

**CITY OF FENTON, MISSOURI
625 NEW SMIZER MILL ROAD, FENTON, MO 63026
MINUTES OF THE BOARD OF ALDERMEN MEETING
THURSDAY, OCTOBER 28, 2021
7:00 P.M.**

Mayor Brassés stated in light of the current public health crisis, including specifically the high community transmission in St. Louis County, and related CDC health guidelines, the Board recognizes that it would be dangerous and impractical to have public indoor group gatherings and recognizes that some members of the public may not feel comfortable attending such in-person meetings. 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. To balance both, and in accordance with Sec. 610.020, RSMo. and R-20-01, this meeting will not be open to in-person public attendance but rather accessible by the public in real time ONLY by a video/teleconference call via “Zoom”.

CALL TO ORDER

Mayor Bob Brassés called the Board of Aldermen meeting to order at 7:00 p.m. via Zoom Videoconference (RSMO 610.015) and explained the reasons for conducting the meeting via videoconference, i.e., due to the State of Emergency (as specified in the notice above) on Thursday, October 28, 2021.

PLEDGE OF ALLEGIANCE - Mayor Brassés led the Pledge of Allegiance.

ROLL CALL

City Clerk Jane Hungler called the roll:

Alderman Ralph Cruts - <i>Present</i>	Alderman Chris Clauss - <i>Present</i>
Alderman Kevin Yarbrough - <i>Present</i>	Alderman Robin Huels - <i>Present</i>
Alderman Brian Wisbrock - <i>Present</i>	Alderman Tom Heard - <i>Absent</i>
Alderman Joe Maurath - <i>Present</i>	Alderman Susan Jokerst - <i>Present</i>

Seven Aldermen were present at the opening of the meeting all by video conference.

CITY OFFICIALS PRESENT:

Mayor Bob Brassés - *via video conference*
City Attorney Erin Seele, Esq. - *via video conference*
City Administrator Andrea N. Finkbiner - *via video conference*
City Clerk Jane Hungler - *via video conference*
City Planner Amy Starck - *via video conference*
Public Works Director Dan Howard - *via video conference*
St. Louis County Police Precinct Captain Kevin Lawson - *via video conference*

I. MAYOR'S COMMENTS

Mayor Brasses inquired Board's desire on meetings continuing via Zoom or in-person.

Alderman Huels stated she does not want hybrid of Board attendance. Alderman Maurath suggested meeting in person. Alderman Clauss agreed with Alderman Huels and if in person all should follow CDC guidelines and wear mask. Alderman Jokerst agreed with Alderman Clauss. Alderman Yarbrough agreed does not want hybrid of Board attendance, however if masks will be required in person, he would rather continue via Zoom. Alderman Cruts inquired if CDC guidelines still recommend wearing masks indoors. City Administrator Nikki Finkbiner replied, CDC guidelines recommend indoor mask use in counties with substantial or high rates of transmission, of which St. Louis County is still substantial. But she will monitor the guidelines and transmission and inform the Board should there be a change. Alderman Wisbrock expressed he prefers meeting in person.

After discussion, and due to the high transmission rates and difficulty communicating with masks, Alderman Clauss made a motion to continue via Zoom through November and take another vote at the first meeting in December before meeting in person. The motion was seconded by Alderman Yarbrough. Upon a vote being taken, it was announced that the motion was passed unanimously by the Board of Aldermen.

After discussion, Mayor Brasses stated he would still bring it up at November Board meeting.

II. APPROVAL OF MINUTES: Reading of the minutes is waived since copies were given to Boardmembers in advance of the meeting and made available to the general public.

09 23 21 Special Meeting of the Board of Aldermen – Alderman Huels made a motion to approve the minutes of the September 23, 2021, Special Meeting of the Board of Aldermen. The motion was seconded by Alderman Wisbrock. Upon a vote being taken, it was announced that the motion was passed unanimously by the Board of Aldermen.

09 23 21 Board of Aldermen Meeting – Alderman Maurath made a motion to approve the minutes of the September 23, 2021, Board of Aldermen Meeting. 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.

