



**City of Berkeley, Missouri**  
**City Council Meeting**  
February 04, 2019  
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	(W4)	vacant
Councilman Hindeleh (W5)	present	Councilwoman-at-Large Greene	present
Mayor Hoskins	present	Quorum established.	

**Approval of the Minutes:**

Councilman Hindeleh moved, Councilwoman Mitchell seconded, and the motion carried to approve the 01-07-2019 regular meeting minutes and 01-10-2019 special meeting minutes.

**Public Hearings:**

Mayor Hoskins opened the Public Hearing to discuss Case #19-01: Shall a Special Use Permit be granted Amon Aziz to operate Pharaoh's Donuts, a bakery shop, located at 9650 Natural Bridge Road, in the City of Berkeley St. Louis County Missouri? The public did not offer any additional questions or comments. The council members were given an opportunity for clarification inquires. Councilwoman Williams moved, Councilman Hindeleh seconded, and the motion carried to close this Public Hearing.

Mayor Hoskins opened the Public Hearing to discuss Case #19-02: Shall the City Manager's request be granted to amend the Zoning Code by adding a new section, Motorize Food Vehicles? The council members were given an opportunity for clarification inquires. Councilwoman Mitchell moved, Councilwoman-at-Large Greene seconded, and the motion carried to close this Public Hearing.

**Request for Rezoning, Special Use Permits, Resubdivision:**

Mayor Hoskins moved, Councilwoman Mitchell seconded, and the motion carried to refer Case #19-03 Medical Marijuana Zoning, to the next city plan commission agenda.

Councilwoman Mitchell moved, Councilwoman-at-Large Greene seconded, and the motion carried to refer Case #19-04 Special Use Permit 8067 Airport Rd, to the next City Plan Commission agenda.

**Citizens Hearing:**

Councilwoman-at-Large Greene moved, Councilman Hindeleh seconded, and the motion carried to refer Plumbers Supply Co. to the 02/20/2019 Economic Development Commission agenda for request of a Real Estate Tax Abatement – 9151 Latty Avenue.

Danita Neal – 6113 Jefferson Ave – Home occupation license was denied. Ms. Neal was instructed that the past due taxes must be paid, housing inspection performed, and proper occupancy permit attained before she can apply for a home occupation license.

Councilman Hindeleh moved, Councilwoman-at-Large Greene seconded, and the motion carried to close the citizens hearing session of this meeting.

**Resolutions:**

**Res #3459: A Resolution Authorizing Amon Aziz a Special Use Permit to Operate Pharaoh's Donuts, A Bakery Shop Located at 9650 Natural Bridge Rd, in the City of Berkeley, St. Louis County, Missouri (Council)**

Councilman Hindeleh moved and Councilwoman Williams seconded the motion for the adoption of Resolution #3459. Roll Call: Mayor-Aye, Hoskins-Aye, Mitchell-Aye, Williams-Aye, Greene-Aye, and Hindeleh-Aye (Aye-6) motion passed.

**Res #3460: A Resolution to Reimburse such Councilpersons and City Manager for Expenses Specifically Incurred by them, if any, for the Months of December 2018 / January 2019 (Council)**

Councilman Hindeleh moved and Councilwoman Hoskins seconded the motion for the adoption of Resolution #3460. Roll Call: Mayor-Aye, Hoskins-Aye, Mitchell-Aye, Williams-Aye, Greene-Aye, and Hindeleh-Aye (Aye-6) motion passed.

**Res #3461: A Resolution Authorizing the City Manager to Release the Deed of Trust on 6106 Hancock Ave filed in St. Louis County According to Ordinance 2187 in October 1982 (DI)**

Councilwoman Williams moved and Councilman Hindeleh seconded the motion for the adoption of Resolution #3461. Roll Call: Mayor-Aye, Hoskins-Aye, Mitchell-Aye, Williams-Aye, Greene-Aye, and Hindeleh-Aye (Aye-6) motion passed.

### **Petitions:**

#### **Unfinished Business:**

**Bill #4672 – An Ordinance of the City of Berkeley Missouri Amending Table IV-A Prohibited Parking (Council) -2<sup>nd</sup> & 3<sup>rd</sup> Reading**

Mayor Hoskins moved, Councilwoman-at-Large Greene seconded, and the motion carried for the 2<sup>nd</sup> reading of Bill #4672, by title only. Mayor Hoskins moved and Councilwoman-at-Large Greene seconded the motion for the 3<sup>rd</sup> reading, in its entirety, and adoption of Bill #4672. Roll Call: Mayor-Aye, Hoskins-Aye, Mitchell-Aye, Williams-Aye, Greene-Aye, and Hindeleh-Aye (Aye-6) motion passed. (*Ordinance #4515*)

