



City of Berkeley, Missouri
City Council Meeting
March 2, 2020
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 Anthony (W4)	present
Councilman Hindeleh (W5)	present	Councilwoman-at-Large Greene	present
Mayor Hoskins	present	Quorum established.	

City Manager Irvin and some Department Directors were present.

Neighborhood Stabilization Grant Drawing

There were 15 applications in Ward 1, 6 applications in Ward 2, and 1 each in Ward 3, Ward 4, and Ward 5 that were received. All applications will be verified by the Public Works Department before awarded. Anyone that has received the grant in the past 5 years will not be awarded.

Approval of the Minutes:

Councilman Hindeleh moved, Councilwoman Williams seconded, and the motion carried approving the minutes for the 02-03-2020 regular meeting.

Public Hearings:

Case #20-01: Shall a Lot Consolidation be granted to M. Giesmann of Horner Shifrin Company on behalf of MO American Water for two parcels located at 9040 and 9080 Frost Ave to be used for a new building and vehicles storage yard?

Councilman Hindeleh moved, Councilwoman Mitchell seconded, and the motion carried to close this Public Hearing.

Case #20-04: Shall the City Manager's request be granted to rezone the land which comprise the Washington Park Cemetery from M-1 Industrial District to P-1 Park District?

Councilwoman Mitchell moved, Councilman Hindeleh seconded, and the motion carried to close this Public Hearing.

Request for Rezoning, Special Use Permits, Re-subdivision:

Case #20-05: Request for Referral to the City Plan Commission Agenda to review and consider a Special Use Permit for Radwan Daboul for the operation of a pre-owned auto sales center at 9710 Natural Bridge Road.

Councilman Hindeleh moved and Mayor Hoskins seconded the motion to refer Case #20-05 to the next available City Plan Agenda, with all necessary paperwork completed and turned in. Buying property next to current business. Will move business to sell current location. Small repair on vehicles to sale. Try to keep a good presentation, which includes not having tarps cover cars. Comprehensive plan does not allow creation of car lots. Roll Call: Mayor-Aye, Hoskins-Aye, Mitchell-Aye, Williams-Aye, Greene-Aye, Hindeleh-Aye and Anthony-Aye (Aye-7) motion passed. Moving current business.

Case #20-06: Request for Referral to the City Plan Commission Agenda to review and consider a Special Use Permit for Christian Orr, Carvana LLC for the operation of a pre-owned auto sales and full-service center at 9300 Natural Bridge Road.

Councilman Hindeleh moved and Mayor Hoskins seconded the motion to refer Case #20-06 to the next available City Plan Agenda, with all necessary paperwork completed. The council approved Mr. Orr's statement to remove the full-service center from the application. The business is an online used car operation. Transactions are online only. No inventory or sales on the site. Only sold or trade-in items will be on site from 24-48 hours. Roll Call: Mayor-Aye, Hoskins-Aye, Mitchell-Aye, Williams-Aye, Greene-Aye, Hindeleh-Aye and Anthony-Aye (Aye-7) motion passed.

Citizens Hearing:

Councilwoman Mitchell moved, Councilman Hindeleh seconded, and the motion carried to close this citizen hearing session.

Resolutions:

- a. **#3520 – A Resolution to Reimburse Such Councilperson and City Manager for Expenses Specifically Incurred by Them, If Any, Up to the Month of February 2020** (Council Present)
Councilman Hindeleh moved and Councilwoman Mitchell seconded the motion to adopt Resolution #3520.
Roll Call: Mayor-Aye, Hoskins-Aye, Mitchell-Aye, Williams-Aye, Greene-Aye, Hindeleh-Aye and Anthony-Aye (Aye-7) motion passed.

