



City of Berkeley, Missouri
City Council Meeting Virtual
September 18, 2023
Minutes

Meeting Called to Order

Mayor Deinbo called the council meeting to order at 7:02pm.

Roll Call:

Councilwoman Verges (W1)	present	Councilwoman Williams (W2)	present
Councilman Hoskins (W3)	present	Councilwoman Anthony (W4)	present
Councilman Hindeleh (W5)	present	Councilwoman-at-Large Crawford-Graham	present
Mayor Deinbo	present	Quorum established.	

City Manager Mai-Lombardo, City Attorney Smith, Chief Jackson, Chief Linhardt, Planning Director Liebson, and City Clerk Jones were in attendance.

Approval of the Minutes:

Councilwoman Verges moved and Councilman Hindeleh seconded the motion to approve the minutes for the 08-21-23 regular meeting and 08-10-23 special meeting. Roll Call: Verges-Aye, Williams-Nay, Hoskins-Nay, Anthony-Nay, Hindeleh-Nay, Crawford-Graham-Nay, and Mayor-Nay (Aye-1, Nay-6) motion failed.

Mayor Deinbo moved and Councilwoman-at-Large Crawford-Graham seconded the motion to approve the minutes with corrections. Roll Call: Verges-Nay, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Crawford-Graham-Aye, and Mayor-Aye (Aye-6, Nay-1) motion passed.

Public Hearings:

8640 Evans Community Improvement District: Petition to Establish

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

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

Citizens Hearing:

Dr. Joe Davis – Ferguson-Florissant Superintendent – Airport School

Councilman Hoskins moved and Councilwoman-at-Large Crawford-Graham second the motion to go into a closed session for real estate with Dr. Davis. Roll Call: Verges-Nay, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Nay, Crawford-Graham-Aye, and Mayor-Aye (Aye-5, Nay-2) motion passed.

Recess at 7:50pm

Mayor Deinbo opened the closed session in the Council Conference Room at 7:53pm. Roll Call: Verges-Present, Williams-Present, Hoskins-Present, Anthony-Present, Hindeleh-Present, Crawford-Graham-Present, and Mayor-Present Quorum Established.

No action was taken during this meeting.

Councilwoman Anthony moved, Councilwoman-at-Large Crawford-Graham seconded, and the motion carried to adjourn the closed session at 8:11pm.

Councilman Hindeleh moved and Councilwoman Anthony seconded the motion to restart the meeting at 8:15pm. Roll Call: Verges-Aye, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Crawford-Graham-Aye, and Mayor-Aye (Aye-7) motion passed

Emerald Capital – Downtown Development Plan

Lou Chiodini – Civic Center Architect

Martin Ghafoori – Bond Issuance

Councilwoman Verges moved, Councilman Hindeleh seconded, and the motion carried to close the citizen hearing session. Motion passed.

Resolutions:

3682 – A Resolution to Reimburse Such Councilperson for Expenses Specifically Incurred by them for the Month of August 2023 (City Manager)

Councilman Hindeleh moved and Councilwoman Verges seconded the motion to adopt Resolution #3681. Roll Call: Verges-Aye, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Crawford-Graham-Aye, and Mayor-Aye (Aye-7) motion passed.

Petitions:

Unfinished Business:

(HOLD) Bill #4957 – An Ordinance Authorizing the City Manager to Execute a Real Estate Purchase and Sale Agreement with the Ferguson-Florissant School District for Four Adjoining Parcels Totaling Approximately 10.403 Acres which includes 8249 Airport Rd, Said Agreement is Attached hereto and Incorporated herein (City Manager) – 3rd Reading

Councilwoman Verges moved and Councilwoman Anthony seconded the motion for to place Bill #4957 on hold until the October 16, 2023 meeting. Roll Call: Verges-Aye, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Crawford-Graham-Aye, and Mayor-Aye (Aye-7) motion passed.

Bill #4964 – An Ordinance for the City of Berkeley, MO, Authorizing the Mayor to Execute an Agreement with Emerald Capital According to Bid #931 – Downtown Plan (City Manager)

Councilman Hindeleh moved and Councilwoman Verges seconded the motion for the 2nd reading of Bill #4964 by title only and discussion. Roll Call: Verges-Aye, Williams-Aye, Hoskins-Nay, Anthony-Aye, Hindeleh-Aye, Crawford-Graham-Aye, and Mayor-Aye (Aye-6, Nay-1) motion passed.

