



City of Berkeley, Missouri  
City Council Meeting  
March 18, 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 Williams seconded, and the motion carried to approve the 03-04-2019 regular meeting.

**Public Hearings:**

Mayor Hoskins opened the Public Hearing to discuss Case #19-04: Shall a Special Use Permit be granted to Francene Mitchell to operate Precious Days learning Academy II, a child care center, located at 8067 Airport Road? The public did not offer any additional questions or comments. The Council members were given an opportunity for clarification inquires. Councilwoman Williams moved, Councilwoman-at-Large Green seconded, and the motion carried to close the Public Hearing session of this meeting.

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

Request for Referral to City Plan Commission Case #19-08 Demetrius Parott to operate a Cigar Lounge – 8544 Airport Rd.

Councilman Hindeleh moved, Councilwoman-at-Large Greene seconded, and the motion carried to refer Demetrius Parott to the City Plan Commission 04/10/19 Agenda with all necessary paperwork completed and turned in to the Public Works Department.

Request for Referral to City Plan Commission Case #19-09 United Cerebral Palsy Heartland to operate an Adult Day Habilitation – 4645 LaGuardia Dr.

Councilwoman Mitchell moved, Councilman Hindeleh seconded, and the motion carried to refer United Cerebral Palsy Heart to the City Plan Commission Agenda with all necessary paperwork completed and turned in to the Public Works Department.

**Citizens Hearing:**

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

**Resolutions:**

Res #3463 – **A Resolution Authorizing Francene Mitchell a Special Use Permit to Operate Precious Days Learning Academy II, A Child Care Center Located at 8067 Airport Rd, in the City of Berkeley, St. Louis County, Missouri** (Council)

Councilman Hindeleh moved and Councilwoman-at-Large Green seconded the motion to adopt Resolution #3463. Roll Call: Mayor-Aye, Hoskins-Aye, Mitchell-Aye, Williams-Aye, Greene-Aye, and Hindeleh-Aye (Aye-6) motion passed.

Amend Res #3426 – **A Resolution Authorizing Brittney McCray a Special Use Permit to Operate a Hair Salon Business Located at 8560 Airport Rd, in the City of Berkeley, St. Louis County, Missouri** (Council)

Councilman Hindeleh moved and Councilwoman Williams seconded the motion to adopt Amended Resolution #3426. Roll Call: Mayor-Aye, Hoskins-Aye, Mitchell-Aye, Williams-Aye, Greene-Aye, and Hindeleh-Aye (Aye-6) motion passed.

**Petitions:**

**Unfinished Business:**

Bill #4684 – **An Ordinance Amending Chapter 400 Relating to Medical Marijuana and Related Uses** (Council) – 2<sup>nd</sup> & 3<sup>rd</sup> Reading

Councilwoman Williams moved, Councilman Hindeleh seconded, and the motion carried for the 2<sup>nd</sup> reading of Bill #4684, by title only. Councilwoman-at-Large Greene moved and Councilman Hindeleh seconded the motion for the 3<sup>rd</sup> reading by title only, and adoption of Bill #4684. Roll Call: Mayor-Aye, Hoskins-Aye, Mitchell-Aye, Williams-Aye, Greene-Aye, and Hindeleh-Aye (Aye-6) motion passed. (*Ordinance #4527*)

Bill #4685 – An Ordinance of the City of Berkeley, MO, Amending the Employee Handbook of Personnel Rules and Regulations, Policies, and Benefits in Section 16.01: Alcohol and Drug Policy Relating to Medical Marijuana (Council) – 2<sup>nd</sup> & 3<sup>rd</sup> Reading

Bill #4685 is put on hold.

Bill #4687 – An Ordinance Amending Title II Public Health, Safety and Welfare; and the Repeal of Certain Sections in Part of or in its Entirety (Council) – 2<sup>nd</sup> & 3<sup>rd</sup> Reading

Bill #4687 is put on hold.

