

CITY OF FENTON
625 NEW SMIZER MILL ROAD, FENTON, MO 63026
MINUTES OF THE SPECIAL BOARD OF ALDERMEN COMMITTEE MEETING
MONDAY, MAY 16, 2022
7:00 P.M.

CALL TO ORDER

Mayor Maurath called the Board of Aldermen Meeting of the City of Fenton, St. Louis County, Missouri to order at 7:00 p.m. on Monday, May 16, 2022. The meeting was held at Fenton City Hall and via Zoom Videoconference (RSMo 610.015).

PLEDGE OF ALLEGIANCE

Mayor Maurath led the Pledge of Allegiance.

ROLL CALL

City Clerk Jane Hungler called the roll:

Alderman Ralph Cruets - *Present*
Alderman Robin Huels - *Present*
Alderman Tom Maserang - *Present*
Alderman Ron Harrell - *Present*

Alderman Chris Clauss - *Present - via video conference*
Alderman Brian Wisbrock - *Present*
Alderman Susan Jokerst - *Present*

Seven Aldermen were present at the opening of the meeting.

CITY OFFICIALS PRESENT:

Attorney Joseph Bond - *via video conference*
City Attorney Erin Seele, Esq. - *via video conference (7:50)*
City Administrator Andrea N. Finkbiner
City Clerk Jane Hungler
Public Works Director Dan Howard - *via video conference*
St. Louis County Police Precinct Captain Kevin Lawson

MAYOR'S COMMENTS

Mayor Maurath shared he has been talking with potential candidates for Alderman Ward 1 and at this time he does not have a recommendation to present. Also, there are vacancy seats on the Board of Adjustment and Planning and Zoning Commission to be filled.

Mayor Maurath shared employees are needed for vacancies in the concessions, other City staff and volunteer members having been working to help cover those vacancies to keep the concessions functioning.

PUBLIC COMMENTS

There were no public comments.

Mayor Maurath suggested moving Planning and Zoning topics next on the agenda. Alderman Jokerst made a motion to move Planning and Zoning topics next on the agenda. The motion was seconded by Alderman Harrell. Upon a vote being taken, the motion passed unanimously by the Board of Aldermen.

PLANNING & ZONING COMMISSION MEETING MAY 3, 2022 – UPDATE/DISCUSSION

Ald. Harrell, Liaison

All recommendations from the Planning and Zoning Commission will be forwarded to the next Board Meeting for approval unless otherwise noted.

- **Announcements from the Planning and Zoning Commission Meeting:**
 - **Mayor Maurath elected to sit on the Planning and Zoning Commission, as provided in Section 405.010.A.1 of the Zoning Code.**

- **The Planning and Zoning Commission recommended the following:**
 - **Approval with conditions, of CASE 2022-SUP-04:** A Petition by Scott Hardeman, Managing Member of GMH Intertech, LLC for a Special Use Permit for a Medical Office (OBGYN) at 1859 Bowles Avenue, Suite 103. The parcel is addressed as 1855 Bowles Avenue and is zoned “BP-1” Business Park.
Conditions of Approval:
 1. This Special Use Permit (SUP) is solely for County OBGYN, Inc. to operate an approximate 2,751 square-foot Medical Facility at 1859 Bowles Avenue, as indicated on the plans submitted with the Special Use Permit application, dated March 22, 2022.
 2. The proposed interior remodel will require a separate Municipal Zoning Approval (MZA) by the City of Fenton and Building Permit by St. Louis County, at which time a suite number will be assigned.
 3. A separate Occupancy Permit will be required before the subject suite can be occupied.
 4. Compliance with all other applicable City of Fenton Codes and Ordinances.

Scott Hardeman was present to answer any questions. There no questions.

- **Approval of CASE 2022-REZ-03:** A Petition by Fenton Land Investors, LLC to amend Ordinance 4002, as amended by Ordinances 4017 and 4170, for changes to the approved Concept Plan for “Area A” and “Area B” of the Fenton Logistics Park Development. Parcels within the development are addressed as 650-1001 Assembly Parkway and 2045-2110 Fenton Logistics Park Boulevard and are zoned “PID” Planned Industrial Park.