Councilwoman Verges moved and Councilman Hindeleh seconded the motion for the 3rd reading, by title only, and adoption of Bill #4964. City Clerk Jones read Bill #4956. Roll Call: Verges-Aye, Williams-Aye, Hoskins-Nay, Anthony-Aye, Hindeleh-Aye, Crawford-Graham-Aye, and Mayor-Aye (Aye-6, Nay-1) motion passed. **Ordinance #4797**

Bill #4965 – An Ordinance of the City of Berkeley MO Authorizing the City Manager to Execute an Agreement with Chiodini Architect According to Bid #935 for Renovation / Conversion of Airport Elementary School to Berkeley Community Center (City Manager)

Councilwoman Verges moved and Councilman Hindeleh seconded the motion for to place Bill #4965 on hold until the October 16, 2023 meeting. Roll Call: Verges-Aye, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Crawford-Graham-Aye, and Mayor-Aye (Aye-7) motion passed.

Bill #4966 – An Ordinance Authorizing the Mayor of the City of Berkeley, MO, to Execute the Deed and Acknowledge Other Documents in order for the Real Properties to be Transferred to the City for City Development and / or Beautification (City Manager)

Councilman Hindeleh moved and Councilwoman Verges seconded the motion for the 2nd reading of Bill #4966 by title only and discussion. Roll Call: Verges-Aye, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Crawford-Graham-Aye, and Mayor-Aye (Aye-7) motion passed.

Councilwoman Verges moved and Councilman Hindeleh seconded the motion for the 3rd reading, by title only, and adoption of Bill #4966. City Clerk Jones read Bill #4966. Roll Call: Verges-Aye, Williams-Aye, Hoskins-Nay, Anthony-Aye, Hindeleh-Aye, Crawford-Graham-Aye, and Mayor-Aye (Aye-6, Nay-1) motion passed. **Ordinance #4798**

Bill #4967 – An Ordinance of the City of Berkeley, MO, Authorizing the City Manager to Execute an Agreement with Stifel, Nicolaus & Company, Inc. for Financial Advisory Services (City Manager)

Councilman Hindeleh moved and Councilwoman Williams seconded the motion for the 2nd reading of Bill #4967 by title only and discussion. Roll Call: Verges-Aye, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Crawford-Graham-Aye, and Mayor-Aye (Aye-7) motion passed.

Councilman Hindeleh moved and Councilwoman Verges seconded the motion for the 3rd reading, by title only, and adoption of Bill #4967. City Clerk Jones read Bill #4967. Roll Call: Verges-Aye, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Crawford-Graham-Aye, and Mayor-Aye (Aye-7) motion passed. **Ordinance #4799**

Bill # 4968 – An Ordinance Amending Certain Berkeley Police Department General Order Policy's (City Manager)

Councilman Hindeleh moved and Councilwoman Williams seconded the motion for the 2nd reading of Bill #4968 by title only and discussion. Roll Call: Verges-Aye, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Crawford-Graham-Aye, and Mayor-Aye (Aye-7) motion passed.

Councilwoman Verges moved and Councilman Hindeleh seconded the motion for the 3rd reading, by title only, and adoption of Bill #4968. City Clerk Jones read Bill #4968. Roll Call: Verges-Aye, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Crawford-Graham-Aye, and Mayor-Aye (Aye-7) motion passed. **Ordinance #4800**

Bill #4969 – An Ordinance Restricting the Use of Official City of Berkeley Stationery by any Member of the Council except the Mayor without prior approval of the Council as a whole (Mayor)

Councilwoman-at-Large Crawford-Graham moved and Councilman Hoskins seconded the motion to remove Bill #4969 from the agenda. The motion and seconded were withdrawn.

Councilwoman Verges moved and Councilman Hindeleh seconded the motion for the 2nd reading of Bill #4969 by title only and discussion. Roll Call: Verges-Aye, Williams-Nay, Hoskins-Nay, Anthony-Nay, Hindeleh-Aye, Crawford-Graham-Nay, and Mayor-Aye (Aye-3, Nay-4) motion failed.

