



**City of Berkeley, Missouri
City Council Meeting
February 3, 2014**

Meeting Called to Order:

The council meeting was called to order at 7:00 pm.

Roll Call:

Councilwoman Verges	present	Councilwoman Calton	present
Councilwoman Hoskins	present	Councilwoman Mathison	present
Councilwoman Montgomery	present	Councilman-at-Large Deinbo	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:

Mayor Hoskins called for a motion to approve the minutes for January 13, 2014 regular meeting, January 14, 2014 special meeting, January 21, 2014 special meeting, and January 29, 2014 special meeting. Councilwoman Verges moved, Councilman-at-Large Deinbo seconded, and the motion carried. Motion passed.

Public Hearings:

Jerry Morris & Deidra Smith – Special Use Permit – 8551-8555 Airport Rd - Tavern

Mr. Morris and Ms. Smith want to open a Sports Bar / Tavern at 8551-8555 Airport Road, with the intentions to allow special events and celebrations to be held there. The council members and the public were allowed to ask questions.

Councilwoman Mathison moved, Councilman-at-Large Deinbo seconded, and the motion carried to close the public hearing portion of the meeting.

Request for Rezoning, Special Use Permits, Resubdivision:

Ghassan Al-Yasiry – Zoning Change – Used Car Sales – 9347 Koenig

Mr. Al-Yasiry nor any affiliate appeared to speak to the council about this subject.

Doris Dunne – Business License - Sun Graphics Gallery / Studio – 8363 Airport Rd

Ms. Dunne requested to run a Community Art Center at 8363 Airport Road. The program will be free of charge to the public. The pilot program will proceed every Saturday June 7, 2013 – July 25, 2014. The Center will offer art, reading, and poetry. Artist work will be displayed in the gallery. The council did not express any objections to Ms. Dunn's request. Ms. Dunn will need to apply for and follow the procedures for a business license and the required inspections.

Michael Velloff – Special Use Permit – White Castle – 9301 Natural Bridge Road

Mr. Velloff requested an audience with the P & Z Committee. They want to demolish the current White Castle located at 9301 Natural Bridge and build a bigger & more efficient one. All of the employees will work at other locations during the approximately four months that it will take to rebuild the business. Councilwoman Montgomery complimented them on how nice the grounds are kept. Councilwoman Mathison acknowledged the good customer service received. Councilwoman Verges moved, Councilwoman Calton seconded, and the

motion carried to move Mr. Velloff to the P & Z's agenda. If all of the required paperwork is turned in immediately, they will be added to P & Z's 2/13/14 agenda.

Todd Satterthwaite – Special Use Permit – Todd's Automotive Machine Shop – 5959 Evergreen

Mr. Satterthwaite requested an audience with the P & Z Committee to move his current business at 5812 N. Hanley to his new location of 5959 Evergreen. Mr. Satterthwaite rebuilds engines. Councilwoman Mathison moved, Councilman-at-Large Deinbo seconded, and the motion carried to move Mr. Satterthwaite to the P & Z's agenda. If all of the required paperwork is turned in immediately, they will be added to P & Z's 2/13/14 agenda.

Muhammad Khan – Special Use Permit – Cell Phone Retail – 8561 Airport Road

Mr. Khan requested an audience with the P & Z Committee. He wants to extend a branch of his prepaid wireless retail stores to Berkeley located at 8561 Airport Road. Mr. Khan's business contracts with the prepaid component of T-Mobile, AT&T, and Sprint and third party carriers selling new and refurbished phones. Councilwoman Mathison moved, Councilman-at-Large Deinbo seconded, and the motion carried to move Mr. Khan to the P & Z's agenda. If all of the required paperwork is turned in immediately, he will be added to P & Z's 2/13/14 agenda.

Citizens Hearing:

Doug Eller with Community Action Agency of St. Louis County (CAASTLC) updated the council on the process of the \$200,000 grant that CAASTLC applied for to use in Berkeley. CAASTLC wants to hold a Home & Health Fair on March 8, 2014 in conjunction with a statewide event. The fair is to educate and enroll residents of Berkeley into the Affordable Health Care Act and have other health care partners available with additional information and possible screening. In addition, the fair is to help the residents, near the new Rubicon houses, receive money or loans to bring their homes up to code. Mr. Eller requested the use of the city hall's foyer, hallway, and council chamber for this event on Saturday, March 8, 2014 from 9:00 am – 3:00 pm. Councilwoman Verges moved, Councilwoman Mathison seconded, and the motion carried to allow Mr. Eller the use of the city hall during the indicated times. The event will be advertised state wide, postcards delivered by the post office, the city hall's marquee, and flyers that Mr. Eller will provide.