**Bill #4673 – An Ordinance Amending Chapter 415, Relating to Trailer Parks, Changing The Title to “Trailer Parking” and Repealing Sections 415.010, 415.020, 415.030, 415.040, 415.050, 415.060, 415.070, 415.080, 415.090, 415.100, 415.110, 415.120, 415.130, 415.140, 415.150, and 415.160 (Council) – 2<sup>nd</sup> & 3<sup>rd</sup> Reading**

Councilwoman Mitchell moved, Councilman Hindeleh seconded, and the motion carried for the 2<sup>nd</sup> reading of Bill #4673, by title only. Councilwoman-at-Large Greene moved and Councilman Hindeleh seconded the motion for the 3<sup>rd</sup> reading, in its entirety, and adoption of Bill #4673. Roll Call: Mayor-Aye, Hoskins-Aye, Mitchell-Aye, Williams-Aye, Greene-Aye, and Hindeleh-Aye (Aye-6) motion passed. (*Ordinance #4516*)

**Bill #4674 – An Ordinance Amending Section 415.170 Parking Boats and Boat Trailers; by Adding Definitions in Section 314.101 and a New Subsection (J) for the Parking of Construction Vehicles, Utility Trailers, Semi-Tractor Trailers and Recreational Vehicles (Council)**

Councilwoman-at-Large Greene moved, Councilman Hindeleh seconded, and the motion carried for the 2<sup>nd</sup> reading of Bill #4674, by title only. Councilwoman-at-Large Greene moved and Councilman Hindeleh seconded the motion for the 3<sup>rd</sup> reading, in its entirety, and adoption of Bill #4674. Roll Call: Mayor-Aye, Hoskins-Aye, Mitchell-Aye, Williams-Aye, Greene-Aye, and Hindeleh-Aye (Aye-6) motion passed. (*Ordinance #4517*)

**Bill #4675 – An Ordinance Amending Chapter 400, Creating a New Article XIII, Short Term Rentals (STR) and Regulations of Residential Single Family Homes Within the City of Berkeley, to Insure the Public Health, Safety and Welfare, and to Provide Penalties for Violations Thereof (Council)**

Councilman Hindeleh moved, Councilwoman Williams seconded, and the motion carried for the 2<sup>nd</sup> reading of Bill #4675, by title only. Councilwoman Hoskins moved and Councilman Hindeleh seconded the motion for the 3<sup>rd</sup> reading, in its entirety, and adoption of Bill #4675. Roll Call: Mayor-Aye, Hoskins-Aye, Mitchell-Nay, Williams-Aye, Greene-Aye, and Hindeleh-Aye (Aye-5, Nay-1) motion passed. (*Ordinance #4518*)

**Bill #4676 – An Ordinance Amending Chapter 400, Creating a New Article XIV, Economic Development Improvements and Regulations for the Commercial Façade Improvement Grant Program in the City of Berkeley Missouri (Council)**

Councilwoman-at-Large Greene moved, Councilwoman Williams seconded, and the motion carried for the 2<sup>nd</sup> reading of Bill #4676, by title only. Councilwoman-at-Large Greene moved and Councilwoman Williams seconded

the motion for the 3<sup>rd</sup> reading, in its entirety, and adoption of Bill #4676. Roll Call: Mayor-Aye, Hoskins-Aye, Mitchell-Aye, Williams-Aye, Greene-Aye, and Hindeleh-Aye (Aye-6) motion passed. (*Ordinance #4519*)

**Bid #4677 – An Ordinance for the City of Berkeley MO, Authorizing the Mayor to Execute the Attached Agreement with Spencer Contracting Company According to Bid #878 – Miller Park Renovations** (Council)  
Councilwoman Mitchell moved, Councilman Hindeleh seconded, and the motion carried for the 2<sup>nd</sup> reading of Bill #4677, by title only. Councilwoman-at-Large Greene moved and Councilman Hindeleh seconded the motion for the 3<sup>rd</sup> reading, in its entirety, and adoption of Bill #4677. Roll Call: Mayor-Aye, Hoskins-Aye, Mitchell-Aye, Williams-Aye, Greene-Aye, and Hindeleh-Aye (Aye-6) motion passed. (*Ordinance #4520*)

**Bill #4678 – An Ordinance for the City of Berkeley MO, Authorizing the Mayor to Execute the Attached Agreement with Sumner One According to Bid #875 – Multifunctional Copiers/Printers** (Council)  
Councilman Hindeleh moved, Councilwoman-at-Large Greene seconded, and the motion carried for the 2<sup>nd</sup> reading of Bill #4678, by title only. Councilwoman Mitchell moved and Councilman Hindeleh seconded the motion for the 3<sup>rd</sup> reading, in its entirety, and adoption of Bill #4678. Roll Call: Mayor-Aye, Hoskins-Aye, Mitchell-Aye, Williams-Aye, Greene-Aye, and Hindeleh-Aye (Aye-6) motion passed. (*Ordinance #4521*)

