



City of Berkeley, Missouri
City Council Meeting Virtual
September 21, 2020
Minutes

In light of the current public health crisis and the Federal, State, and County Emergency Declarations, and in accord with the provision of Sec. 610.020, RSMo., the City recognizes that it would be dangerous and impractical, if not impossible, for meetings to be physically accessible to the public. The City also recognizes the need for the public's business to be attended to in order to protect the public health, safety, and welfare. In order to balance both the need for continuity of government and protection of the health and safety of our residents, business persons, and employees, this meeting of the City of Berkeley was not open to public attendance in person. The meeting was accessible by the public in real time ONLY by video/audio webinar.

According to 610.015, RSMo, When it is necessary to take votes by roll call in a meeting of the public governmental body, due to an emergency of the public body, with a quorum of the members of the public body physically present and in attendance and less than a quorum of the members of the public governmental body participating via telephone, facsimile, internet, or any other voice or electronic means, the nature of the emergency of the public body justifying that departure from the normal requirements shall be stated in the minutes. Where such emergency exists, the votes taken shall be regarded as if all members were physically present and in attendance at the meeting.

Meeting Called to Order:

Mayor Deinbo called the virtual council meeting to order at 1:05pm.

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 Deinbo	present	Quorum established.	

City Manager Irvin, City Attorney Smith, Chief Linhardt, Chief Jackson, Finance Director Camp and City Clerk Jones were in attendance.

Approval of the Minutes:

Councilman Hindeleh moved and Councilwoman Anthony seconded the motion approving the minutes for the 08-17-2020 regular meeting and 08-25-2020 special meeting. Roll Call: Mitchell-Aye, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Greene-Aye, and Mayor-Aye (Aye-7) motion passed.

Public Hearings:

Councilwoman-at-Large Greene moved, Councilman Hindeleh seconded, and the motion carried to open the Public Hearings.

Case No. 20-13: Shall a Special Use Permit be granted to Li Hang Chen to operate Canton House Chop Suey at be located at 8525 Airport Road, Berkeley, St. Louis County, MO?

Mayor Deinbo opened the public hearing. The council and the public were given an opportunity to have their concerns addressed. Councilman Hindeleh moved, Councilwoman Anthony seconded, and the motion carried to close Public Hearing Case #20-13.

Case No. 20-15: Shall a Special Use Permit be granted to Kimberley Henderson to operate a Convenience Store, located at 8351 Frost, Berkeley, St. Louis County Missouri?

Mayor Deinbo opened the public hearing. The council and the public were given an opportunity to have their concerns addressed. Mathew Hartig spoke on behalf of Rubicon. Councilwoman-at-Large Greene moved, Councilman Hindeleh seconded, and the motion carried to close Public Hearing Case #20-15.

Case No. 20-16: Shall a Special Use Permit be granted to Gay Thompson to operate a Private School to be located at 6301 Garfield Ave, Berkeley, St. Louis County Missouri?

Mayor Deinbo opened the public hearing. The council and the public were given an opportunity to have their concerns addressed. Councilman Hindeleh moved, Councilwoman-at-Large Greene seconded and the motion to close Public Hearing Case 20-16. The resolution will be amended to include Daycare.

Case No. 20-17: Shall a Special Use Permit be granted to Latasha Edwards to operate a Carryout Soup and Sandwich Shop located at 8555 Airport Road, Berkeley, St. Louis County Missouri?

Mayor Deinbo opened the public hearing. The council and the public were given an opportunity to have their concerns address. Councilman Hindeleh moved, Councilwoman-at-Large Anthony seconded, and the motion carried to close Public Hearing Case #20-17.

Case No. 20-19: Shall a variance be issued to Kendrick Evans to reduce the required parking spaces from nine to eight to operate a Mini Convenient Mart/ Boutique to be located at 8200 Airport Rd., Berkeley, St. Louis County Missouri? Mayor Deinbo opened the public hearing. The council and the public were given an opportunity to have their concerns address. Councilwoman-at-Large Greene moved, Councilman Hindeleh seconded, and the motion carried to close Public Hearing Case #20-19. The hearing was reopened to give some additional information. Councilwoman-at-Large Greene moved, Councilman Hindeleh seconded, and the motion carried to close Public Hearing Case #20-19. Hours of operation changed to 10am – 8pm.

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

Case No. ED20-02: A request for referral to the ED Commission agenda from Francene Mitchell for reimbursement of improvements to the façade at 8067 Airport Rd, Berkeley MO.