Amend Section IV, Development Uses, Section 2(A) of Ordinance 4002, as amended by Ordinances 4107 and 4170, to include the underlined words and delete the struck-through words to read as follows:

2. Permitted Land Uses Within the Development.

- A. Within “Area A”, as identified on the Concept Plan, the following Permitted Uses are approved for the Development, subject to the limitations of this Ordinance:
1. Automotive Convenience Store.
 2. Retail (Small, Medium, or Large).
 3. Wholesale Establishment.
 4. Restaurant, which may include Drive-Through Services.
 5. Grocery Store (General and Convenience).
 6. Hotel or Extended Stay Hotel, not including hotels providing access to each guestroom directly through an exterior door or by an entrance connected to a covered hallway or walkway on the exterior of the building.
 7. Office, General.
 8. Day Care Facility.
 9. Health Club.
 10. Warehouse Showroom Sales.
 11. Accessory Uses, as defined in Section 400.030 of the Zoning Code and related to the above uses.

Notwithstanding the foregoing, the property within “Area A” of the Development used for General Office and or/Hotel uses shall not exceed, six (6) acres of the total land area of “Area A”. For purposes of this limitation, the “property” shall be defined to include the entire parcel of land used for such use.

Furthermore, Lot E-3 of Plat 7 located in “Area A” of the Concept Plan may be developed with a flex use building, with “Area B” uses of Warehouse and Distribution only permitted but such uses not to exceed seventy percent (70%) of the gross floor area and the flex use building must contain at least thirty percent (30%) of the gross floor area of “Area A” permitted uses was available for review.

City Administrator Nikki Finkbinder shared the PID for Fenton Logistics Park was approved by Ordinance and is the authorizing Ordinance for the zoned area. The PID Ordinance provides the procedural steps for approving amendments to the Site-Specific Ordinance. It provides approved uses or uses allowed by special use permits in “Area A” and “Area B” in the current approved Concept Plan. The petitioner is requesting to reclassify 8.7 acres from “Area A” to “Area B”, on the Planned Industrial District (PID) Conceptual Plan. When originally approved that area was classified “Area A” due to its frontage to the interstate and desire to retain similar uses in those areas that are more retail based.

Alderman Jokerst expressed concerns of warehouse on frontage view and further suggested building to have retail on frontage view and keeping the warehouse portion to the rear.

Scott Halley, US Capital Development, 7911 Forsyth Boulevard, St Louis MO 63105, shared as the original “Area A” and “Area B” conception plan was approved in 2014, and as the area has evolved, they have a prospective user that is desiring retail, office headquarters and need for distribution of their product. Reclassifying the 8.7 acre to “Area B” would allow the intended Permitted Uses in “Area A”, as well as allow some distribution and warehouse functions to occur in the building. Due to its location, 6A does not allow that visibility however 6C does, and the goal is to develop a true flexible, mixed-use opportunity. The Permitted Uses intended for the building are retail opportunities, food options, a health club, and a corporate office environment.

Scott Halley shared 1st Phorm also occupies building 5 and is currently having a building built on connecting parcel 6B. Their company has grown beyond their original concept; they began with 175 employees, currently employ 500 employees and are continuing to grow. They are desiring to create a 1st Phorm experience concept. Without allowing this parcel to be reclassified as “Area B”, this facility and its variety of uses will not be possible.

Scott Halley stated they agree with the provisions the Planning and Zoning Commission recommended.

Alderman Clauss and Alderman Jokerst expressed they would prefer to see retail on all highway frontage view and more retail on western side. Alderman Maserang inquired on access to east side of the building if tenant change in building for future retail access. Scott Halley explained there is connection and parking access on site 6B. Alderman Wisbrock inquired if the warehouse would be for support of the retail in the current proposed building. Scott Halley replied some but not all of it.

