

CITY OF FENTON, MISSOURI
625 NEW SMIZER MILL ROAD, FENTON, MO 63026
MINUTES OF THE BOARD OF ALDERMEN COMMITTEE MEETING
THURSDAY, OCTOBER 7, 2021
7:00 P.M.

CALL TO ORDER

Mayor Bob Brasses called the Board of Aldermen Meeting of the City of Fenton, St. Louis County, Missouri to order at 7:00 p.m. on Thursday, Thursday, October 7, 2021. The meeting was held at Fenton City Hall and via Zoom Videoconference (RSMo 610.015).

PLEDGE OF ALLEGIANCE Mayor Brasses led the Pledge of Allegiance.

ROLL CALL

City Clerk Jane Hungler called the roll:

Alderman Ralph Cruets - *Present*

Alderman Kevin Yarbrough - *via video conference*

Alderman Brian Wisbrock - *Present*

Alderman Joe Maurath - *Present*

Alderman Chris Clauss - *Present*

Alderman Robin Huels - *Present*

Alderman Tom Heard - *via video conference*

Alderman Susan Jokerst - *via video conference*

Eight Aldermen were present at the opening of the meeting.

CITY OFFICIALS PRESENT:

Mayor Bob Brasses - *via video conference*

City Attorney Erin P. Seele, Esq. - *via video conference*

City Administrator Andrea N. Finkbiner

St. Louis County Police Precinct Captain Kevin Lawson

St. Louis County Lieutenant Aaron Schafer

City Planner Amy Starck

Public Works Director Dan Howard - *via video conference*

City Clerk Jane Hungler

MAYOR'S COMMENTS

Mayor Brasses inquired on meetings continuing via Zoom or in-person. Alderman Heard, Alderman Jokerst, and Alderman Yarbrough suggested continuing via Zoom. Alderman Wisbrock stated for the record he prefers the hybrid. Alderman Maurath and Alderman Cruts suggested hybrid. Alderman Huels and Alderman Clauss suggested continuing via Zoom until majority of Board feels more comfortable meeting in person and noted that if hybrid, Staff would not have a choice, they would have to be in person.

Following further discussion, Alderman Clauss made a motion to continue via Zoom until Covid numbers decrease and comfort level increases for all of the Board members, Staff, and the public before meeting in person. The motion was seconded by Alderman Huels.

Alderman Wisbrock inquired if there will still be another vote at the October Board meeting as discussed at the September meeting. Mayor Brasses replied yes, there will be another vote at the October Board meeting for November meetings consideration.

Upon a vote being taken, the motion passed unanimously by the Board of Aldermen.

Alderman Huels made a motion to move Miscellaneous topics next on the agenda with the YMCA presentation as the first item as there were several representatives in attendance. The motion was seconded by Alderman Maurath. The motion was passed unanimously by voice vote.

MISCELLANEOUS

- **Presentation by YMCA regarding a partnership with the City for RiverChase.**

Tim Helm, President and CEO, Jared Beard, Chief Operating Officer, and Matt Clark, District Vice President-South District, 2815 Scott Avenue, St. Louis MO 63103, presented presentation (attached as part of the minutes).

Alderman Maurath shared that he, Alderman Huels, and Mayor Brasses toured the Carondelet YMCA facilities and that facility is very comparable to the RiverChase facility. Alderman Clauss inquired if they feel the RiverChase facilities are not being utilized to its potential. Jared Beard replied yes for that size of facility and a small community.

Matt Clark stated YMCA is interested in a management agreement with the City of Fenton. They would like to bring in more individuals into the facility, serve more people, offer more programs tailored to the wants and needs of the community, and noted memberships are nationwide along with other benefits in the presentation.

Alderman Wisbrock inquired on management fee. Matt Clark shared management fees are unique to each agreement, typically it is a percentage of revenue of facility, and an analysis of population and size would need to be conducted for determination.