10 07 21 Board of Aldermen Committee Meeting – Alderman Cruts made a motion to approve the minutes of the October 7, 2021, Board of Aldermen Committee Meeting. The motion was seconded by Alderman Yarbrough. Upon a vote being taken, it was announced that the motion was passed unanimously by the Board of Aldermen.

10 14 21 Special Meeting of the Board of Aldermen – Alderman Clauss made a motion to approve the minutes of the October 14, 2021, Special Meeting of the Board of Aldermen. The motion was seconded by Alderman Huels. Upon a vote being taken, it was announced that the motion was passed unanimously by the Board of Aldermen.

10 14 21 Board of Aldermen Committee Meeting – Alderman Maurath made a motion to approve the minutes of the October 14, 2021, Board of Aldermen Committee Meeting. The motion was seconded by Alderman Wisbrock. Upon a vote being taken, it was announced that the motion was passed unanimously by the Board of Aldermen.

10 21 21 Finance Committee Meeting of the Board of Aldermen – Alderman Maurath made a motion to approve the minutes of the October 21, 2021, Finance Committee Meeting of the Board

of Aldermen. The motion was seconded by Alderman Huels. Upon a vote being taken, it was announced that the motion was passed unanimously by the Committee.

III. APPROVAL OF WARRANTS: The term warrant is used in State Statutes and, by definition, means invoices or bills submitted for payment of goods or services from external sources.

Alderman Maurath made a motion to approve the warrants for the period of 09/01/2021 to 09/30/2021 in the amount of \$599,382.09 as submitted. The motion was seconded by Alderman Jokerst. Upon a vote being taken, it was announced that the motion was passed unanimously by the Board of Aldermen.

IV. PUBLIC COMMENTS

There were no public comments.

Alderman Clauss made a motion to move Mayor Reports topic of John Fabick Service Award next on the agenda. The motion was seconded by Alderman Huels. The motion was passed unanimously by voice vote.

❖ **The City will present the John Fabick Service Award to Jerry Odehnal during the Board of Aldermen Meeting on November 22, 2021.**

Mayor Brasses shared the John Fabick Community Service Award will be presented to Jerry Odehnal via Zoom at the November 22 Board meeting. The Board expressed their appreciation for Jerry Odehnal's services to the City.

V. PLANNING AND ZONING COMMISSION REPORT – Ald. Maurath, Liaison

❖ **The Planning and Zoning Commission recommended the following:**

- **Ord. amending Section 400.030 of the Zoning code to include the term Temporary Recreational Vehicle Use and amend Section 476.010 of the Zoning Code to allow Temporary Vehicle Use as a use allowed by Special Use Permit in the “OT-5” Olde Towne District.**

Alderman Maurath announced this will be considered under Bill 21-83.

- **Ord. approving a Special Use Permit for Jake Tierney for Temporary Recreational Vehicle Use at 86-88 Opps Lane.**

Alderman Maurath announced this will be considered under Bill 21-84.

- **Ord. amending Ordinance 4002, as amended by Ordinance 4017, for changes related to bulk requirements, uses, and approved concept plan for Area A and Area B of Fenton Logistics Park.**

Alderman Maurath announced this will be considered under Bill 21-85.

VI. PARK & RECREATION – Ald. Huels, Liaison

❖ **Announcements:**

- **The Park and Recreation Committee was given an update regarding upcoming events that will be taking place at RiverChase as well as the Fenton City Park in the coming months. Events include:**
 - **Virtual Pumpkin Carving Contest: Oct. 1st – Oct. 31st.**
 - **Holiday Craft Fair at RiverChase: Dec. 4th**
 - **Santa at RiverChase: Dec. 11th.**

- **The Park and Recreation Committee was given an update regarding the outdoor leisure pool and upcoming events.**
Public Works Director Dan Howard shared a leak was found and repaired by the lazy river. Patching is scheduled for November 8th, then will partially fill and test. Once test is completed and successful, the pool will be drained and winterized.
- **The Park and Recreation Committee continued discussion regarding an Eagle Scout Project presented by Jacob Koger.**
Alderman Huels shared that the project will include signs and recycle containers.
- **The next Park and Recreation Committee Meeting is November 1st at 6:30 p.m.**
- **The Park and Recreation Committee will hold a Special Meeting on November 8th at 6:30 p.m. for a presentation by the YMCA regarding a partnership for RiverChase operations.**

VII. MAYOR'S REPORT

❖ Consideration of a draft Second Amendment to Communication Site Sublease Agreement related to a telecommunication tower site at 700 Rudder Road.