**Bill #4679 – An Ordinance for the City of Berkeley MO, Authorizing the Mayor to Execute the Attached Agreement with S.B.C. Contracting According to Bid #879 – Hoskins Park Renovations** (Council)  
Councilwoman-at-Large Greene moved, Councilman Hindeleh seconded, and the motion carried for the 2<sup>nd</sup> reading of Bill #4679, by title only. Councilwoman Hoskins moved and Councilman Hindeleh seconded the motion for the 3<sup>rd</sup> reading, in its entirety, and adoption of Bill #4679. Roll Call: Mayor-Aye, Hoskins-Aye, Mitchell-Aye, Williams-Aye, Greene-Aye, and Hindeleh-Aye (Aye-6) motion passed. (*Ordinance #4522*)

**Bill #4680 - An Ordinance For The City Of Berkeley Missouri, Amending 500, Section 500.010, Of The Code Of Ordinances Of The City Of Berkeley By Adopting The 2015 International Building Code (IBC), The 2015 International Residential Code (IRC), The 2015 International Energy Conservation Code (IECC), 2014 National Electric Code (NEC), The 2015 International Mechanical Code (IMC), The 2015 International Plumbing Code (IPC), The 2015 International Fuel Gas Code (IFGC), The 2015 International Existing Building (IEBC), 2015 International Property Maintenance Code (IPMC); And The 2015 International Fire Code (IFC) Providing For The Repeal Of All Ordinances In Conflict; Providing A Severability Clause; Providing For A Penalty Of Fine As Established Not To Exceed The Sum Established In Section 100.070 For Each Offense, And Each And Every Day Such Offense Continues Shall Constitute A Separate Offense; And Providing An Effective Date** (Council)  
Councilwoman Mitchell moved, Councilman Hindeleh seconded, and the motion carried for the 2<sup>nd</sup> reading of Bill #4680, by title only. Councilwoman Hoskins moved and Councilman Hindeleh seconded the motion for the 3<sup>rd</sup> reading, in its entirety, and adoption of Bill #4680. Roll Call: Mayor-Aye, Hoskins-Aye, Mitchell-Aye, Williams-Aye, Greene-Aye, and Hindeleh-Aye (Aye-6) motion passed. (*Ordinance #4523*)

**Bill #4681 - An Ordinance of the City of Berkeley, Missouri, Authorizing the Acception of the Attached Quitclaim Deed for the Donated Real Property Identified as 8432 St. Olaf, Berkeley, MO** (Council)  
Councilwoman Mitchell moved, Councilwoman Williams seconded, and the motion carried for the 2<sup>nd</sup> reading of Bill #4681, by title only. Councilwoman Williams moved and Councilman Hindeleh seconded the motion for the 3<sup>rd</sup> reading, in its entirety, and adoption of Bill #4681. Roll Call: Mayor-Aye, Hoskins-Aye, Mitchell-Aye, Williams-Aye, Greene-Aye, and Hindeleh-Aye (Aye-6) motion passed. (*Ordinance #4524*)

### **New Business:**

#### **Introduction of Bills:**

**Bill #4682 – An Ordinance Amending Chapter 400, Creating a New Article XV Mobile Vending Regulating Food Trucks Operating and Parking within the City of Berkeley, to ensure the Public Health, Safety and Welfare, and to Provide Penalties for Violations Thereof** (Council)

### **Appointments to Boards and Commissions:**

Councilwoman Williams moved, Mayor Hoskins seconded, and the motion carried to appoint Angela Latimore to the Board of Adjustment.

**Communications:**

**Reports and Recommendations from the City Manager:**

Councilwoman-at-Large Green moved, Councilman Hindeleh seconded, and the motion carried giving the City Manager authority to move forward with replacing heaters in the Central Garage.

The request to purchase a John Deere Wheel Loader for the Street Department is put on hold until budget.

**Reports from the Clerk:**

**Reports from the City Attorney:**

**Reports from the Special Committees:**

**Reports from the Standing Committees:**

Councilwoman Mitchell moved, Councilwoman-at-Large Greene seconded, and the motion carried to receive and file the City Plan Commission Minutes – 12/12/2018.

**Reports from the Council:**

Councilman Hindeleh moved, Councilwoman Williams seconded, and the motion carried to hold a budget workshop on Tuesday 02-19-2019 at 1pm.

**Audience Participation (Limited to Subjects Addressed During the Meeting):**

**Adjourn:**

Councilman Hindeleh moved, Councilwoman Williams seconded, and the motion carried to adjourn the meeting at 8:10 pm.

Approved: This 18<sup>th</sup> day of February 2019

Attest:

\_\_\_\_\_  
Theodore Hoskins, Mayor

\_\_\_\_\_  
Deanna Jones, City Clerk