Alderman Jokerst inquired on what effect a partnership with the YMCA would have on contractors the City has for certain programs available at RiverChase. Jared Beard replied there would be a transition plan to identify concerns and staffing. They want to retain employees, contractors, and vendors and have been very successful in retaining those relationships and working out terms. A model plan would be drafted in working toward a partnership for transition.

Alderman Heard inquired on estimated timeframe if partnership is approved that the facility would be operated by the YMCA, what is typical contract length, and pricing for City of Fenton residents. Jared Beard replied typically a transition takes four months to a year, typically five-year contracts with two renewal terms of five years each, and residents could receive up to a ten percent discount vs. a non-resident. Those items would be worked out in the model plan.

Alderman Maurath noted for the record that this partnership would be for the RiverChase facility only, it does not include the parks or ballfields.

Tim Helm shared he is excited to continue discussions for a partnership with the City of Fenton as probably more questions than answers came out of tonight and not ready for pricing but would like to continue discussions to bring YMCA's expertise to the City.

Alderman Wisbrock shared he is in favor of partnership as they bring experience, forethought, programs, and knowledge for multiple areas. They can bring more opportunity to residents and fully utilize the facility compared to what is currently be offered.

Alderman Clauss inquired what is downside for the City and what are challenges. Jared Beard replied not really a downside, maybe loss of direct control of staff and a challenge as it is a big facility, staffing could be the biggest challenge, such as lifeguards.

There was a brief discussion of forming an ad-hoc committee in the future if consideration continues to move forward and the importance to get this out to the public and have public hearings so the Board can hear comments from the public prior to making any decision.

After discussion, Alderman Huels made a motion to approve Staff to continue discussion for partnership with the YMCA and gather information. The motion was seconded by Alderman Cruts. Upon a vote being taken, the motion passed unanimously by the Board of Aldermen.

- **Partial Escrow Release for Fenton Logistics for Lot F of Fenton Logistics Park Plat Five.**

On September 26, 2019, via Ordinance 3975, the Board of Aldermen approved a variance to allow for a building permit to be approved for proposed Building VII on Lot F of Fenton Logistics Park Plat 5 in advance of final plat approval with the condition that escrow in the amount of \$619,070.56 be required to guarantee improvements to serve Building VII (Amazon).

On December 21, 2021, the Board released escrow funds in the amount of \$497,063.15 leaving a revised Letter of Credit expiring on October 15, 2021 in the amount of \$122,007.42. The Letter of Credit Deposit Agreement to ensure completion of all Improvements to serve Building VII, expires on October 24, 2021.

At this time, US Capital Development is requesting a partial release of the escrow in the amount of \$65,728.27 leaving a balance of \$56,279.14. Based on a field inspection, it appears all improvements have been completed; however, the Developer was unable to provide as-builts for *full* release under the current agreement, which expires on October 24. As the agreement will expire before the October 28th Board meeting, a Special Board Meeting will be held on October 14 to approve an agreement extension by Ordinance. Please note that a minimum of 10% of funds have been held until the as-builts are provided for final release.

City Planner Amy Starck and Scott Haley, U.S. Capital Development, were available for questions. There were no questions.

Alderman Maurath made a motion to forward to Special Board Meeting set for October 14th at 6:55 p.m. for approval. The motion was seconded by Alderman Clauss. Upon a vote being taken, the motion passed unanimously by the Board of Aldermen.

- **Request for Landscaping Design at City Hall.**

It was approved at the August 12th Committee meeting to have Sugar Creek Gardens proceed with a landscape design. Unfortunately, they have withdrawn as they feel it is going beyond Sugar Creek's

capability. Also, Kirkwood Home & Landscape (Julie's Garden) replied that this project is not a right fit for them.

An average landscaping design service has an hourly consultation rate of \$150 per hour to discuss the potential project, a \$40 travel fee, and an initial \$300 design cost with additional \$75 per hour based on time for larger projects.