Mayor Brasses announced this matter will be forwarded to the November Board of Aldermen Meeting.

VIII. CITY CLERK'S REPORT

Nothing to report.

IX. REPORTS FROM STANDING COMMITTEES

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

• Monthly Report – Captain Lawson

- Responded to 885 calls for service vs. 931 in August 2021 and 827 in September 2020.
- Handled 1,339 self-initiated assignments vs. 1,308 in August 2021 and 1,594 in September 2020.
- 26 arrests (includes SIL's) vs. 19 in August 2021 and 40 in September 2020.
- Responded and handled 532 radio/on-view assignments in the retail business area vs. 599 in August 2021 and 690 in September 2020.
- Those calls resulted in 18 arrests vs. 13 in August 2021 and 33 in September 2020.
- Issued 39 traffic citations, 25 warning citations and 0 DWI vs. 59/29/0 in August 2021 and 38/xx/0 in September 2020.
- Radar trailer with Flock camera was deployed on Uthoff and Gravois Road.
- Handled-
 - 4 Part 1 crimes against persons vs. 6 in August 2021 and xx in September 2020.
 - 55 Part 1 crimes against property vs. 60 in August 2021 and xx in September 2020.
 - 4 Part 1 crimes against society vs. 4 in August 2021 and xx in September 2020.

Captain Lawson shared the recent Drug Take Back Day was successful. There were 7 boxes, approximately 136 pounds, of medication collected. The amount collected was down from previous collections, possibly due to collections occurring more frequently.

• City of Fenton Court Statistics for September 2021.

Alderman Cruts asked if there were any questions or comments on disbursements of

\$1,740.00 for Rejis and \$4,477.50 for Show-Me-Court. There were no comments or questions.

- **Ord. approving a full-service contract with St. Louis County, Missouri, to provide Police Protection Services for the City of Fenton by and through the St. Louis County Police Department for a one-year term beginning January 1, 2022, and nine (9) one-year renewal terms.**

Alderman Cruts announced this will be considered under Bill 21-86.

- **Consideration of a donation agreement with Gary Grewe for Flock Cameras.**

Alderman Cruts announced this matter will be forwarded to the November Board of Aldermen Meeting.

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

- **Monthly Report**

- **The City is currently advertising for the following positions:**

- Parks and Recreation Department

- Recreation Associate I / Concession Stand Worker
- Recreation Associate II / Park Concession Stand Worker
- Recreation Associate I / Front Desk
- Recreation Associate III / Manager on Duty
- Recreation Associate III / Field Manger
- Recreation Associate V / Softball Umpires
- Recreation Associate V / Fitness Instructor
- Recreation Associate V / Personal Trainer

- Public Works Department

- Maintenance Worker I
- Building/Grounds Maintenance Worker
- Lead Building/Grounds Maintenance Worker

- **Approval of the 2021 Employee Appreciation Luncheon, as discussed at the October 7th Committee Meeting.**

Alderman Maurath made a motion to approve the 2021 Employee Appreciation Luncheon, as discussed at the October 7th Committee Meeting. The motion was seconded by Alderman Yarbrough. Upon a vote being taken, it was announced that the motion was passed unanimously by the Board of Aldermen.

- **Ord. amending Section 5.1, Paid Time Off, of the City of Fenton Personnel Manual to reduce the amount of Paid Time Off (“PTO”) for all new Full-Time Employees.**

Alderman Maurath announced this will be considered under Bill 21-87.

