



City of Berkeley, Missouri
City Council Meeting Virtual
October 19, 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 1:00pm.

Roll Call:

Councilwoman Mitchell (W1)	present	Councilwoman Williams (W2)	present
Councilwoman Hoskins (W3)	absent	Councilwoman Anthony (W4)	present
Councilman Hindeleh (W5)	present	Councilwoman-at-Large Greene	present (connection issues)
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 09-21-2020 regular meeting and 09-29-2020 special meeting. motion passed.

Public Hearings:

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

Case No. 20-23: A request for a referral to the City Plan Commission to review and consider a Special Use Permit to Rev Kilpatrick and Kimberly Kilpatrick to operate a Restaurant at 6130 Madison Ave, Berkeley MO 63134. Councilman Hindeleh moved, Councilwoman Williams seconded, and the motion carried to close Case #20-23.

Case No. 20-24: A request for a referral to the City Plan Commission to review and consider a Special Use Permit to Theodore Williamson doing business as Bee Line Towing at 6555 Romiss Court, Berkeley MO 63134.

Councilwoman Mitchell moved and Councilwoman Anthony seconded, and the motion carried to refer Case #20-23 and #20-24 to the next available City Plan Commission Agenda, with all necessary paperwork completed and turned in. Roll Call: Mitchell-Aye, Williams-Aye, Hoskins-Absent, Anthony-Aye, Hindeleh-Aye, Greene-Absent, and Mayor-Aye (Aye-5) motion passed.

Citizens Hearing:

Resolutions:

Petitions:

Unfinished Business:

- a. 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) – 2nd & 3rd Reading

Councilman Hindeleh moved and Councilwoman Anthony seconded the 2nd reading of Bill #4798 by title only. Councilwoman Mitchell moved and Councilman Hindeleh seconded the 3rd reading, by title only, and adoption of Bill #4798. Roll Call: Mitchell-Aye, Williams-Aye, Hoskins-Absent, Anthony-Aye, Hindeleh-Aye, Greene-Absent, and Mayor-Aye (Aye-5) motion passed. *Ordinance 4635*

- b. **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) – 2nd & 3rd Reading
Councilwoman Williams moved and Councilman Hindeleh seconded the 2nd reading of Bill #4799 by title only. Councilwoman Mitchell moved and Councilman Hindeleh seconded the 3rd reading, by title only, and adoption of Bill #4799. Roll Call: Mitchell-Aye, Williams-Aye, Hoskins-Absent, Anthony-Aye, Hindeleh-Aye, Greene-Absent, and Mayor-Aye (Aye-5) motion passed. *Ordinance 4636*
- c. **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) – 2nd & 3rd Reading
Councilman Hindeleh moved and Councilwoman Williams seconded the 2nd reading of Bill #4800 by title only. Councilwoman Williams moved and Councilwoman Anthony seconded the 3rd reading, by title only, and adoption of Bill #4800. Roll Call: Mitchell-Aye, Williams-Aye, Hoskins-Absent, Anthony-Aye, Hindeleh-Aye, Greene-Absent, and Mayor-Aye (Aye-5) motion passed. *Ordinance 4637*
- d. **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) – 2nd & 3rd Reading
Councilman Hindeleh moved and Councilwoman Anthony seconded the 2nd reading of Bill #4801 by title only. Councilman Hindeleh moved and Councilwoman Anthony seconded the 3rd reading, by title only, and adoption of Bill #4801. Roll Call: Mitchell-Aye, Williams-Aye, Hoskins-Absent, Anthony-Aye, Hindeleh-Aye, Greene-Absent, and Mayor-Aye (Aye-5) motion passed. *Ordinance 4638*
- e. **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) – 2nd & 3rd Reading
Councilwoman Williams moved and Councilman Hindeleh seconded the 2nd reading of Bill #4802 by title only. Councilman Hindeleh moved and Councilwoman Anthony seconded the 3rd reading, by title only, and adoption of Bill #4802. Roll Call: Mitchell-Aye, Williams-Aye, Hoskins-Absent, Anthony-Aye, Hindeleh-Aye, Greene-Absent, and Mayor-Aye (Aye-5) motion passed. *Ordinance 4639*
- f. **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) – 2nd & 3rd Reading
Councilman Hindeleh moved and Councilwoman Williams seconded the 2nd reading of Bill #4803 by title only. Councilwoman Williams moved and Councilman Hindeleh seconded the 3rd reading, by title only, and adoption of Bill #4803. Roll Call: Mitchell-Aye, Williams-Aye, Hoskins-Absent, Anthony-Aye, Hindeleh-Aye, Greene-Absent, and Mayor-Aye (Aye-5) motion passed. *Ordinance 4640*
- g. HOLD for 10/20/2020 Special Meeting: **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) – 2nd & 3rd Reading