Bill #4970 – An Ordinance of the City of Berkeley Terminating a Contractual Agreement with the County of St. Louis for the Provision of Code Enforcement Services (City Manager)

Mayor Deinbo moved and Councilman Hindeleh seconded the motion for the 2nd reading of Bill #4970 by title only and discussion. Roll Call: Verges-Aye, Williams-Aye, Hoskins-Nay, Anthony-Aye, Hindeleh-Aye, Crawford-Graham-Aye, and Mayor-Aye (Aye-6, Nay-1) motion passed.

Councilwoman-at-Large Crawford-Graham moved and Councilwoman Hindeleh seconded the motion for the 3rd reading, by title only, and adoption of Bill #4970. City Clerk Jones read Bill #4970. Roll Call: Verges-Aye, Williams-Aye, Hoskins-Nay, Anthony-Aye, Hindeleh-Aye, Crawford-Graham-Aye, and Mayor-Aye (Aye-6, Nay-1) motion passed. **Ordinance #4801**

New Business:

Councilman Hindeleh moved and Councilwoman Williams seconded the motion to appoint Ebony Shaw to the Betterment Commission. Roll Call: Verges-Aye, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Crawford-Graham-Aye, and Mayor-Aye (Aye-7) motion passed.

Introduction of Bills:

Emergency Bill #4971 – An Ordinance Creating an Unlawful Display of a Firearm Policy (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)

City Clerk Jones read Bill #4971 introduction by title only.

Councilman Hindeleh moved and Councilwoman Verges seconded the motion for the 2nd reading of Bill #4971 by title only and discussion. Roll Call: Verges-Aye, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Crawford-Graham-Aye, and Mayor-Aye (Aye-7) motion passed.

Councilwoman Verges moved and Councilman Hindeleh seconded the motion for the 3rd reading, in its entirety, and adoption of Bill #4971. City Attorney Smith read Bill #4962. Roll Call: Verges-Aye, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Crawford-Graham-Aye, and Mayor-Aye (Aye-7) motion passed. **Ordinance #4802**

Emergency Bill #4972 – An Ordinance Authorizing the City Manager to Execute a Change order Agreement with E. Meier Contracting (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)

City Clerk Jones read Bill #4972 introduction by title only.

Councilman Hindeleh moved and Councilwoman Verges seconded the motion for the 2nd reading of Bill #4972 by title only and discussion. Roll Call: Verges-Aye, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Crawford-Graham-Aye, and Mayor-Aye (Aye-7) motion passed.

Mayor Deinbo moved and Councilwoman Anthony seconded the motion for the 3rd reading, in its entirety, and adoption of Bill #4972. City Attorney Smith read Bill #4972. Roll Call: Verges-Aye, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Crawford-Graham-Aye, and Mayor-Aye (Aye-7) motion passed. **Ordinance #4803**

Bill #4973 – An Ordinance Adopting and Enacting a New Code of Ordinances of the City of Berkeley; Establishing the same; Providing for the Repeal of Certain Ordinances not included therein, except as here in Expressly Provided; Providing for the Penalty for the Violation thereof; and providing when this Ordinance shall Become Effective (City Manager)

Councilwoman Verges moved and Councilwoman Williams seconded the motion for the 2nd reading of Bill #4973 by title only and discussion. Roll Call: Verges-Aye, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Crawford-Graham-Aye, and Mayor-Aye (Aye-7) motion passed.

Bill #4974 – An Ordinance Establishing the 8640 Evans Community Improvement District; and Authorizing Certain Actions and Documents in Connection Therewith (Mayor)

Councilwoman Verges moved and Councilman Hindeleh seconded the motion for the 2nd reading of Bill #4974 by title only and discussion. Roll Call: Verges-Aye, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Crawford-Graham-Aye, and Mayor-Aye (Aye-7) motion passed.

Bill #4975 – An Ordinance for the City of Berkeley, Missouri, Amending Section 400.530 (B) and (C) of the Special Use Permit Code (City Manager)

Councilwoman Verges moved and Mayor Deinbo seconded the motion for the 2nd reading of Bill #4975 by title only and discussion. Roll Call: Verges-Aye, Williams-Abstain, Hoskins-Nay, Anthony-Aye, Hindeleh-Aye, Crawford-Graham-Aye, and Mayor-Aye (Aye-5, Nay-1, Abstain-1) motion passed.