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

- **Monthly Report**

- **During the month of September 2021, the following businesses received an Occupancy Permit in the City of Fenton:**

- **Biotek Tattoo & Art Studio**
112 Mound Street
Tattoo Studio & Art Gallery

- **The Brothers That Just Do Gutters**
318 Axminster Drive
Sales/Installation/Repair/Cleaning of Gutters
- **Cloud TEN**
1638 Headland Drive
Medical Marijuana Testing Facility/ Co-Tenant of Ten Healthcare
- **Commercial Drywall Corporation**
1781 Larkin Williams Road
Drywall & Construction Contractor
- **CSC Roofing, LLC**
552 Axminster Drive
Roofing Company
- **Granite Transformations, a dba of Pomegranite, Inc.**
1750 Fenpark Drive
Granite Counter-top Sales & Installation Company
- **J&M Pro Cleaners**
777 Merus Court
Janitorial & Power Washing Services
- **Osage Valley Counseling, LLC**
320 Gravois Road, #230
Counseling Services
- **Rodeway Inn, a dba of Sonsvic, LLC**
1860 Bowles Avenue
Motel (Name Change)
- **Solutions Lab & Healthcare Services, LLC**
1714 Gilsinn Lane
Medical Office

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

- **Monthly Report**
 - The Horan Drive Roadway Reconstruction Project continues to progress. Traffic/lane restrictions will be updated on the message boards along with the City’s website and social media platforms.
 - The City has received authority to advertise for the Allen Road Project. The bid opening will be held November 2, 2021.
 - The following projects are currently in the design phase:
 - Rudder Road Reconstruction
 - Right-of-way/temporary construction easement acquisition to begin soon.
 - Larkin Williams Road project (concrete portion).
 - S. Old Highway 141 Improvement Project.
 - The 2022 Concrete Slab/Sidewalk Replacement Program is currently out for bid. The bid opening is scheduled for November 3, 2021.

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

- **Monthly Update**
 - MSD Project – MSD contractor has moved the operations to the Center Street area.
 - The Fall Leaf Pick-Up Program began on October 18, 2021. This program will run through the week of December 14.

- Right-of-way tree removal is being conducted on an as-needed basis.
- Public Works continues to keep in contact with Missouri American Water regarding the restoration of roadways and yards as a result of past water main breaks. Areas include Larkin Williams Road (River Road) and Peffer Lane.
- Public Works has been sending repair requests to Ameren for streetlights which are not working, stay on during the day, or are flickering. Due to manpower shortage, the repairs are taking longer than expected. Public Works will continue to contact Ameren to have the needed repairs complete.
- **Approval of a request to purchase residential trash carts, as discussed at the October 7th Committee Meeting.**
Alderman Wisbrock made a motion to approve the request to purchase residential trash carts, as discussed at the October 7th Committee Meeting. 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.

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

- **Monthly Update**
 - Per ENT, below are notes on the open service tickets and ongoing projects and sales as of 10/20:
 - **Open Service Tickets**
 - Cameras at Riverchase – The point to point for the LPR was not working. It was determined it was most likely hit by lighting. The needed part has been ordered but is on backorder until late December.
 - **Projects:**
 - Computer Audit Upgrades – Will install the four (4) replacement desktop computers once they are delivered. As the computers have been on backorder for months, ENT has provided alternate replacement options (same manufacture/specs, with an upgraded processor) at \$150 more per computer.
 - Internet for the Concession Stand at Fenton City Park - Spectrum has completed the internet buildout. ENT is still waiting on backordered equipment to finish the wi-fi install. Backordered equipment is estimated to be delivered late November.
 - Security Cameras at 900 Gregory Lane – The order has been received and ENT is waiting on equipment to be delivered to start install. Backordered equipment is estimated to be delivered mid-November.
 - **Sales:**
 - Exploring pricing for Internal and External vulnerability scans as well as dark web scans to determine if any passwords/login credentials have been compromised. This information will be presented to the Board in November.
 - Service Ticket List for September 2021.
- **Approval of a request for the installation of the timeclock system at RiverChase and Fenton City Park Concession Stand, as discussed at the October 7th Committee Meeting.**

Alderman Yarbrough made a motion to approve the request for the installation of the timeclock system at RiverChase and Fenton City Park Concession Stand, as discussed at the October 7th Committee Meeting. The motion was seconded by Alderman Maurath. Upon a vote being taken, it was announced that the motion was passed unanimously by the Board of Aldermen.