Staff is requesting approval to obtain landscaping design for City Hall with an expenditure not to exceed \$1,000 to obtain design specifications to include in a bid packet. Staff will bring the Board a recommendation of a selection of the most qualified vendor for the project according to the design's specifications.

Alderman Jokerst made a final motion to approve obtaining landscaping design specifications for City Hall not to exceed \$1,000 to utilize in future bid packet. The motion was seconded by Alderman Heard. Upon a vote being taken, the motion passed unanimously by the Board of Aldermen.

- **Consideration of a request from SAK Construction, LLC for a working hours variance for the Lower Meramec River System Improvements Baumgartner to Fenton WWTF Tunnel Project at 75 Opps Lane.**

SAK Construction, LLC is currently working on project for the Metropolitan St. Louis Sewer District (MSD), at the Fenton Wastewater Treatment Plant location, located at 75 Opps Lane, Fenton, MO 63026.

Currently, the project is working under City Ordinance No. 205.210 – Construction Noise, for working hours. As noted in item #2 of the ordinance, “The Board of Aldermen may temporarily extend the hours of construction for a specific project... after making a determination that the public interest will be served by the increased number of hours which construction might take place and that the impact upon residential units will be slight when compared to the public benefit of completing the construction expeditiously.”

In order to remove the Fenton Wastewater Treatment plant from service as expeditiously as possible, SAK formally requests to work twenty-four (24) hours per day, six (6) days per week, as needed, throughout the project.

The closest residences are approximately 630 feet away at 220 S. Old Hwy 141, Fenton, MO 63026 and eight hundred (800) feet away at 191 Water St., Fenton, MO 63026. Based on previous experience in similar situations, SAK anticipates that the listed residences will not be impacted by the extended hours worked.

Noted City of Fenton and St. Louis County ordinances in which SAK Construction will be maintaining within are as follows:

Ordinance No.470. 030.M – Lighting – All illumination structures, except for approved streetlights, shall be so arranged as not to cast light directly from any source of illumination on any public right-of-way or an adjacent residentially zoned property. Lighting will be used to ensure a safe jobsite but will be maintained in such manners as to abide by the noted ordinance.

Ordinance No. 470. 030.B – Noise – Every use shall be so operated that the pressure level of sound or noise generated does not exceed the limitations of the Noise Control Code, Chapter 625 SLCRO, as amended. Including 625.050 – Permissible Noise Levels – Standards – Table 1 – A. Residential Land Use Category for Nighttime Hours. Mufflers and noise reduction devices will be used on all equipment. If needed, sound mitigating devices will be employed, up to and including a wall, can be built to ensure the sounds are kept at allowable decibels for the area.

Spencer Miller with SAK shared this request is to expedite the project and night traffic will be minimal to none. He further shared due to distance of residences, he does not see noise as an issue, but will be willing to install a noise wall if determined necessary and noted the lighting needed for the work does not leave the property.

Alderman Wisbrock made a final motion to approve request from SAK Construction, LLC for a working hours variance as requested for the Lower Meramec River System Improvements Baumgartner to Fenton WWTF Tunnel Project at 75 Opps Lane. The motion was seconded by Alderman Clauss. Upon a vote being taken, the motion passed unanimously by the Board of Aldermen.

- **Consideration of John Fabick Service Award Nominations.**

This year, there was one (1) nomination for the John Fabick Community Service Award: Jerry Odehnal.

Following discussion, Alderman Huels made a final motion to award Jerry Odehnal the John Fabick Community Service award. The motion was seconded by Alderman Clauss. Upon a vote being taken, the motion passed unanimously by the Board of Aldermen.