Petitions:

Unfinished Business:

- a. **Bill #4762 – An Ordinance of the City of Berkeley, MO, Authorizing the Mayor to Execute the Attached Agreement with Deka Services for the AC Replacement Project at the Civic Center** (City Manager Irvin) – 3rd Reading
Councilman Hindeleh moved, Councilwoman Mitchell seconded, and the motion carried for the 3rd reading, by title only, of Bill #4762. Councilwoman Williams moved and Councilwoman Anthony seconded the motion for the adoption of Bill #4762. Roll Call: Mayor-Aye, Hoskins-Aye, Mitchell-Aye, Williams-Aye, Greene-Aye, Hindeleh-Aye and Anthony-Aye (Aye-7) motion passed. *Ordinance #4601*
- b. **Bill #4764 – An Ordinance Adopting a Revised Title VI Program for the City of Berkeley, St. Louis County, MO** (City Manager Irvin) – 2nd & 3rd Reading
Councilwoman Mitchell moved, Councilwoman Anthony seconded, and the motion carried for the 2nd reading of Bill #4764 by title only. Councilwoman-at-Large Greene moved and Councilman Hindeleh seconded the motion for the 3rd reading, by title only, and adoption of Bill #4764. Roll Call: Mayor-Aye, Hoskins-Aye, Mitchell-Aye, Williams-Aye, Greene-Aye, Hindeleh-Aye and Anthony-Aye (Aye-7) motion passed. *Ordinance #4602*
- c. **Bill #4765 – An Ordinance of the City of Berkeley, MO, Authorizing the Mayor to Execute the Attached Agreement with Nemo Fisheries** (City Manager Irvin) – 2nd & 3rd Reading
Councilwoman-at-Large Greene moved, Councilman Hindeleh seconded, and the motion carried for the 2nd reading of Bill #4765 by title only. Councilwoman-at-Large Greene moved and Councilwoman Anthony seconded the motion for the 3rd reading, by title only, and adoption of Bill #4765. Roll Call: Mayor-Aye, Hoskins-Aye, Mitchell-Aye, Williams-Aye, Greene-Aye, Hindeleh-Aye and Anthony-Aye (Aye-7) motion passed. *Ordinance #4603*
- d. **Bill #4766 – An Ordinance of the City of Berkeley, MO, Authorizing the Mayor to Execute the Attached Agreement with TR & L Contractors, Inc for the Fuel Canopy** (City Manager Irvin) – 2nd & 3rd Reading
Councilwoman-at-Large Greene moved, Councilman Hindeleh seconded, and the motion carried for the 2nd reading of Bill #4766 by title only. Councilwoman Mitchell moved and Councilwoman-at-Large Greene seconded the motion for the 3rd reading, by title only, and adoption of Bill #4766. Roll Call: Mayor-Aye, Hoskins-Aye, Mitchell-Aye, Williams-Aye, Greene-Aye, Hindeleh-Aye and Anthony-Aye (Aye-7) motion passed. *Ordinance #4604*
- e. **Bill #4767 – An Ordinance of the City of Berkeley, MO, Authorizing the Mayor to Execute the Attached Agreement with Hosea’s Lawn Care, LLC** (City Manager Irvin) – 2nd & 3rd Reading
Councilman Hindeleh moved, Councilwoman-at-Large Greene seconded, and the motion carried for the 2nd reading of Bill #4767 by title only. Councilwoman-at-Large Greene moved and Councilwoman Anthony seconded the motion for the 3rd reading, by title only, and adoption of Bill #4767. Roll Call: Mayor-Aye, Hoskins-Aye, Mitchell-Aye, Williams-Aye, Greene-Aye, Hindeleh-Aye and Anthony-Aye (Aye-7) motion passed. *Ordinance #4605*
- f. **Bill #4768 – An Ordinance of the City of Berkeley, MO, Authorizing the Mayor to Execute the Attached Agreement with Banner Fire Equipment for Ballistic Vests for the Fire Apparatus** (City Manager Irvin) – 2nd & 3rd Reading
Councilman Hindeleh moved, Councilwoman Mitchell seconded, and the motion carried for the 2nd reading of Bill #4768 by title only. Councilwoman-at-Large Greene moved and Councilwoman Anthony seconded the motion for

the 3rd reading, by title only, and adoption of Bill #4768. Roll Call: Mayor-Aye, Hoskins-Aye, Mitchell-Aye, Williams-Aye, Greene-Aye, Hindeleh-Aye and Anthony-Aye (Aye-7) motion passed. *Ordinance #4606*