❖ **FINANCE** – *Ald. Heard, Chairman (Cruts, Maurath, Huels)*

• **Monthly Financial Update for August 2021**

INVESTMENTS

The total value of City’s cash and investments (General Fund, Storm Water/Parks Fund, and Capital Projects Fund) was \$16,788,171 at 8/31/21.

The Storm Water/Parks Fund cash and investments was \$6,653,468 at 8/31/21. Of this amount \$2,571,871 is restricted for Storm Water/Parks and the remaining \$4,081,597 is committed for emergencies or assigned for Storm Water/Parks.

OPERATIONS

The August financial report, which was presented in full at the previous Finance Committee meeting, reported the results of operations through August 31, 2021.

- General Fund operating revenues as of 8/31/21 were approximately \$3,108,407 while operating expenditures were approximately \$3,265,422. Revenues are at approximately 49.19% of the annual budget of \$6,319,650, and expenditures are at approximately 55.68% of the annual budget of \$5,864,452.
- Storm Water/Parks Fund revenues as of 8/31/21 were approximately \$2,728,331 while expenditures were approximately \$3,241,286. Revenues are at approximately 51.98% of the annual budget of \$5,249,000, and expenditures are at approximately 63.87% of the annual budget of \$5,074,540.

SALES TAX REDISTRIBUTIONS

The amount of sales tax redistributed back to St. Louis County for August 2021:

"A" SALES TAX SUMMARY		"B" (POOL) SALES TAX SUMMARY		COMBINED SALES TAX SUMMARY	
Generated	Redistributed	Generated	Redistributed	Generated	Redistributed
\$409,275	\$212,882(52.0%)	\$251,312	\$246,375(98.0%)	\$660,587	\$459,257(69.5%)

- **The Public Hearing for the 2022 Budget will be held on November 22, 2021, at 6:00 p.m.**
- **Ord. amending the agreement with Hochschild, Bloom & Company LLP to reflect the company’s new name, authorizing a price increase, and to extend the agreement for a one-year term.**
Alderman Huels announced this will be considered under Bill 21-88.
- **Ord. of the City of Fenton, Missouri, approving an agreement with Botz, Deal & Company, P.C. for Professional Auditing Services for fiscal years 2021, 2022, and 2023.**
Alderman Huels announced this will be considered under Bill 21-89.

❖ **HEALTH/SAFETY** – *Ald. Jokerst, Chairman (Yarbrough, Wisbrock, Clauss)*

• **Monthly Update**

- The City continues with Covid-19 protocols for cleaning buildings and equipment.
- Crews are continuing to practice proper protocol as to the Covid-19 requirements.
- Mosquito fogging operations have been completed for the year.
- The next Managed Hunt in the Fabick Nature Preserve is scheduled for November 5th – 9th.

X. CONSIDERATION OF PENDING BILLS

There were no pending bills.

XI. CONSIDERATION OF NEW BILLS:

Bill 21-83 Ord. amending Section 400.030 of the Zoning code to include the term Temporary Recreational Vehicle Use and amend Section 476.010 of the Zoning Code to allow Temporary Vehicle Use as a use allowed by Special Use Permit in the “OT-5” Olde Towne District.

Sponsor: Maurath

Alderman Maurath desired first reading of Bill No. 21-83. City Attorney Erin Seele read the Bill one time by title only.

Alderman Maurath made a motion to seek a waiver of the rules for a second reading. The motion was seconded by Alderman Yarbrough. Upon a vote being taken, it was announced that the motion was passed unanimously by the Board of Aldermen. City Attorney Erin Seele read Bill No. 21-83 for a second time by title only.