- **Request by Councilman Fitch and Councilman Harder to utilize the City's Board Room for a "Get To Know Your County Government" Townhall Meeting on Wednesday, October 20th at 7:00 p.m.**

City Administrator Nikki Finkbinder shared City Staff will open and close the Board Room, but the meeting will be conducted by St. Louis County. Alderman Heard noted his observation he finds it ironic to allow in person meetings to take place in same Board Room that the City is not supporting in-person meetings due to high Covid numbers.

Alderman Maurath inquired if against CDC guidelines and stated it is the responsibility for St. Louis County Board for their requirements for indoor meetings.

Alderman Clauss shared she agrees with Alderman Heard.

Following discussion, Alderman Cruts made a final motion to approve request by Councilman Fitch and Councilman Harder to utilize the City's Board Room for a "Get To Know Your County Government" Townhall Meeting on Wednesday, October 20th at 7:00 p.m. The motion was seconded by Alderman Huels. Upon a vote being taken, the motion passed with Alderman Heard and Alderman Clauss voting nay.

POLICE/MUNICIPAL COURTS – *Ald. Cruts, Chairman (Wisbrock, Clauss, Jokerst)*

- **Consideration of a full-service contract with St. Louis County to provide Police Protection Services for the City through the St. Louis County Police Department.**

As discussed at previous Committee Meetings, a *final draft* of the Police Service Agreement between the City of Fenton and St. Louis County for a proposed 10-year period (initial one-year term, plus nine one-year renewal terms) from 2022 to 2033 was available for review. The current contract with St. Louis County expires on December 31, 2021.

Alderman Cruts made a motion to forward to the October Board of Aldermen meeting the consideration of a full-service contract with St. Louis County to provide Police Protection Services for the City through the St. Louis County Police Department. The motion was seconded by Alderman Wisbrock. Upon a vote being taken, the motion passed unanimously by the Committee.

- **Discussion regarding a donation agreement with Gary Grewe for Flock.**

City Administrator Nikki Finkbinder shared Gary Grewe stated that he wants to pay (sponsor) for the Flock Cameras in the Bluffs to ensure that the cameras are not moved. This agreement would take effect in March 2022 when the current contract ends. He would like to sponsor all ten (10) cameras at \$25,000 for a one (1) year agreement. It was also noted that maintenance is covered in the contract with Flock and the contract would remain between the City and Flock. If the City would want to add additional cameras throughout other areas of the City, that could be discussed at that time of renewing agreement with Flock .

City Administrator Nikki Finkbinder noted that one (1) camera would have to be replaced that was recently relocated to the mobile radar trailer. Once the terms of the agreement are discussed and agreed upon by both the Board and Mr. Grewe, the same will need to be approved by Ordinance. It was further noted that Mr. Grewe was still reviewing the agreement, but Staff requests the draft be forwarded to the October meeting and if not ready, will move to November.

Following discussion, Alderman Cruts made a motion to forward to the October Board of Aldermen meeting the donation agreement with Gary Grewe for Flock. The motion was seconded by Alderman Wisbrock. Upon a vote being taken, the motion passed unanimously by the Committee.

PERSONNEL – *Ald. Maurath, Chairman (Cruts, Huels, Jokerst)*

- **Discussion regarding the 2021 Employee Appreciation Luncheon.**

Traditionally, the City of Fenton has an Annual Employee Appreciation Luncheon in December. If the motion to move forward with this event is approved by the Board, the luncheon will be held on Friday, December 3, with Giuseppe's catering a boxed lunch for the event at RiverChase from 11:00 a.m. – 1:00 p.m.

This event is budgeted under line item 10101-57880 Awards and Recognition, with a budgeted amount of \$2,000, and the estimated cost for this event is \$12.95 per person with an estimated total of \$885, which is well under that amount.

Alderman Maurath made a motion to forward to the October Board of Aldermen meeting the annual employee appreciation luncheon. The motion was seconded by Alderman Huels. Upon a vote being taken, the motion passed unanimously by the Committee.

City Administrator Nikki Finkbinder shared the lunches could be provided at three City facilities and boxed individually as they were last year if the Covid-19 numbers continue to be high.

