

Introduced by: Council Members Present
of the City of Berkeley, MO

A RESOLUTION OF THE CITY OF BERKELEY MISSOURI CENSURING MAYOR THEODORE HOSKINS

WHEREAS, the City Council has the authority' pursuant to the Berkeley Charter and the Municipal Code to express its' severe disapproval of any member's actions while serving in public office and;

WHEREAS, the Council desires to take a public stance and formally express its disdain for Mayor Theodore Hoskins injudicious conduct.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BERKELEY, MISSOURI AS FOLLOWS:

SECTION 1.

- A. The Berkeley City Council assembled in open session and by a vote of the majority of its members have found that Mayor Theodore Hoskins, has engaged in conduct that violates the Charter applicable to elected officials of the City of Berkeley; to-wit: Article 5, Section 10, which states:

Section 10: Prohibition of Interference.

Neither the Council nor any of its members shall direct or request the appointment of any person to office or his removal from office by the City Manager or any of his subordinates, nor in any way interfere with the appointment or removal of officers and employees in the administrative service of the City. Except for the purpose of inquiry, or as otherwise provided in this Charter, the Council and its members shall deal with the administrative officers and services solely through the City Manager, and neither the Council nor any member thereof shall give orders to the subordinates of the City Manager, either publicly or privately. Nothing in this Section shall prevent the City Manager, if he so desires, from consulting with the Council or members thereof as to the qualifications of prospective City employees. Any Councilman violating the provisions of this Section shall forfeit his office. Whether such violation has occurred shall be determined by the members of the Council and their decision shall be final.

- B. The City Council further finds that Mayor Hoskins' conduct has been disrespectful to City Staff and may foster a hostile work environment; and
- C. The City Council further finds that Mayor Hoskins' conduct and statements to City employees is not consistent with the values and the Charter of the City of Berkeley and are not in the best interests of the City; and
- D. Mayor Hoskins has verbally attacked individual Council members, by refusing introduce legislation, and refusing to acknowledge council members during open public meetings; and
- E. The majority of the City Council has determined that the City cannot tolerate behavior unbecoming of a Mayor.
- F. Mayor Theodore Hoskins is hereby directed to:
 - 1. Address his concerns in writing to the City Manager and refrain from giving any directives to her subordinates.
 - 2. Conduct himself in a manner that is professional, and recognize each member of the council during public meetings.
 - 3. Discontinue participation in the Police and Fire Union Negotiations.
 - 4. Refrain from negative and threatening comments to the City Manager, City Attorney, and City Clerk.

SECTION 2. Mayor Theodore Hoskins shall forfeit his elected seat as Mayor of the City of Berkeley if he violates any part of this resolution.

SECTION 3. Now, therefor in consideration of the foregoing recitals, the majority of the publicly elected members of the Berkeley City Council hereby adopts this resolution censuring Mayor Theodore Hoskins for his violation of the City's Charter and other misconduct cited above. This Resolution shall become effective immediately upon its passage.

PASSED this **day of** **2019**

ATTEST:

Theodore Hoskins, Mayor

Deanna Jones, City Clerk

Approved As To Form:
Donnell Smith, City Attorney

Final Roll Call:

Mayor Hoskins	Aye	___	Nay	__	Absent	___	Abstain	___
Councilwoman Hoskins	Aye	___	Nay	__	Absent	___	Abstain	___
Councilwoman Mitchell	Aye	___	Nay	__	Absent	___	Abstain	___
Councilwoman Williams	Aye	___	Nay	__	Absent	___	Abstain	___
Councilwoman-At-Large Greene	Aye	___	Nay	__	Absent	___	Abstain	___
Councilman Hindeleh	Aye	___	Nay	__	Absent	___	Abstain	___
Councilwoman Anthony	Aye	___	Nay	__	Absent	___	Abstain	___