

1. 05/14/2020 Special Board Of Aldermen Meeting Agenda Items
CITY OF FENTON, MISSOURI
SPECIAL MEETING OF THE BOARD OF ALDERMEN
THURSDAY, MAY 14, 2020
6:45 P.M.

This Special Meeting is being called for:

- Consideration Of A Resolution Requesting That Municipalities Within St. Louis County Receive An Equitable Distribution Of The \$175 Million In Funding Received By St Louis County From The Coronavirus Aid, Relief, And Economic Security Act To Reimburse Municipalities For Actual Public Safety Costs Incurred Related To Covid-19.
- Consideration Of A Resolution Approving The Issuance Of Bonds By St. Louis County, Missouri, For An Industrial Development Project To Be Located In The City Of Fenton, Missouri.

Documents:

[05 14 20 SPECIAL MEETING.PDF](#)
[CARES ACT.PDF](#)
[FENTON RESOLUTION - GREY EAGLE.PDF](#)

CITY OF FENTON, MISSOURI
AGENDA
SPECIAL MEETING OF THE BOARD OF ALDERMEN
THURSDAY, MAY 14, 2020
6:45 P.M.

Posted at Fenton City Hall, Wednesday, May 13, 2020 at 2:00 p.m.

Notice is hereby given that the City of Fenton will hold a Special Meeting of the Board of Aldermen on Thursday, May 14, 2020, 6:45 p.m. at Fenton City Hall, 625 New Smizer Mill Road, Fenton, Fenton, Missouri via video/teleconference.

In light of the current public health crisis and the Federal, State, and County Emergency Declarations, and in accord with the provisions of Sec. 610.020, RSMo. and the City's policy for meetings via videoconferencing adopted via R-20-01, the Board of Aldermen recognizes that it would be dangerous and impractical, if not impossible, for its meeting to be physically accessible to the public. The Board also recognizes the need for the public's business to be attended to in order to protect the public health, safety, and welfare and in accordance with the County's stay-at-home order, in which the City is "strongly encouraged to remain open." In order to balance both the need for continuity of government and protection of the health and safety of our residents, businesses, persons, and employees, this meeting of the Board of Aldermen will not be open to in-person public attendance. The meeting will be accessible by the public in real time ONLY by a video/teleconference call via "Zoom", instruction to join below.

To join the meeting via website:

Go to Zoom at <https://zoom.us>

- (1) **Select Join a Meeting**
- (2) **Enter Meeting ID: 840 7937 7392**
- (3) **Enter Password: 003977**

To join the meeting by phone call (audio):

- (1) **Call 1-312-626-6799**
- (2) **When prompted, enter the Meeting ID and Password provided above.**

This Special Meeting is being called for:

- Consideration Of A Resolution Requesting That Municipalities Within St. Louis County Receive An Equitable Distribution Of The \$175 Million In Funding Received By St Louis County From The Coronavirus Aid, Relief, And Economic Security Act To Reimburse Municipalities For Actual Public Safety Costs Incurred Related To Covid-19.
- Consideration Of A Resolution Approving The Issuance Of Bonds By St. Louis County, Missouri, For An Industrial Development Project To Be Located In The City Of Fenton, Missouri.

Representatives of the news media may obtain copies of this notice by contacting:

Jane Hungler
City Clerk
City of Fenton
625 New Smizer Mill Road
Fenton, MO 63026 (636-343-2080)

A RESOLUTION REQUESTING THAT MUNICIPALITIES WITHIN ST. LOUIS COUNTY RECEIVE AN EQUITABLE DISTRIBUTION OF THE \$175 MILLION IN FUNDING RECEIVED BY ST LOUIS COUNTY FROM THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT TO REIMBURSE MUNICIPALITIES FOR ACTUAL PUBLIC SAFETY COSTS INCURRED RELATED TO COVID-19.

WHEREAS, the United States Congress enacted the Coronavirus Aid, Relief and Economic Security Act (the “CARES Act”) providing \$2 trillion dollars economic relief package to provide assistance for American workers, families, and small businesses; to provide assistance to state and local governments; and to preserve jobs for American industry; and

WHEREAS, the US Department of the Treasury distributed funds from the CARES Act proportionally based on 2019 census data directly to local governments, including directly to cities and counties with a population greater than 500,000 and directly to state governments; and

WHEREAS, the State of Missouri received \$1.9 billion dollars from the CARES Act, a portion of which was subsequently distributed in part to Missouri counties proportionally based on population, except those counties that received a direct payment under the CARES Act, along with a recommendation from the Governor that counties that received funds directly from the State of Missouri in turn distribute CARES Act funds to local governments located within their jurisdictions; and

WHEREAS, no municipality in St. Louis County (the “County”) has received any CARES Act funds from the Federal government, the State of Missouri, or the County; and

