



City of Berkeley, Missouri
City Council Meeting Virtual
December 07, 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.

Councilwoman Anthony was present the entire meeting, but was having technical difficulties and could not vote on some of the issues.

Meeting Called to Order:

Mayor Deinbo called the virtual council meeting to order at 1:02pm.

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, and City Clerk Jones were in attendance.

Councilwoman Anthony was present during the entire meeting, but had technical difficulty with her camera and could not vote on all subject matters.

Due to technical difficulties, the Public Hearings and Resolutions were not addressed in order, but are listed in these minutes according to the order of the agenda.

Presentation:

The Ryan Griffin Foundation – Donation of Funds and K-9 Morris to the Berkeley Police Department.

Approval of the Minutes:

Councilman Hindeleh moved, Councilwoman Williams seconded, and the motion carried approving the minutes for the 11-16-2020 regular meeting and 12-01-2020 special meeting.

Public Hearings:

Case #20-18: Shall the request to vacate a portion of Stansberry St and Preston to consolidate with 4451 Brown Rd, Berkeley MO for additional parking be granted to Tom Bommarito represented by Clay Vance of Vance Engineering?
Mayor Deinbo opened the floor for discussion to address all concerns of the council and public.

Case #20-21: Shall a Special Use Permit be granted to Latoya Reese, to operate a Wig and Lash Parlor, located at 8347 Frost Ave Berkeley MO?

Mayor Deinbo opened the floor for discussion to address all concerns of the council and public. Councilwoman-at-Large Greene moved, Councilman Hindeleh seconded, and the motion carried to close Case #20-21.

Case #20-23: Shall a Special Use Permit be granted to Willie & Kimberly Kilpatrick, to operate a dine-in and take-out restaurant, located at 6130 Madison Ave, Berkeley MO?

Mayor Deinbo opened the floor for discussion to address all concerns of the council and public. Councilwoman Mitchell moved, Councilman Hindeleh seconded, and the motion carried to close Case #20-23.

Case #20-24: Shall a Special Use Permit be granted to Theodore Williamson, to operate Bee Line Towing, located at 6555 Romiss Court, Berkeley MO?

No one appeared for Case #20-24 and this public hearing will be moved to the 01-04-2021 meeting.

Case #20-25: Shall a Special Use Permit be granted to Donna Smith and Vincentia Barber to operate a Soups, Salads, and Sandwiches Bistro, located at 8567 Airport Rd & 6201 Madison Rd?
Mayor Deinbo opened the floor for discussion to address all concerns of the council and public.

Councilwoman Hindeleh moved, Councilwoman Williams seconded, and the motion carried to close the Public Hearings section of the meeting.

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

TABLED until 12-07-2020: **Case No. 20-22:** Shall a Special Use Permit be issued to Natara Anthony, for change of ownership at 8237 Airport Rd, to continue operating a commercial hair salon.

Mayor Deinbo opened the floor for discussion to address all concerns of the council.

Citizens Hearing:

Resolutions:

- a. HOLD until 12-07-2020: #3558 – A Resolution Authorizing Natara Anthony, a Special Use Permit to Change Ownership to Continue Operating a Commercial Hair Salon, as Operator, Located at 8237 Airport Rd in the City of Berkeley, St. Louis County, MO
Councilwoman-at-Large Greene moved, Councilman Hindeleh seconded, and the motion carried to move Resolution #3558 from the hold status. Councilman Hindeleh moved and Councilwoman Williams seconded the motion to adopt Resolution #3558. Roll Call: Mitchell-Aye, Williams-Aye, Hoskins-Aye, Anthony-Absent, Hindeleh-Aye, Greene-Aye and Mayor-Aye (Aye-6) motion passed.
- b. #3559 – A Resolution Authorizing Latoya Reese, a Special Use Permit to Operate a Wig and Lash Parlor, Located at 8347 Frost Ave in the City of Berkeley, St. Louis County, MO (City Manager Irvin)
Councilwoman-at-Large Greene moved and Councilman Hindeleh seconded the motion to adopt Resolution #3559. Roll Call: Mitchell-Aye, Williams-Aye, Hoskins-Aye, Anthony-Absent, Hindeleh-Aye, Greene-Aye and Mayor-Aye (Aye-6) motion passed.
- c. #3560 – A Resolution Authorizing Willie & Kimberly Kilpatrick, a Special Use Permit to Operate, Lady’s Kim, a Dine-in and Take-out Restaurant, Located at 6130 Madison Ave in the City of Berkeley, St. Louis County, MO (City Manager Irvin)
Councilman Hindeleh moved and Councilwoman Anthony seconded the motion to adopt Resolution #3560. Roll Call: Mitchell-Aye, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Greene-Aye, and Mayor-Aye (Aye-7) motion passed.
- d. #3561 – A Resolution Authorizing Theodore Williamson, a Special Use Permit to Operate Beeline Towing Located at 6555 Romiss Court in the City of Berkeley, St. Louis County, MO (City Manager Irvin)
No one appeared for Public Hearing Case #20-24. This Resolution will be moved to the 01-04-2021 meeting.
- e. #3562 – A Resolution Authorizing Donna Smith and Vincentia Barber, a Special Use Permit to Operate a Restaurant, Located at 8573, 8567 Airport Rd & 6201 Madison 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 #3562. Roll Call: Mitchell-Aye, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Greene-Aye, and Mayor-Aye (Aye-7) motion passed.