Alderman Clauss stated for the record she was not in favor of going against Counsel’s advice not to make rules that cannot be enforced.

Alderman Maurath made a motion that Bill No. 21-83 be enacted as Ordinance No. 4168. The motion was seconded by Alderman Yarbrough. Upon the roll being called, the Board of Aldermen voted as follows:

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

It was announced that Bill No. 21-83 was passed by the Board of Aldermen and would become Ordinance No. 4168 when and if signed by the Mayor.

Bill 21-84 Ord. approving a Special Use Permit for Jake Tierney for Temporary Recreational Vehicle Use at 86-88 Opps Lane.

Sponsor: Maurath

Alderman Maurath desired first reading of Bill No. 21-84. City Attorney Erin Seele read the Bill one time by title only.

Alderman Maurath made a motion to seek a waiver of the rules for a second reading. The motion was seconded by Alderman Yarbrough. Upon a vote being taken, it was announced that the motion was passed unanimously by the Board of Aldermen. City Attorney Erin Seele read Bill No. 21-84

for a second time by title only.

Alderman Clauss stated for the record again that she was not in favor of going against Counsel's advice not to make rules that cannot be enforced. Alderman Maurath noted for the record the City has lot of rules that it cannot enforce and do not enforce. Alderman Jokerst inquired if this would be permanent with the property or for the current property owner only. City Attorney Erin Seele explained current property owner only as this is a SUP that does not transfer, not a text amendment.

Alderman Maurath made a motion that Bill No. 21-84 be enacted as Ordinance No. 4169. The motion was seconded by Alderman Yarbrough. Upon the roll being called, the Board of Aldermen voted as follows:

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

It was announced that Bill No. 21-84 was passed by the Board of Aldermen and would become Ordinance No. 4169 when and if signed by the Mayor.

Bill 21-85 Ord. amending Ordinance 4002, as amended by Ordinance 4017, for changes related to bulk requirements, uses, and approved concept plan for Area A and Area B of Fenton Logistics Park.

Sponsor: Maurath

Alderman Maurath desired first reading of Bill No. 21-85. City Attorney Erin Seele read the Bill one time by title only.

Alderman Maurath made a motion to seek a waiver of the rules for a second reading. The motion was seconded by Alderman Yarbrough. Upon a vote being taken, it was announced that the motion was passed unanimously by the Board of Aldermen. City Attorney Erin Seele read Bill No. 21-85 for a second time by title only.

Alderman Maurath made a motion that Bill No. 21-85 be enacted as Ordinance No. 4170. 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>Absent</i>
Alderman Maurath	<i>Aye</i>	Alderman Jokerst	<i>Aye</i>

It was announced that Bill No. 21-85 was passed by the Board of Aldermen and would become Ordinance No. 4170 when and if signed by the Mayor.

Bill 21-86 Ord. approving a full-service contract with St. Louis County, Missouri to provide Police Protection Services for the City of Fenton by and through the St. Louis County Police Department for a one-year term beginning January 1, 2022, and nine (9) one-year renewal terms.

Sponsor: Cruts

Alderman Cruts desired first reading of Bill No. 21-86. City Attorney Erin Seele read the Bill one time by title only.

Alderman Cruts made a motion to seek a waiver of the rules for a second reading. The motion was seconded by Alderman Yarbrough. Upon a vote being taken, it was announced that the motion was passed unanimously by the Board of Aldermen. City Attorney Erin Seele read Bill No. 21-86 for a second time by title only.

Alderman Cruts made a motion that Bill No. 21-86 be enacted as Ordinance No. 4171. The motion was seconded by Alderman Clauss. 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>Absent</i>
Alderman Maurath	<i>Aye</i>	Alderman Jokerst	<i>Aye</i>

It was announced that Bill No. 21-86 was passed by the Board of Aldermen and would become Ordinance No. 4171 when and if signed by the Mayor.