WHEREAS, based on St Louis County’s population numbers, which necessarily includes the residents of municipalities located in the County, the County received \$175 million directly from the United States Treasury designated to cover necessary expenses that are incurred due to the public health emergency caused by the COVID-19 pandemic; and

WHEREAS, the County Council has appropriated the entirety of the \$175 million in funding from the CARES Act and has given the County Executive absolute authority over the use and distribution of these funds without further review or oversight by the County Council; and

WHEREAS, the US Department of the Treasury has issued eligibility guidelines for use of the CARES Act funds which includes, in part, that payroll expenses for public safety may be presumed to be costs for services substantially dedicated to mitigation or responding to the COVID-19 public health emergency from and after the effective date of the CARES Act from March 27, 2020 thru December 31, 2020 (the “Eligibility Period”); and

WHEREAS, the County does not provide any public safety fire services to the residents of St. Louis County; and

WHEREAS, the County provides non-contracted law enforcement services only to the unincorporated areas of the County, which makes up 32.15% of the County's total population; and,

WHEREAS, 67.85% of the residents of the County are serviced by municipal police departments or contracted law enforcement services paid for out of municipal funds; and,

WHEREAS, to date, the City of Fenton has incurred public safety payroll costs for contracted law enforcement services during the Eligibility Period and related fringe benefit costs and all such costs are presumed by the US Department of the Treasury to be COVID-19 related expenses during the Eligibility Period; and

WHEREAS, the \$175 million in CARES funding received by the County should justly be shared pro rata with municipalities based on their population inasmuch as all levels of government including both County and municipal governments are incurring (and whose citizens are paying for – either directly or by contract) COVID-19 related public safety expenses; and

WHEREAS, the City finds that an equitable distributions is further warranted by the fact that the County has acknowledged the importance of local governments in mitigating and responding to Covid-19 given that local governments were “strongly encouraged to remain open” by the County order ([See Section IV\(C\)\(1\) of St. Louis County Department of Public Health 2019 Novel Coronavirus \(“Covid-19”\) Stay at Home Oder](#)).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF FENTON, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

That if any portion of the \$175 million in funding received by St Louis County under the CARES Act is expended by the St Louis County Executive as reimbursement for law enforcement expenses, including but not limited to payroll and benefits for the St Louis County Police Department during the Eligibility Period, a proportional amount should be paid to the municipalities who provide the majority of law enforcement services to the citizens of St. Louis County. Further, such reimbursement for public safety expenses should necessarily include all municipal law enforcement, ems, and fire services whether those services are provided directly by the municipality or by contract with another public safety agency.

PASSED by the Board of Aldermen the _____ day of _____, 2020.

APPROVED this _____ day of _____, 2020.

BOB BRASSES, MAYOR

ATTEST:

Jane Hungler, City Clerk

A RESOLUTION APPROVING THE ISSUANCE OF BONDS BY ST. LOUIS COUNTY, MISSOURI, FOR AN INDUSTRIAL DEVELOPMENT PROJECT TO BE LOCATED IN THE CITY OF FENTON, MISSOURI.

WHEREAS, the City of Fenton (the “City”) and Fenton Land Investors, LLC entered into a Consent and Cooperation Agreement dated as of February 11, 2016, pursuant to which the City provided its consent for St. Louis County (the “County”) to approve tax increment financing within certain property commonly known as the Fenton Logistics Park; and

WHEREAS, D & D Distributors, LLLP d/b/a Grey Eagle Distributors (the “Company”) has outgrown its current facility in the City of Maryland Heights; and

WHEREAS, after extensive evaluation of numerous sites throughout the region, the Company is now considering the development of an approximately 240,000 square foot building in the Fenton Logistics Park to serve as a new corporate headquarters and distribution facility for the Company (the “Project”); and

WHEREAS, the Company has requested that the City or the County issue industrial revenue bonds pursuant to Sections 100.010 to 100.200, inclusive, of the Revised Statutes of Missouri, to finance the Project; and

WHEREAS, because the County adopted tax increment financing for the development of the Fenton Logistics Park, the City has determined that it is appropriate for the County to issue the proposed industrial revenue bonds for the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF FENTON, MISSOURI, AS FOLLOWS:

Section 1. The Board of Aldermen hereby consents to the issuance by the County of industrial revenue bonds for the Project to provide a sales/use tax exemption on construction materials for the Project and not to provide property tax abatement for the Project.

Section 2. This Resolution shall be in full force and effect immediately upon its passage.

PASSED by the Board of Aldermen the _____ day of _____, 2020.

APPROVED this _____ day of _____, 2020.

BOB BRASSES, MAYOR

ATTEST:

Jane Hungler, City Clerk