- **Discussion regarding 2022 employee salaries.**

Mayor Brasses suggested assigning the 2022 employee salaries to the Finance Committee.

After discussion, Alderman Maurath made a motion to open the topic to the full Board of Aldermen. The motion was seconded by Alderman Cruts. Upon a vote being taken, the motion passed unanimously by the Committee.

City Attorney Erin Seele reminded the committee that all meetings are public and require agendas and minutes.

Alderman Heard made a motion for the Finance Committee to bring recommendations to the Board by December 1st of salary ranges, raises, and budget considerations. The motion was seconded by Alderman Maurath.

Following discussion regarding timing for the budget, Alderman Maurath rescinded his second. Alderman Heard rescinded his first.

Alderman Heard made a motion to bring recommendations to the Board by November 11th of salary ranges, raises, and budget considerations. The motion was seconded by Alderman Maurath. Upon a vote being taken, the motion was passed unanimously by the Board of Aldermen.

PUBLIC COMMENTS

There were no public comments.

- **Discussion regarding employee paid time off (PTO).**

Alderman Maurath suggested amending full-time PTO from:

Length of Service	PTO In Hours	PTO In Days	PTO In Weeks
1-4 years	160	20	4
4+-14 years	200	25	5
15+ years	240	30	6

Full-Time Employees, upon their first (1st) day of employment, will accrue thirteen (13) hours of PTO. Then after the completion of their Probation Period, they will continue to earn thirteen (13) hours/month of PTO through December of that year.

To:

Length of Service	PTO In Hours	PTO In Days	PTO In Weeks
1-5 years	80	10	2
5+-15 years	120	15	3
15+ years	160	20	4

Probationary employees are not eligible for PTO time until after they have successfully completed their probationary period. Then after the completion of their Probation Period, they will accrue six and two thirds (6 2/3) hours each month of PTO through December of that year.

A one-day absence without leave shall be without pay and require the Employee's Department Head's approval and any absence of three (3) consecutive days or more will require documented reason to know it is a protected leave or for other good cause.

Alderman Maurath stated at this time he did not want to make any changes to the part-time PTO. All current full-time employees would be grandfathered under the current PTO schedule and the amended PTO would apply to all full-time new hires.

Alderman Maurath made a motion to open the topic to the full Board of Aldermen. Alderman Maurath withdrew his motion.

Alderman Maurath made a motion to forward to the October Board of Aldermen meeting the consideration of amending employee paid time off (PTO) as presented. The motion was seconded by Alderman Cruts. Upon a vote being taken, the motion passed unanimously by the Committee.

COMMUNITY AFFAIRS – *Ald. Clauss, Chairman (Yarbrough, Maurath, Heard)*

- **Discussion regarding the Annual Lighting Ceremony.**

Upon approval of the Board, Staff is requesting to hold the 2021 Annual Lighting Ceremony at City Hall on Friday, November 19, 2021 at 6:00 p.m. with the lighting of the outdoor lights at 6:15 p.m., with refreshments to follow. We are tentatively waiting on verification of the Farmers' Market vendors participation. It is noted that Rockwood's elementary choir will perform for the event this year.

Following discussion including high numbers and the fact younger kids cannot be vaccinated at this time, Alderman Clauss made a motion to cancel annual lighting ceremony this year due to Covid numbers. The motion was seconded by Alderman Maurath. Upon a vote being taken, the motion passed unanimously by the Committee.

Alderman Maurath rescinded his second. Alderman Clauss rescinded her first.

After discussion, Alderman Clauss made a motion to open the topic to the full Board of Aldermen. The motion was seconded by Alderman Maurath. Upon a vote being taken, the motion passed unanimously by the Committee.

Alderman Clauss made a motion to cancel annual lighting ceremony this year due to Covid numbers. The motion was seconded by Alderman Maurath. Upon a vote being taken, the motion was passed unanimously by the Board of Aldermen.