Councilwoman-at-Large Greene moved and Councilman Hindeleh seconded the motion to move Resolution #3560 and 3561 to the January 4th meeting. Roll Call: Mitchell-Aye, Williams-Aye, Hoskins-Aye, Anthony-Absent, Hindeleh-Aye, Greene-Aye, and Mayor-Aye (Aye-6) motion passed.

Petitions:

Unfinished Business:

- a. Bill #4814 – **An Ordinance Amending Ordinance 4527; and Amendment to Zoning of C2, C3, AD, AD-2 and M1 Districts Under the Special Use Permit Process; and Amendment to Schedule of Licensing Fees Relating to Medical Marijuana and Related Uses** (City Manager Irvin) – 2nd & 3rd Reading
Councilman Hindeleh moved and Councilwoman Williams seconded the motion for the 2nd reading of Bill #4814 by title only. Councilman Hindeleh withdrew his original motion and Councilwoman Williams withdrew her seconded. Councilman Hindeleh moved, Councilwoman-at-Large Greene seconded, and the motion carried to move Bill #4814 to the special meeting on 12-15-2020.

New Business:

Appointments to Board and Commissions

Introduction of Bills:

- a. Bill #4815 – An Ordinance of the City of Berkeley, MO, Authorizing the City Manager to Execute an Agreement with EMS Management & Consultants, Inc. (City Manager Irvin)
- b. Bill #4816 – An Ordinance Authorizing the Appropriation of not to Exceed \$310,000 for the Purpose of Defeating a Portion of the City’s Outstanding General Obligation Bonds, Paying Certain Costs of Such Defeasance and Authorizing Certain Other Actions in Connection Therewith (Council Present)
- c. Bill #4817 – An Ordinance Adopting a Revised Employee Handbook of Personnel Rules and Regulations, Policies and Benefits for the City of Berkeley, St. Louis County, MO (City Manager Irvin)
- d. Bill #4818 – An Ordinance of the City of Berkeley, MO, Authorizing the City Manager to Execute Agreements with Central Power Systems & Services, Inc. for Generator Maintenance Services (City Manager Irvin)
- e. Bill #4819 – An Ordinance Approving the Stansberry Lot Consolidation Plat as a Part of Lot 2 in Block 6 of Elanor Park No. 2 and a Portion of Stansberry Ave, in the City of Berkeley MO, St. Louis County (City Manager Irvin)
- f. Bill #4820 – And Ordinance Authorizing the City Manager to Reduce the Public Safety Cash Account and Make Certain Allocations as Intended with Public Safety Dollars Relating to Police Expenditures (City Manager Irvin)
- g. Bill #4821 – An Ordinance Approving Certain Street Repairs in the City of Berkeley (City Manager Irvin)

Councilman Hindeleh moved and Councilwoman Anthony seconded the motion to move Bill 4816 through 4821 to the 12-15-2020 Special Meeting Agenda. Roll Call: Mitchell-Aye, Williams-Ay, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Greene-Aye, and Mayor-Aye (Aye-7) motion passed.

Communications:

Reports and Recommendations from the City Manager:

Councilman Hindeleh moved and Councilwoman Williams seconded the motion to approve the liquor license renewal for Incognito Bar & Grill, 8636 Frost Ave. (Full, Sunday Sales). Roll Call: Mitchell-Nay, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Greene-Aye, and Mayor-Aye (Aye-6, Nay-1) motion passed.

The council is concerned with the county’s pandemic rules are not being followed along with the parking situation on that parking lot.

RL Hotel is requesting an extension to their special use permit for two years and use of a food truck. The council feels that the company needs to refer to the City Manager. They have to follow all rules that are in place for compliance. Food trucks are not allowed.

Reports from the Clerk:

Reports from the City Attorney:

Reports from the Special Committees:

Reports from the Standing Committees:

Councilman Hindeleh moved, Councilwoman-at-Large Greene seconded, and the motion carried to receive and file the Pension Board minutes for 08/27/2020.

Reports from the Council:

Adjourn:

Councilman Hindeleh moved, Councilwoman-at-Greene seconded, and the motion carried to adjourn the meeting at 2:56pm.

Approved: This 04th day of January 2021

Attest:

Babatunde Deinbo, Mayor

Deanna Jones, City Clerk