing session of this meeting, after listening to concerns and questions about property not listed as a rental property, the stabilization grant, and speed bumps on Thurston at Frost.

Resolutions:

Res #3437: A Resolution to Reimburse Such Councilpersons and City Manager for Expenses Specifically Incurred by Them, if any, for the Months of January 2018 (Council)

Councilman-at-Large McDaniel moved and Councilwoman Williams seconded the motion to adopt Resolution #3437. Roll Call: Mayor-Aye, Hoskins-Aye, Kirkland-Aye, Mathison-Aye, McDaniel-Aye, Mitchell-Aye, and Williams-Aye (Aye-7) motion passed.

Petitions:

Unfinished Business:

Bill #4591: An Ordinance Authorizing a Right of Entry Permit to Saint Louis County, on Behalf of EFK Moen, LLC, for the Purpose of Boring and Testing for the Reconstruction and Expansion of Eva Road Being Brought to Standards, in Berkeley MO (Council)

Councilwoman Williams moved, Councilwoman Mitchell seconded, and the motion carried for the 2nd reading of Bill #4591, by title only. Councilman-at-Large McDaniel moved and Councilwoman Mitchell seconded the motion for the 3rd reading, by title only, and adoption of Bill #4591. Roll Call: Mayor-Aye, Hoskins-Aye, Kirkland-Aye, Mathison-Aye, McDaniel-Aye, Mitchell-Aye, and Williams-Aye (Aye-7) motion passed. (*Ordinance #4436*)

Bill #4592: An Ordinance Amending Section 605.040; Licenses and Permits, Conditions for Issuance (Council)

Councilman-at-Large McDaniel moved, Councilwoman Mitchell seconded, and the motion carried for the 2nd reading of Bill #4592, by title only. Councilman-at-Large McDaniel moved and Councilwoman Mathison seconded the motion for the 3rd reading, by title only, and adoption of Bill #4592. Roll Call: Mayor-Aye, Hoskins-Aye, Kirkland-Aye, Mathison-Aye, McDaniel-Aye, Mitchell-Aye, and Williams-Aye (Aye-7) motion passed. (*Ordinance #4437*)

Bill #4593: An Ordinance of the City of Berkeley Repealing Chapter 520, Soil Excavation and Erosion Control in its Entirety; and Replacing new Provisions in Chapter 520: Entitled, Stormwater Management Program (Council)

Councilman-at-Large McDaniel moved, Councilwoman Williams seconded, and the motion carried for the 2nd reading of Bill #4593, by title only. Councilman-at-Large McDaniel moved and Councilwoman Mathison seconded the motion for the 3rd reading, by title only, and adoption of Bill #4593. Roll Call: Mayor-Aye, Hoskins-Aye, Kirkland-Aye, Mathison-Aye, McDaniel-Aye, Mitchell-Aye, and Williams-Aye (Aye-7) motion passed. (*Ordinance #4438*)

Bill #4594: An Ordinance of the City of Berkeley, MO, Authorizing the Mayor to Execute the Attached Agreement with Morpho Trak, LLC. (Council)

Councilman-at-Large McDaniel moved, Councilwoman Mitchell seconded, and the motion carried for the 2nd reading of Bill #4594, by title only. Councilman-at-Large McDaniel moved and Councilwoman Mathison seconded the motion for the 3rd reading, by title only, and adoption of Bill #4594. Roll Call: Mayor-Aye, Hoskins-Aye, Kirkland-Aye, Mathison-Aye, McDaniel-Aye, Mitchell-Aye, and Williams-Aye (Aye-7) motion passed. (*Ordinance #4439*)

New Business:

Introduction of Bills:

Bill #4597: An Ordinance for the Berkeley Police Department General Order #60 “DUI Enforcement” Policy (Council)

Bill #4598: An Ordinance for the Berkeley Police Department General Order #61 “Traffic Direction and Control” Policy (Council)

Bill #4599: An Ordinance for the Berkeley Police Department General Order #62 “Traffic Ancillary Services” Policy (Council)