Bill 21-87 Ord. amending Section 5.1, Paid Time Off, of the City of Fenton Personnel Manual to reduce the amount of Paid Time Off (“PTO”) for all new Full-Time Employees.

Sponsor: Maurath

Alderman Maurath stated he is proposing amended bill 21-87-A be considered. The amendment reflects “During the Employee’s Probationary Period, on first day of employment, Employee receives eight (8) hours to use only in the event of illness and will require documented reason to know it is a protected leave or for other good cause during probation period. Then, after the completion of the Employee’s Probationary Period, he/she will accrue six and two thirds (6 2/3) hours each month of PTO through December of that year.” He feels it was not fair to place approval responsibility to determine on the Department Head.

City Attorney Erin Seele noted for the record that the amended bill was made available to the public prior to consideration and that Alderman Maurath can request first reading of the amended bill if that was the bill, as sponsor, he was proposing.

Bill 21-87-A Ord. amending Section 5.1, Paid Time Off, of the City of Fenton Personnel Manual to reduce the amount of Paid Time Off (“PTO”) for all new Full-Time Employees.

Sponsor: Maurath

Alderman Maurath desired first reading of Bill No. 21-87-A. City Attorney Erin Seele read the Bill one time by title only.

Alderman Maurath made a motion to seek a waiver of the rules for a second reading. The motion was seconded by Alderman Yarbrough. Upon a vote being taken, it was announced that the motion was passed unanimously by the Board of Aldermen. City Attorney Erin Seele read Bill No. 21-87-A for a second time by title only.

Alderman Maurath made a motion that Bill No. 21-87-A be enacted as Ordinance No. 4172. The motion was seconded by Alderman Jokerst.

Mayor Brasses inquired on effect of part-time PTO and how it affects PTO in respect to full-time employees. Alderman Maurath replied consideration of change to part-time employee PTO can be

reviewed in future. Mayor Brasses clarified if this bill passes a part-time person may have more PTO benefits than a new full-time employee. Alderman Maurath replied yes, that is the way it is.

Alderman Clauss expressed need to slow down, gather more information, until information is available of all the benefits and affects; more discussion is needed. Alderman Jokerst shared discussions have taken place over the last couple of years, a study comparison was provided for review and upon review study reflected Fenton benefits are above other municipalities. Alderman Clauss shared PTO benefits go with salary increases and evaluations, troubling not to include part-time PTO and cannot make sound decision without all the pieces. Alderman Clauss inquired on affect to morale. Alderman Jokerst stated change only effects new employees so morale will not be affected. Alderman Clauss asked if she believes current employees will not be questioning what's next to be taken away. Alderman Jokerst replied no.

Alderman Cruts asked City Attorney Erin Seele once a conditional offer made to a candidate is that not considered a contract that would grandfather current employees as outlined in offer. City Attorney Erin Seele replied no contract; employees are not hired by contract they are an at will employee as stated in personnel manual and noted that you cannot take away what they have earned but can be changed going forward.

Alderman Yarbrough inquired if employee could negotiate PTO benefits during hiring process. Mayor Brasses replied no, PTO benefit is defined in personnel manual. City Attorney Erin Seele replied no they cannot.

Alderman Maurath interjected the fact that when this PTO was initiated it was irresponsible to the taxpayers and it has not attracted new employees. Mayor Brasses expressed concern with conclusion that it has not helped. Alderman Clauss shared there is evidence to support new hires due to benefits received and not salary.

Alderman Wisbrock shared he understands financial responsibility to residents but need to hire employees to fill positions to service the residents. PTO needs to be discussed in conjunction with pay and not piecemealed together.

Alderman Huels suggested progressive amount, offering PTO in different incremental years instead of 1-5 years, to 1-2 years – 2 weeks, 2+-5 years – 3 weeks, etc. Alderman Maurath stated he is comfortable with what is being presented.