Kunle Solar spoke on behave of State Representative Courtney Curtis about school transfer issue, HB 1253, and affordable college. Mr. Solar encouraged everyone to call State Rep Curtis with any issues at 314-687-0569.

Rufus Cole requested the use of the land behind the new houses on Jefferson for a community garden. Mr. Cole will have to research who owns the land and receive permission from them.

A resident complained that someone is dumping trash at the vacant homes on Berkridge Ct.

Councilwoman Montgomery moved, Councilman-at-Large Deinbo seconded, and the motion carried to close the citizens hearing portion of the meeting.

Resolutions:

Resolution # 3291 – January Reimbursements

A Resolution to Reimburse Such Council Persons and City Manager for Expenses Specifically Incurred by Them, if any, for the Month of January 2014

City Clerk Jones read Resolution # 3291 by title only. Councilman-at-Large Deinbo moved and Councilwoman Mathison seconded the motion to approve and adopt Resolution # 3291. Roll Call: Verges-Aye, Calton-Aye, Hoskins-Aye, Mathison-Aye, Montgomery-Aye, Deinbo-Aye, & Mayor-Present Not Voting (Aye-6, Abstain-1) Motion Passed.

Resolution # 3292– Special Use Permit – 8551-8555 Airport Rd – Tavern

A Resolution Authorizing Jerry Morris & Deidra Smith a Special Use Permit for a Tavern Business located at 8551-8555 Airport Road, in the City of Berkeley, St. Louis County, MO

City Clerk Jones read Resolution # 3292 by title only. Councilwoman Mathison moved and Councilman-at-Large Deinbo seconded the motion to adopt Resolution # 3292. Roll Call: Verges-Aye, Calton-Aye, Hoskins-Aye, Mathison-Aye, Montgomery-Aye, Deinbo-Aye, & Mayor-Aye (Aye-7) Motion Passed.

Petitions:

None

Unfinished Business:

Bill # 4279: Z & L Wrecking – Demolition – 2nd & 3rd Reading

An Ordinance of the City of Berkeley, MO, Authorizing the City Manager to Execute the Contract with Z & L Wrecking Company

City Clerk Jones read Bill # 4279 by title only. Mayor Hoskins called for a motion to approve the 2nd reading of Bill # 4279. Councilwoman Verges moved, Councilwoman Calton seconded, and the motion carried. Mayor Hoskins called for the 3rd reading of Bill # 4279. Councilwoman Verges moved, Councilwoman Calton seconded, and the motion carried. City Clerk Jones read Bill # 4279 by title only. Mayor Hoskins called for the motion to adopt Bill # 4279. Councilwoman Verges moved and Councilman-at-Large Deinbo seconded the motion. Roll Call: Verges-Aye, Calton-Aye, Hoskins-Aye, Mathison-Aye, Montgomery-Aye, Deinbo-Aye, & Mayor-Aye (Aye-7) Motion Passed.

Bill # 4279 becomes Ordinance # 4126

New Business:

None

Introduction of Bills:

Bill # 4280: Dress Code Policy – 1st Reading

An Ordinance Amending the Personnel Rules and Regulations for the City of Berkeley, MO by Adding the Attached Dress Code Policy

City Clerk Jones read Bill # 4280 by title only.

Bill # 4281: Lambert Airport Lease & Police Firing Range – 1st Reading

An Ordinance Authorizing and Directing the City Manager to Enter into and Execute a Lease Agreement Between Lambert – St. Louis International Airport and the City of Berkeley Relative to the Lease of Space for Continued Use as a Police Firing Range

City Clerk Jones read Bill # 4281 by title only

Appointments to Boards and Commissions:

None

Communications:

Discussion – Councilmatic Interference by the Mayor – BD

Complaints have been received about the Mayor from employees and Councilman-at-Large Deinbo wants them investigated. Councilman-at-Large Deinbo made a motion to have the city attorney investigate the complaints. Councilwoman Verges seconded the motion.

Mayor Hoskins made a motion to amend the first motion to have the city manager investigate instead of the city attorney. Mayor Hoskins stated that Councilwoman Montgomery seconded the motion. Roll Call: Verges-Nay. The voting stopped due to discussion.

Councilwoman Verges made a motion to amend the first and seconded motion to have both the city manager and city attorney investigate the complaints.