Sal Frisella, 1st Phorm, 2091 Fenton Logistics Parkway, Fenton MO 63026, expressed the conceptual building/site is programmed and designed for the future in mind, allowing for larger or smaller retailers, warehouse showroom sale users, or other similar users. This is not an industrial building. It is not designed or set up for dominant warehouse/distribution, but some is required. There is no traditional rear-load truck court, like all the other buildings further in Fenton Logistics Park. Sal Frisella further stated they are creating a destination experience. He wants a great aesthetic appeal and add value to the City.

Alderman Harrell suggested amendment not to exceed sixty-five percent (65%) of the gross floor area and the flex use building must contain at least thirty-five percent (35%) of the gross floor area of "Area A". Alderman Wisbrock expressed he supported reduction based on wanting retail in the front facing highway, based on what Sal represented to the City, and as retail generates sales tax which is a revenue for the City.

After discussion, Alderman Maserang made a motion to forward to the May Board of Aldermen meeting the request to amend Ordinance 4002, as recommended by Planning and Zoning Commission to amend the approved Concept Plan for "Area A" and "Area B" in the subject "PID" District with the amendment not to exceed sixty-five percent (65%) of the gross floor area and the flex use building must contain at least thirty-five percent (35%) of the gross floor area of "Area A". 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.

City Administrator Nikki Finkbinder shared the building design can be reviewed during Site Plan review. Scott Halley shared they are open to suggestions however some location/designs may not be effective or beneficial for additional retail.

- **Approval, with conditions, of CASE 2022-SUP-05:** A Petition by Fenton Land Investors, LLC for a Special Use Permit for an Outdoor Storage at 2045 Fenton Logistics Park Boulevard. The parcel is zoned "PID" Planned Industrial Park.

Conditions of Approval:

1. This Special Use Permit is solely for an Outdoor Storage Area for materials related to a tenant within Building 6A, addressed as 2045 Fenton Logistics Park, as indicated on plans submitted with the application and dated March 31, 2022.
2. Concrete tilt-up "wing walls" and other Blind Fencing shall be provided to shield the visibility of the Outdoor Storage Area. The color of the Blind Fencing shall be of neutral color and verified for compliance by the Community Development Department.
3. Any minor changes to the site plan required by Fenton Fire Protection Districts may be administratively approved by the City Planner.
4. Compliance with all other applicable City of Fenton Codes and Ordinances.

Scott Halley, US Capital Development, 7911 Forsyth Boulevard, St Louis MO 63105, shared the outdoor storage in the truck court area would be concealed on site 6A due to low highway visibility, wing walls, and blind fencing.

- **Approval, with conditions, of CASE 2022-SPR-02:** A Petition by Genevevo Ruiz of Conway Contracting, Inc. for a Site Plan Review of a new 30,000 square-foot Commercial Building at 2295 Hitzert Court. The parcel is zoned “IP-1” Industrial Park.

Conditions of Approval:

1. This approval is strictly for a proposed new 30,000 square-foot spec commercial (office/warehouse) building at 2295 Hitzert Court, as indicated on plans submitted and dated April 1, 2022.
2. Amend the submitted plans to include the following in compliance with the Zoning Code:
 - a. Required Front, Side and Rear (Building) Setbacks;
 - b. Required Front, Side and Rear Buffer Areas;
 - c. Required Accessible Parking Spaces, including type (van), color and dimensions;
 - d. Relocate Parking Spaces away from the Loading Areas and provide drive aisle dimensions;
 - e. Required Loading Space dimensions for loading areas and required concrete pavement depth; f. Details regarding dumpster location, required concrete pavement depth and, if applicable, screening (Blind Fencing).
3. The Community Development Department may administratively approve any minor changes to the site plan, including the above changes under No. 2, or as required by another reviewing entity, such as the Fenton Fire Protection District and MSD.
4. Separate building, land disturbance, and sign, and occupancy permits will be required.
5. Compliance with all other applicable City of Fenton Codes and Ordinances.

Genevevo Ruiz of Conway Contracting, Inc., 3001 Spruce Street, St. Louis MO, shared the site plan is two (2) feet above flood plain level. This is a spec building that could house one (1) or two (2) tenants, currently he does not have perspective tenant(s).