Bill #4600: An Ordinance of the City of Berkeley Amending the Employee Handbook of Personnel Rules and Regulations, Policies, and Benefits in Rule #21 Drug & Alcohol (Safety Sensitive Positions) by Adding a Drug & Alcohol Policy Addendum Effective January 1, 2018 (Council)

Bill #4601: An Ordinance of the City of Berkeley, Missouri, Authorizing the Mayor to enter into and execute the Attached Contract giving Prisoner Housing Services for Bel-Nor Police Department (Council)

Councilwoman Mathison moved, Mayor Hoskins seconded, and the motion carried for the 2nd reading and discussion of Bill #4601. Additional information/research is requested.

Bill #4602: An Ordinance of the City of Berkeley Authorizing the Release of Final payment to Simms Building Group for the Construction of the Berkeley Police Building at 8340 Frost Avenue, in the City of Berkeley, Saint Louis County Missouri (Council)

Councilwoman Mathison moved, Mayor Hoskins seconded, and the motion carried for the 2nd reading and discussion of Bill #4602. Additional information is requested.

Appointments to Boards and Commissions:

Councilwoman Mitchell moved, Councilwoman Kirkland seconded, and the motion carried to approve Councilman-at-Large McDaniel's recommendation to reappoint Gary Grotegeers, Richard Schmitt, and Thelma Wiley to the Board of Adjustment. Lisa Evans has been removed leaving a vacant position.

Councilwoman Mitchell moved, Mayor Hoskins seconded, and the motion carried to approve Councilwoman Mitchell's recommendation to remove Mabel Mixon from the Betterment Commissions and appoint DeBora White.

Communications:

Councilwoman Mathison moved, Councilwoman Kirkland seconded, and the motion carried to approve the Family Court request for the Fire Dept. to continue to participate as a mentor site in the Jr. Firefighter Program for 2018.

Reports and Recommendations from the City Manager:

Councilman-at-Large McDaniel moved and Councilwoman Mathison seconded the motion for a closed session for Litigation. Roll Call: Mayor-Aye, Hoskins-Aye, Kirkland-Aye, Mathison-Aye, McDaniel-Aye, Mitchell-Aye, and Williams-Aye (Aye-7) motion passed.

Mayor Hoskins moved and Councilwoman Mathison seconded the motion for a closed session for real estate. Roll Call: Mayor-Aye, Hoskins-Aye, Kirkland-Aye, Mathison-Aye, McDaniel-Aye, Mitchell-Aye, and Williams-Aye (Aye-7) motion passed.

Reports from the Clerk:

Reports from the City Attorney:

Reports from the Special Committees:

Reports from the Standing Committees:

Councilman-at-Large McDaniel moved, Councilwoman Mathison seconded, and the motion carried to receive and file the City Plan Commission minutes for 12/13/17.

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 7:46 pm.

Closed Session:

Mayor Hoskins moved and Councilman-at-Large McDaniel seconded the motion to call the closed session to order at 7:49 pm for litigation and real estate. Roll Call: Mayor-Aye, Hoskins-Aye, Kirkland-Aye, Mathison-Aye, McDaniel-Aye, Mitchell-Aye, and Williams-Aye (Aye-7) motion passed. Interim City Manager Irvin, City Attorney Smith, Finance Director King, Sr. Accountant Battle, and City Clerk Jones were present.

Mayor Hoskins moved and Councilman-at-Large McDaniel seconded the motion giving authority to City Attorney Smith to employee and charge for additional help to review further legal issues dealing with the Ad Valorem Tax and its research; with the condition of providing a cost analysis before acquired. Roll Call: Mayor-Aye, Hoskins-Aye, Kirkland-Aye, Mathison-Aye, McDaniel-Aye, Mitchell-Aye, and Williams-Aye (Aye-7) motion passed.

Councilwoman Mathison moved, Mayor Hoskins seconded, and the motion carried to adjourn the closed session at 8:17 pm.

Approved: This _____ day of _____ 2018

Attest:

Theodore Hoskins, Mayor

Deanna Jones, City Clerk