Councilwoman Mitchell moved and Councilwoman Williams seconded the motion to refer Case #ED20-02 to the next available Economic Development Commission Agenda, with all necessary paperwork completed and turned in. Roll Call: Mitchell-Aye, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Greene-Aye, and Mayor-Aye (Aye-7) motion passed.

Case No. 20-20: A request for referral to the City Plan Commission agenda from Stock and Associates on behalf of North Park Partners for approval of a site development plan and lot consolidations.

Councilwoman Mitchell moved, Councilwoman-at-Large Greene seconded, and the motion carried to refer Case #20-20 to the next available City Plan Commission Agenda, with all necessary paperwork completed and turned in.

Case No. 20-21: A request for referral to the City Plan Commission agenda for a Special Use Permit to Latonya E. Reese to operate a Wig & Lash Parlor located at 8347 Frost Ave, Berkeley MO?

Councilman Hindeleh moved and Councilwoman-at-Large Greene seconded, and the motion carried to refer Case #20-21 to the next available City Plan Commission Agenda, with all necessary paperwork completed and turned in. Roll Call: Mitchell-Aye, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Greene-Aye, and Mayor-Aye (Aye-7) motion passed.

Citizens Hearing:

Request for an Open-Air Permit – Kenndis Joy, Kids of Joy Learning Foundation, 6100 Madison Ave – Free food distribution from the Civic Center parking lot.

Councilwoman Williams moved and Councilman Hindeleh seconded the motion giving permission to Kennids Joy permission for an Open-Air Permit to distribute free food. Roll Call: Mitchell-Aye, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Greene-Aye, and Mayor-Aye (Aye-7) motion passed.

Resolutions:

a. **#3552 – A Resolution Authorizing Li Hang Chen, a Special Use Permit to Operate Canton House Chop Suey, a Carry Out Restaurant, Located at 8525 Airport Rd in the City of Berkeley, St. Louis County, MO** (City Manager Irvin)

Councilman Hindeleh moved and Councilwoman-at-Large Greene seconded the motion to adopt Resolution #3552. Roll Call: Mitchell-Aye, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Greene-Aye, and Mayor-Aye (Aye-7) motion passed.

b. **#3553 – A Resolution Authorizing Kimberley Henderson, a Special Use Permit to Operate a Convenience Store, Located at 8351 Frost Ave in the City of Berkeley, St. Louis County MO** (City Manager Irvin)

Councilman Hindeleh moved and Councilwoman Mitchell seconded the motion to adopt Resolution #3553. Roll Call: Mitchell-Aye, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Greene-Aye, and Mayor-Aye (Aye-7) motion passed.

- c. **#3554 – A Resolution Authorizing Gay Thompson, a Special Use Permit to Operate a Daycare and Private School, Located at 6301 Garfield Ave in the City of Berkeley, St. Louis County, MO** (City Manager Irvin)
Councilwoman Mitchell moved and Councilman Hindeleh seconded the motion to adopt Resolution #3554. Roll Call: Mitchell-Aye, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Greene-Aye, and Mayor-Aye (Aye-7) motion passed.
- d. **#3555 – A Resolution Authorizing Latasha Edwards, a Special Use Permit to Operate a Carryout Soup and Sandwich Shop Located at 8555 Airport Rd in the City of Berkeley, St. Louis County, MO** (City Manager Irvin)
Councilwoman-at-Large Greene moved and Councilwoman Williams seconded the motion to adopt Resolution #3555. Roll Call: Mitchell-Aye, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Greene-Aye, and Mayor-Aye (Aye-7) motion passed.
- e. **#3556 – A Resolution of the City of Berkeley Confirming the Berkeley Police Department has been Accredited by CALEA and, therefore, by Association, Adopts the St. Louis Area Police Chiefs Association’s (SLAPCA), “Law Enforcement Best Practices Agreement.”** (City Manager Irvin)
Councilwoman Mitchell moved and Councilman Hindeleh seconded the motion to adopt Resolution #3556. Roll Call: Mitchell-Aye, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Greene-Aye, and Mayor-Aye (Aye-7) motion passed.

Petitions:

Unfinished Business:

New Business:

Appointments to Board and Commissions

Councilman Hindeleh moved, Councilwoman Williams seconded, and the motion carried approving the reappointment of Carolyn Crimes and Will Ferguson to the City Plan Commission.

Discussion – Request to Use Funds for the Demolition of 6458 Evergreen (City Manager Irvin)

Councilwoman-at-Large Greene moved and Councilman Hindeleh seconded the motion approving the request to use funds not to exceed \$15,000 for demolition of 6458 Evergreen. Roll Call: Mitchell-Aye, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Greene-Aye, and Mayor-Aye (Aye-7) motion passed.