Alderman Yarbrough shared he believes it may hurt trying to hire new employees, given the situation of nationwide workforce shortage. City should be financially responsible but reducing benefits may further cause continued vacancies in staff. Alderman Maurath stated there is a nationwide shortage of workforce, however, that it is not going to change, so the City has to review what services can continue to be offered to residents. There is no conclusion that supports giving away all these benefits will help the City down the road. Alderman Maurath stated he does not want to see what happened in past – happen again. Alderman Clauss asked what happened in past. Alderman Maurath inquired if she remembered 2008, reducing employee pay, eliminating services to the residents, and eliminating programs to get the City out of debt. Alderman Clauss replied yes, and the City came out of it nicely. Alderman Maurath shared he feels the City is heading in the direction similar to 2008. Alderman Clauss shared she believes this is a bad move.

Alderman Jokerst expressed Public Works has remained half staffed no matter what pay or benefits are.

Alderman Jokerst expressed the current PTO is extremely generous and in favor of proposed amendment. Per PTO study she reviewed, the City of Fenton is high in PTO benefits compared to surrounding municipalities. City Clerk Jane Hungler explained PTO study comparison, Fenton and Sunset Hills are the only municipalities on study that use PTO, the other nine (9) municipalities use vacation, sick, extended sick, personal, and safety incentive pay. If compared in overall paid-time-off available to employees their first year, Fenton offers 160 hours, Ballwin offers 191 hours, Crestwood offers 176 hours, Des Peres offers 176 hours, Ellisville offers 200 hours, Kirkwood offers 176 hours, Ladue offers 176 hours, Maryland Heights offers 184 hours, Sunset Hills offers 168 hours, Town N Country offers 176 hours, and Valley Park offers 112 hours. The study reflects that the City of Fenton is lower currently than other municipalities. Alderman Maurath shared their budgets are different than Fenton.

After discussion and upon the roll being called, the Board of Aldermen voted as follows:

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

It was announced that Bill No. 21-87-A did not pass.

Bill 21-88 Ord. amending the agreement with Hochschild, Bloom & Company LLP to reflect the company's new name, authorizing a price increase, and to extend the agreement for a one-year term.

Sponsor: Heard

Alderman Huels desired first reading of Bill No. 21-88. City Attorney Erin Seele read the Bill one time by title only.

Alderman Huels made a motion to seek a waiver of the rules for a second reading. The motion was seconded by Alderman Yarbrough. Upon a vote being taken, it was announced that the motion was passed unanimously by the Board of Aldermen. City Attorney Erin Seele read Bill No. 21-88 for a second time by title only.

Alderman Huels made a motion that Bill No. 21-88 be enacted as Ordinance No. 4172. The motion was seconded by Alderman Jokerst. 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>Absent</i>
Alderman Maurath	<i>Aye</i>	Alderman Jokerst	<i>Aye</i>

It was announced that Bill No. 21-88 was passed by the Board of Aldermen and would become Ordinance No. 4172 when and if signed by the Mayor.

Bill 21-89 Ord. of the City of Fenton, Missouri, approving an agreement with Botz, Deal & Company, P.C. for Professional Auditing Services for fiscal years 2021, 2022, and 2023.

Sponsor: Heard

Alderman Huels desired first reading of Bill No. 21-89. City Attorney Erin Seele read the Bill one time by title only.

Alderman Huels made a motion to seek a waiver of the rules for a second reading. The motion was seconded by Alderman Yarbrough. Upon a vote being taken, it was announced that the motion was passed unanimously by the Board of Aldermen. City Attorney Erin Seele read Bill No. 21-89 for a second time by title only.

Alderman Huels made a motion that Bill No. 21-89 be enacted as Ordinance No. 4173. The motion was seconded by Alderman Clauss. 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>Absent</i>
Alderman Maurath	<i>Aye</i>	Alderman Jokerst	<i>Aye</i>

It was announced that Bill No. 21-89 was passed by the Board of Aldermen and would become Ordinance No. 4173 when and if signed by the Mayor.

XII. EXECUTIVE SESSION

No executive session held.

XIII. ADJOURNMENT

At 8:30 p.m. with no other business before the Board, Alderman Yarbrough made a motion to adjourn. The motion was seconded by Alderman Cruts. 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