After further discussion, the Mayor called roll call on the seconded motion. City Clerk Jones clarified the second motion. Before City Clerk Jones called the roll, Councilwoman Verges said yes. City Clerk Jones called the roll and waited on Councilwoman Verges to verify her vote. Roll Call: Verges-Aye, Calton-Aye, Hoskins-Aye, Mathison-Aye, Montgomery-Aye, Deinbo-Aye, and Mayor-Aye (Aye-7) Motion passed.

Mayor Hoskins moved and Councilwoman Montgomery seconded the motion to accept the amended motion. Roll call: Verges-Aye, Calton-Aye, Hoskins-Aye, Mathison-Aye, Montgomery-Aye, Deinbo-Aye, and Mayor-Aye (Aye-7) Motion passed.

Mayor Hoskins requested a copy of the list of employees who will be investigated. Some of the council expressed the concerns about this request. The information should not be divulged until after the investigation is done and if a hearing is needed.

Reports and Recommendations from the City Manager:

Councilwoman Mathison moved and Councilman-at-Large Deinbo seconded the motion to have a close session. Roll Call: Verges-Aye, Calton-Aye, Hoskins-Aye, Mathison-Aye, Montgomery-Aye, Deinbo-Aye, and Mayor-Aye (Aye-7) Motion passed.

Councilwoman Verges moved and Councilman-at-Large Deinbo seconded the motion to cancel the Special meeting for February 4, 2014. Roll Call: Verges-Aye, Calton-Aye, Hoskins-Aye, Mathison-Aye, Montgomery-Aye, Deinbo-Aye, and Mayor-Aye (Aye-7) Motion passed.

Reports from the Clerk:

St. Martin's Child Center – Civic Center – Black History Program

City Clerk Jones referenced a letter received from St. Martin's Child Center requesting the use of the Civic Center, at no charge, for their Black History Program. Mayor Hoskins moved, Councilman-at-Large Deinbo seconded, and the motion carried to allow St. Martin's Child Center to use the civic center for the 2014 Black History Program at no additional cost. The Parks and Recreation's Assistant Director will confirm the date and time.

Reports from the Attorney:

All of the state laws that have been passed that effective the City of Berkeley will get updated in the code book by Sullivan Publications.

Reports from the Special Committees:

None

Reports from Standing Committees:

Councilwoman Mathison moved, Councilwoman Verges seconded, and the motion carried to accept the P & Z Minutes for October 10, 2013 and December 12, 2013.

Reports from the Council:

Ward 1: Councilwoman Verges reassured that the leaf pickup would continue after all the ice and snow is gone and the leaves dry. Ward 1 received one pickup during October. * There are sixteen to eighteen teenagers / young adults walking the streets at night. The police need to keep a closer eye on the youths in the area. * After the ice storm, some of the streets had small patches of ice. Luckily, there were not any injuries reported.

Ward 2: Councilwoman Calton thanked the Fire Department for helping a resident on North Faye during a incident. * Residents are complaining about the leaf pickup not continuing. * Thank you for coming and be careful.

Ward 3: Councilwoman Hoskins did not have a report at this time.

Ward 4: Councilwoman Mathison expressed concerns of how unsafe it is to have the West and South side doors of the city hall being open during business hours. The majority of the council members agreed with the concern. The doors will be locked.

Ward 5: Councilwoman Montgomery has tree limbs that need to be picked up. After further discussion, it was revealed that the limbs are broken up and can be put into a paper bag or trash container for Allied Waste to pick up on Yard Waste day.

Councilman-at-Large Deinbo received complaints from residents that the leaves are starting to run down the streets and clog the sewers. The City Manager was asked to look into getting the sewers cleaned.

Mayor Hoskins confirmed he has the current phone numbers of the council in case an emergency occurs.

Adjournment:

Councilwoman Verges moved, Councilman-at-Large Deinbo seconded, and the motion carried to adjourn the meeting. Time 8:27 pm.

Close Session:

Mayor Hoskins called the closed session for personnel to order at 8:33 pm. City Clerk Jones called the roll and all council members were present including City Manager Mai-Lombardo, City Attorney Smith, and City Clerk Jones.

No actions were taken.

Councilwoman Verges moved, Councilwoman Calton seconded, and the motion carried to adjourn the meeting. Time: 8:47 pm.

By a vote of all in favor with no objections, these minutes were approved as submitted on February 17, 2014.

Theodore Hoskins, Mayor

Attest:

Deanna Jones, City Clerk