Introduction of Bills:

- a. **Emergency Bill #4797 – An Ordinance of the City of Berkeley, MO, Authorizing the Mayor to Execute an Agreement with Osage Ambulances through H-GAC to Purchase an Ambulance** (The City Council Does Hereby Find and Declare that an Emergency Exists Which Requires the Immediate Passage of this Ordinance for the Preservation of the Welfare of the Citizens of the City of Berkeley.) (City Manager Irvin)
Councilwoman Williams moved and Councilman Hindeleh seconded the motion for the 2nd reading of Bill #4797 by title only. Roll Call: Mitchell-Aye, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Greene-Aye, and Mayor-Aye (Aye-7) motion passed. Councilman Hindeleh moved and Councilwoman Anthony seconded the motion for the 3rd reading, in its entirety, and adoption of Bill #4797. Roll Call: Mitchell-Aye, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Greene-Aye, and Mayor-Aye (Aye-7) motion passed. *Ordinance #4633*
- b. **Bill #4798 - An Ordinance of the City of Berkeley Reducing the Required Number of Parking Spaces at 8200 Airport Road, in the City of Berkeley, St. Louis County MO** (City Manager Irvin)
- c. **Bill #4799 – An Ordinance Amending Ordinance 4629, Requiring All Commercial Properties, Businesses, and Commercial Entities to Install Video Cameras and Surveillance Equipment on the Interior and Exterior of Spaces, within the City of Berkeley St. Louis County, MO and Providing for Additional Regulations Thereof** (City Manager Irvin)
- d. **Bill #4800 – An Ordinance of the City of Berkeley, Missouri, Authorizing the City Manager to Execute an Agreement with Stryker Corporation to Purchase Mechanical CPR Devices** (City Manager Irvin)

- e. Bill #4801 – **An Ordinance of the City of Berkeley, Missouri, Authorizing the City Manager to Execute an Agreement with Leo M. Ellebracht to Purchase Loose Fire Equipment** (City Manager Irvin)
- f. Bill #4802 – **An Ordinance of the City of Berkeley, Missouri, Authorizing the City Manager to Execute an Agreement with Sentinel Emergency Solutions to Purchase Loose Fire Equipment** (City Manager Irvin)
- g. Bill # 4803 – **An Ordinance of the City of Berkeley, Missouri, Authorizing the City Manager to Execute an Agreement with Banner Fire Equipment to Purchase Loose Fire Equipment** (City Manager Irvin)
- h. Bill #4804 – **An Ordinance Authorizing the City of Berkeley, Missouri, to Enter into a Lease Purchase Transaction, the Proceeds of Which will be Used to Prepay the Outstanding Taxable Build America Certificates of Participation (City of Berkeley, MO, Lessee), Series 2010B; and Authorizing the Execution of Certain Documents and Actions in Connection Therewith** (Council Present)

Communications:

Reports and Recommendations from the City Manager:

Councilman Hindeleh moved, Councilwoman-at-Large Greene seconded, and the motion carried to hold a virtual special meeting on Tuesday, Sept 29th at 1pm for a revised tax levy ordinance.

Councilwoman-at-Large Greene moved and Councilman Hindeleh seconded the motion to refer Natara Anthony to the next City Plan Commission agenda for a change of ownership for beauty salon at 8237 Airport Rd. Roll Call: Mitchell-Aye, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Greene-Aye, and Mayor-Aye (Aye-7) motion passed.

Reports from the Clerk:

Councilwoman-at-Large Green moved, Councilman Hindeleh seconded, and the motion carried hold the regular council meeting on October 19th virtually at 1pm.

Councilman Hindeleh moved, Councilwoman-at-Large Greene seconded, and the motion carried to cancel the Truck or Treat on October 30th for the Fire and Police Departments.

Reports from the City Attorney:

Reports from the Special Committees:

Reports from the Standing Committees:

Councilwoman Mitchell moved, Councilman Hindeleh seconded, and the motion carried to receive and file the Minutes for: City Plan Commission 07/08/2020 and 08/12/2020 and Police & Fire Pension Board 06/25/2020.

Reports from the Council:

Oct 10th B Virtual Town Hall Meeting (Mayor Deinbo)

Adjourn:

Councilman Hindeleh moved, Councilwoman-at-Large Greene seconded, and the motion carried to adjourn the meeting at 3:25pm.

Approved: This 19th day of October 2020

Attest:

Babatunde Deinbo, Mayor

Deanna Jones, City Clerk