Bill #4976 – An Ordinance Amending Chapter 400, Article XIV, Economic Development Improvement and Regulations for the Commercial Façade Improvement Grant Program in the City of Berkeley MO (City Manager)

Councilwoman Verges moved and Councilman Hindeleh seconded the motion for the 2nd reading of Bill #4976 by title only and discussion. Roll Call: Verges-Aye, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Crawford-Graham-Aye, and Mayor-Aye (Aye-7) motion passed.

Bill #4977 – An Ordinance for the City of Berkeley, MO, Authorizing the City Manager to Execute an Agreement with Premier Demolition According to Bid #936 – Demolition and Abatement of 6140 N. Hanley Rd AKA the Old City Hall (Ward 4)

Councilman Hindeleh moved and Councilwoman Verges seconded the motion for the 2nd reading of Bill #4977 by title only and discussion. Roll Call: Verges-Aye, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Crawford-Graham-Aye, and Mayor-Aye (Aye-7) motion passed.

Bill #4978 – An Ordinance Authorizing the City of Berkeley, MO, to issue its Taxable Industrial Revenue Bonds (8640 Evans, LLC Project) for the Purpose of Providing Funds to Pay the Costs of an Industrial Development Project in the City; Approving a Plan for the Project; and Authorizing the City to Enter into Certain Agreements and Take Certain Other Actions in Connection Therewith (Mayor)

Councilman Hindeleh moved and Councilwoman Verges seconded the motion for the 2nd reading of Bill #4978 by title only and discussion. Roll Call: Verges-Aye, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Crawford-Graham-Aye, and Mayor-Aye (Aye-7) motion passed.

Bill #4979 – An Ordinance Ordering the Levy and Fixing the Rate of Taxes to be Collected in the City of Berkeley, MO, for the Fiscal Year 2023/2024, to provide for the General Revenue; establishment and maintenance of Public Parks; and to provide for the Payment of Interest and Principal on all Outstanding Bonds of the City of Berkeley, MO (City Manager)

Councilwoman Verges moved and Councilwoman Williams seconded the motion for the 2nd reading of Bill #4979 by title only and discussion. Roll Call: Verges-Aye, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Crawford-Graham-Aye, and Mayor-Aye (Aye-7) motion passed.

Communications:

Reports and Recommendations from the City Manager:

Mayor Deinbo moved and Councilman Hindeleh seconded the motion to hold a closed session for real estate. Roll Call: Verges-Aye, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Crawford-Graham-Aye, and Mayor-Aye (Aye-7) motion passed.

Liquor License Request: Ol'Henry Food Truck (8600 Airport Rd)

Councilman Hoskins moved and Mayor Deinbo seconded the motion to approval the liquor license. Roll Call: Verges-Aye, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Crawford-Graham-Aye, and Mayor-Aye (Aye-7) motion passed.

Reports from the Clerk:

Councilman Hindeleh moved, Councilwoman Williams seconded, and the motion carried to hold a special meeting on 09/25/2023 and cancel the 10/02/2023 meeting. All opened items and public hearings will go on the special meeting agenda.

Reports from the City Attorney:

Reports from the Special Committees:

Neighborhood Stabilization Grant Drawing:

Reports from the Standing Committees:

Councilwoman Verges moved, Councilman Hindeleh seconded, and the motion carried to receive and file the minutes for the City Plan Commission 08-09-23 meeting.

Reports from the Council:

Councilwoman Verges left the meeting at 10:14pm.

Councilman Hoskins moved and Councilwoman-at-Large Crawford-Graham seconded the motion for the auditors to come

before the council on 10/16/2023 to explain why we are two years behind. The meeting will start at 6:00pm. Roll Call: Verges-Absent, Williams-Aye, Hoskins-Aye, Anthony-Aye, Hindeleh-Aye, Crawford-Graham-Aye, and Mayor-Aye (Aye-7) motion passed.

Adjourn:

Councilwoman Anthony moved, Councilwoman-at-Large Crawford-Graham seconded, and the motion carried to adjourn the meeting at 10:20 pm. The council decided not to go into the closed session.

Approved: This _____ day of _____ 2023

Attest:

Babatunde Deinbo, Mayor

Deanna Jones, City Clerk