New Business:

Appointments to Board and Commissions

Discussion – Sell of Fire Rescue Truck 3616 (City Manager Irvin)

Councilman Hindeleh moved and Councilwoman Mitchell seconded the motion giving permission to the City Manager and Fire Chief to sell Fire Rescue Truck 3616. Roll Call: Mitchell-Aye, Williams-Aye, Hoskins-Absent, Anthony-Aye, Hindeleh-Aye, Greene-Absent, and Mayor-Aye (Aye-5) motion passed.

Introduction of Bills:

- a. Bill #4806 – **An Ordinance Amending Ordinance #4558 Monthly Gasoline Allowance for Members of the Council for Council-Related Activities** (Mayor Deinbo)
- b. Bill #4807 – **An Ordinance Amending Title V Building and Construction; and the Repeal of Certain Sections in Part of or in its Entirety** (City Manager Irvin)
- c. Bill #4808 – **An Ordinance Authorizing the Sale of Certain Land in the City of Berkeley Commonly Known as an Undersized Parcel of Land at the end of Stanberry Drive and Directly Behind 4451 Brown Road as Outlined in Bidding Document 908** (City Manager Irvin)
- d. Bill #4809 – **An Ordinance of the City of Berkeley, Missouri, Authorizing the City Manager to Execute an Agreement with Bent Law Firm** (City Manager Irvin)

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.

Councilman Hindeleh moved and Councilwoman Anthony seconded the motion approving the Liquor License Renewal for Frontier Airlines – 8725 Scudder Rd (Full, Sunday Sales). Roll Call: Mitchell-Aye, Williams-Aye, Hoskins-Absent, Anthony-Aye, Hindeleh-Aye, Greene-Absent, and Mayor-Aye (Aye-4, Nay-1) motion passed.

Reports from the Clerk:

Councilman Hindeleh moved and Councilwoman Williams seconded the motion to hold the regular council meeting on November 2nd & 16th virtually at 1pm. Roll Call: Mitchell-Aye, Williams-Aye, Hoskins-Absent, Anthony-Aye, Hindeleh-Aye, Greene-Absent, and Mayor-Aye (Aye-5) motion passed.

Councilman Hindeleh moved and Councilwoman Williams seconded the motion to hold the regular council meeting on December 7th virtually at 1pm and to cancel the December 21st meeting. Roll Call: Mitchell-Aye, Williams-Aye, Hoskins-Absent, Anthony-Aye, Hindeleh-Aye, Greene-Absent, and Mayor-Aye (Aye-5) motion passed.

Reports from the City Attorney:

Reports from the Special Committees:

Reports from the Standing Committees:

Councilman Hindeleh moved and Councilwoman Anthony seconded the motion to receive and file the Minutes for: City Plan Commission 08/26/2020. Roll Call: Mitchell-Aye, Williams-Aye, Hoskins-Absent, Anthony-Aye, Hindeleh-Aye, Greene-Absent, and Mayor-Aye (Aye-5) motion passed.

Reports from the Council:

Interest in allowing a community garden in 2021. Underpass and overpass on I-170 need to be cleaned. Councilwoman Anthony left the meeting at 2:33pm.

Mayor Deinbo moved and Councilman Hindeleh seconded the motion to take control of the dusk to dawn lights on 6200 and 6300 blocks of Madison (W4). Roll Call: Mitchell-Aye, Williams-Aye, Hoskins-Absent, Anthony-Aye, Hindeleh-Aye, Greene-Absent, and Mayor-Aye (Aye-5) motion passed.

Adjourn:

Councilman Hindeleh moved and Councilwoman Williams seconded the motion carried to adjourn the meeting at 3:03pm.

Approved: This 02nd day of November 2020

Attest:

Deanna Jones, City Clerk

Babatunde Deinbo, Mayor