CAPITAL IMPROVEMENTS – *Ald. Huels, Chairman (Cruts, Maurath, Heard)*

- **Request to seek bids for the 2022 Concrete Street Slab and Sidewalk Replacement Program.**

At this time, it is requested to seek bids for the 2022 Concrete Street Slab and Sidewalk Replacement Program. This will be for a one (1)-year contract with the option for the City to renew for up to two (2) additional years. It is anticipated to advertise for bids in October with the recommendation of approval at the November Committee Meeting. The current contract with RV Wagner is set to terminate at the end of 2021.

Following discussion, Alderman Huels made a final motion as approved by policy to seek bids for the 2022 Concrete Street Slab and Sidewalk Replacement Program. The motion was seconded by Alderman Heard. Upon a vote being taken, the motion passed unanimously by the Committee.

PUBLIC WORKS/FORESTRY – *Ald. Wisbrock, Chairman (Yarbrough, Clauss, Jokerst)*

- **Request to purchase residential trash carts.**

At this time, the City is in need to purchase residential trash carts for distribution when carts become damaged or new residential construction is completed.

We have reached out to three (3) companies for costs and have found Cascade Engineering provided the lowest price for the carts including shipping. The City has purchased carts from Cascade Engineering and have found the carts to be of good quality. The cost per cart is \$56.91, plus shipping. We are looking to purchase eighty (80) carts at this time for a total cost of \$4,982.80.

At this time, there is not a budget item for the purchase of trash carts. If approved the cost will need to be added to the 2021 Budget.

Following discussion concerning the need and number the City goes through a year, Alderman Wisbrock made a motion to forward to the October Board of Aldermen meeting the request to purchase residential trash carts as presented. The motion was seconded by Alderman Clauss. Upon a vote being taken, the motion passed unanimously by the Committee.

INFORMATION SERVICES – *Ald. Heard, Chairman (Yarbrough, Wisbrock, Huels)*

- **Request for the installation of the timeclock system at RiverChase and Fenton City Park Concession Stand.**

Staff is requesting approval to install switch (RiverChase only), cat6 ethernet drops, and battery backups to complete the timeclock installations for the Fenton City Park concession stand and RiverChase. The City's IT provider, ENT, provided a quote for \$1,556.35. The quote was available for review.

Following discussion, Alderman Heard made a motion to forward to the October Board of Aldermen meeting the request to install timeclock systems at RiverChase and Fenton City Park Concession Stand for \$1,556.35. The motion was seconded by Alderman Huels. Upon a vote being taken, the motion passed unanimously by the Committee.

EXECUTIVE SESSION

At 9:32 p.m., Alderman Clauss made a motion to enter into Executive Session pursuant to Section 610.021(1) Legal Actions, Causes Of Action Or Litigation...Section 610.021(3) Hiring, Firing, Disciplining Or Promoting Employees.... The motion was seconded by Alderman Huels.

Upon the roll being called, the Board of Aldermen voted as follows:

Alderman Cruts	<i>Aye</i>	Alderman Clauss	<i>Aye</i>
Alderman Yarbrough	<i>Aye</i>	Alderman Huels	<i>Aye</i>
Alderman Wisbrock	<i>Aye</i>	Alderman Heard	<i>Aye</i>
Alderman Maurath	<i>Aye</i>	Alderman Jokerst	<i>Aye</i>

It was announced that the motion was passed unanimously by the Board of Aldermen.

ADJOURNMENT

At 9:51 p.m., Mayor Brasses reconvened the meeting at which time, with no other business before the Board, Alderman Cruts made a motion to adjourn. The motion was seconded by Alderman Clauss. Upon a vote being taken, it was announced that the motion was passed unanimously by the Board of Aldermen.

Respectfully submitted,

Jane Hungler
City Clerk
City of Fenton