Bill #4688 – An Ordinance Approving an Agreement with Plumbers Supply for a Fifty-Percent (50%) Property Tax Abatement at 9151 Latty, in the City of Berkeley, St. Louis County, MO (Council) – 3<sup>rd</sup> Reading

Councilman Hindeleh moved and Councilwoman-at-Large Greene seconded the motion for the 3<sup>rd</sup> reading by title only, and adoption of Bill #4688. Roll Call: Mayor-Aye, Hoskins-Aye, Mitchell-Aye, Williams-Aye, Greene-Aye, and Hindeleh-Aye (Aye-6) motion passed. (*Ordinance #4528*)

Bill #4689 – An Ordinance Amending the Berkeley Police Department General Order #48 “Records” Policy (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 #4689, by title only. Councilwoman-at-Large Greene moved and Councilwoman Mitchell seconded the motion for the 3<sup>rd</sup> reading by title only, and adoption of Bill #4689. Roll Call: Mayor-Aye, Hoskins-Aye, Mitchell-Aye, Williams-Aye, Greene-Aye, and Hindeleh-Aye (Aye-6) motion passed. (*Ordinance #4529*)

**New Business:**

Councilwoman-at-Large Green moved and Mayor Hoskins seconded the motion to give the City Manager authority to move forward with the next steps regarding the 2010B Certificates advance refund on a tax-exempt basis through Stifel. Roll Call: Mayor-Aye, Hoskins-Aye, Mitchell-Present, Williams-Aye, Greene-Aye, and Hindeleh-Present (Aye-4) motion passed.

**Appointments to Boards and Commissions:**

Mayor Hoskins moved, Councilwoman-at-Large Green seconded, and the motion carried to appoint Veronica Mickens to the Economic Development Commission replacing Ms. Pittman.

**Introduction of Bills:**

Bill #4686 – An Ordinance Amending Title I Government Code; and the Repeal of Certain Sections in Part of or in its Entirety (Council)

Bill #4690 – An Ordinance of the City of Berkeley, MO, Authorizing the Acception of the Attached Quitclaim Deed for the Donated Real Property Identified as 6764 St. Olaf, Berkeley, MO (Council)

Bill #4691 – An Ordinance Establishing Provisions Relating to the Operation of Unmanned Aircraft (Council)

Bill #4692 – An Ordinance of the City of Berkeley, MO, Authorizing the Mayor to Execute the Attached Agreement with Harrison’s Fishery, Inc. for 2019 Live Fish for Mathison Lake (Council)

Emergency Bill #4693 – **An Ordinance for the City of Berkeley, MO, Authorizing the Mayor to Execute the Attached Agreement with TLH Construction According to Bid #880 – Municipal Pool House** (The City Council does hereby find and declare that an emergency exists which requires the immediate passage of this ordinance for preservation of the welfare of the Citizens of the City of Berkeley.) (Council)

1<sup>st</sup> reading of Bill #4693 by title only. Councilwoman Williams moved, Councilwoman Mitchell seconded, and the motion carried for the 2<sup>nd</sup> reading of Bill #4693, 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 #4693. Roll Call: Mayor-Aye, Hoskins-Aye, Mitchell-Aye, Williams-Aye, Greene-Aye, and Hindeleh-Aye (Aye-6) motion passed. (*Ordinance #4530*)

**Communications:**

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

Councilwoman Mitchell moved, and Councilman Hindeleh seconded to hold a closed session for real estate and litigation. Roll Call: Mayor-Aye, Hoskins-Aye, Mitchell-Aye, Williams-Aye, Greene-Aye, and Hindeleh-Aye (Aye-6) motion passed.

Mayor Hoskins moved, Councilwoman Williams seconded, and the motion carried approving City Manager Irvin’s request for the emergency demolition of 6223 Madison.

**Reports from the Clerk:**

**Reports from the City Attorney:**

**Reports from the Special Committees:**

**Reports from the Standing Committees:**

**Reports from the Council:**

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

**Adjourn:**

Councilwoman-at-Large Green moved, Councilman Hindeleh seconded, and the motion carried to adjourn the meeting at 8:08 pm.

**Closed Session:**

Councilman Hindeleh moved and Councilwoman-at-Large Greene seconded the motion to open the closed session for real estate and litigation at 8:10 pm. Roll Call: Mayor-Aye, Hoskins-Aye, Mitchell-Aye, Williams-Aye, Greene-Aye, and Hindeleh-Aye (Aye-6) motion passed. City Manager Irvin, City Attorney Smith, and City Clerk Jones were present.

No action was taken during this session.

Mayor Hoskins moved, Councilman Hindeleh seconded, and the motion carried to adjourn the meeting at 8:23 pm.

Approved: This 1<sup>st</sup> day of April 2019

Attest:

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Theodore Hoskins, Mayor

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Deanna Jones, City Clerk