New Business:

Appointments to Board and Commissions

Introduction of Bills:

- a. Bill #4769 – **An Ordinance of the City of Berkeley, MO, Authorizing the Purchase of Post-Third Sale Properties for Use as Inventory for the Dollar Home and Mow & Own Programs** (City Manager Irvin)
- b. Bill #4770 – **An Ordinance Approving the Consolidation of Lots A & B, Plat No. 1 Recorded in Plat Book 142 Page 99 Also known as 9040 Frost Avenue and 9080 Frost Avenue, in the City of Berkeley, MO, St. Louis County** (City Manager Irvin)
- c. Bill #4771 – **An Ordinance Authorizing a Zoning Change to P-1 Park District from M-1 Industrial District for Four Parcels of Land Comprising the Washington Park Cemetery Located at 4522 James S. McDonnell (11.98 Acres), 4524 James S. McDonnell (0.04 Acres), 4560 James S. McDonnell (26.83 Acres) and 4744 James S. McDonnell Blvd (2.86 Acres) in the City of Berkeley, St. Louis County, MO** (City Manager Irvin)
- d. Bill #4772 – **An Ordinance Providing for the Submission to the Qualified Voters of the City of Berkeley, MO, at a Special Election to be held on August 4, 2020, Proposition for a Tax Not to Exceed Twenty-Five Cents on the Hundred Dollars Assessed Valuation on all Property Taxable by the County to Provide Funds Annually to pay the Cost of the Creation and Operation of Additional Emergency Ambulance Services for the Municipal Fire Department** (City Manager Irvin)
- e. Bill #4773 – **An Ordinance of the City of Berkeley, MO, Authorizing the Mayor, Assistant City Manager, and Fire Chief to Execute the Attached Collective Bargaining Agreement Between the City of Berkeley and the Professional Fire Fighters of Eastern Missouri I.A.F.F. Local 2665** (Council Present)

Communications:

Reports and Recommendations from the City Manager:

Councilwoman Mitchell moved and Councilman Hindeleh seconded the motion to hold a closed session for litigation. Roll Call: Mayor-Aye, Hoskins-Aye, Mitchell-Aye, Williams-Aye, Greene-Aye, Hindeleh-Aye and Anthony-Aye (Aye-7) motion passed.

Discussion – Request to purchase two mowers and one trailer. Hold for clarification from City Manager Irvin
Councilman Hindeleh moved, Councilwoman Anthony seconded, and the motion carried giving the City Manager permission to move forward with purchasing two mowers and a trailer.

The council wants to move forward with completely attaining the Washington Park Cemetery before any additional town hall meetings are hosted about the cemetery. The council will approve the rules and regulations about the upkeep of the cemetery.

City Manager Irvin will speak with St. Louis County about the right-away were a monumental sign on Frost use to be housed, to see if another can be constructed.

Reports from the Clerk:

I will be attending the CDBG Workshop tomorrow. I will be attending the City Clerks Conference next week.

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):

Fire Department was congratulated for receiving a Community Award from UCP.

Adjourn:

Councilman Hindeleh moved, Councilwoman Mitchell seconded, and the motion carried to adjourn the meeting at 8:09 pm

Closed Session:

Mayor Hoskins opened the closed session for litigation at 8:13pm. Roll Call: Mitchell, Williams, Hoskins, Anthony, Hindeleh, Greene, and Mayor Hoskins were present. Quorum established. City Manager Irvin, City Attorney Smith, Fire Chief Linhardt and City Clerk Jones were also present.

Councilwoman-at-Large Greene moved and Councilman Hindeleh seconded the motion to hold a special meeting Friday, March 6, 2020 at 1pm to read an Ordinance obstructing a fire district merger that would include Berkeley Fire Department. Roll Call: Mayor-Aye, Hoskins-Aye, Mitchell-Aye, Williams-Aye, Greene-Aye, Hindeleh-Aye, and Anthony-Aye (Aye-7) motion passed.

With no further business, the meeting adjourned at 8:30pm.

Approved: This 16th day of March 2020

Attest:

Theodore Hoskins, Mayor

Deanna Jones, City Clerk