- **Approval, with conditions, of CASE 2022-SUP-06:** A Petition by UniGroup for a Special Use Permit for a Medical Office (counseling) at 5 Premier Drive. The parcel is addressed as 1 Premier Drive and is zoned “BP-2” Business Park.

Conditions of Approval:

1. This Special Use Permit (SUP) is solely for Saint Louis Counseling to operate a Medical Facility in an office area not to exceed 10,000 square-feet at 5 Premier Drive, as indicated in the plans submitted with the Special Use Permit application, dated April 3, 2022.
2. The proposed interior remodel will require a separate Municipal Zoning Approval (MZA) by the City of Fenton and Building Permit by St. Louis County, at which time a suite number will be assigned.
3. A separate Occupancy Permit will be required before the subject suite can be occupied.
4. Compliance with all other applicable City of Fenton Codes and Ordinances.

- **Other items from the Planning and Zoning Commission Meeting:**

There were no other items.

FINANCE – *(Cruts, Wisbrock, Huels, Jokerst)*

- **Election of the Committee Chairperson.**

Alderman Jokerst made a motion to elect Alderman Cruts as Chairman of the Finance Committee. The motion was seconded by Alderman Wisbrock. Upon a vote being taken, it was announced that the motion was passed unanimously by the Committee.

- **December 31, 2021-Monthly Financial Report.**

Alderman Cruts summarized the monthly financial report.

- **January 31, 2022-Monthly Financial Report.**

Alderman Cruts summarized the monthly financial report.

- **Request for the Mayor to execute and understanding of services letter in conjunction with the City's Auditing Services.**

On October 28, 2021, via Ordinance 4173, the City of Fenton approved an agreement with Botz, Deal & Company P.C. for auditing services for the fiscal years 2021, 2022, and 2023.

A letter regarding the understanding of services for the fiscal year 2021 from Botz, Deal & Company, P.C. that needs to be executed by the City in conjunction with the City's Auditing Service Agreement was available for review. It was requested that the Board approve the Mayor executing the understanding of services letter.

Alderman Cruts made a motion to forward to the May Board of Aldermen meeting the request for the Mayor to execute and understanding of services letter in conjunction with the City's Auditing Services. The motion was seconded by Alderman Wisbrock. Upon a vote being taken, it was announced that the motion was passed unanimously by the Committee.

PARKS & RECREATION COMMITTEE MEETING MAY 2, 2022 – UPDATE/ DISCUSSION

Ald. Huels, Liaison

All recommendations from the Parks and Recreation Committee will be forwarded to the next Board Meeting for approval unless otherwise noted.

- **Announcements from the Parks and Recreation Committee meeting:**
 - **Christine Simino, Ward 1, was administered the oath of office to serve on the Parks and Recreation Committee, term ending January 2023.**
- **The Parks and Recreation Committee recommended the following:**
 - **Approval of the acceptance of a donation of three benches from the Winter Brothers Charitable Foundation, locations to be determined at a later date.**
 - **Approval of a request by Deb Rogers for native plantings near the pavilion and landscaping around the entrance sign in Bud Weil Park, at a cost not to exceed \$150.**
After discussion, Alderman Huels made a final motion to approve request by Deb Rogers for native plantings near the pavilion and landscaping around the entrance sign in Bud Weil Park, at a cost not to exceed \$150 and provide list of requested plants and materials. 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.
 - **Approval of a request by Deb Rogers for improvements to the Bud Weil Building/Pavilion to be performed by the Public Works Department.**
Alderman Huels noted the improvements will be performed when time is available.
- **Other items from the Parks and Recreation Department:**
 - **Consideration of a request by the St. Louis County Police, Fenton Precinct to hold National Night Out in Shelter #1 in Fenton City Park on October 4th.**
After discussion, Alderman Huels made a final motion to approve consideration of a request by the St. Louis County Police, Fenton Precinct to hold National Night Out in Shelter #1 in Fenton City Park on October 4th. 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.
 - **Consideration of a request by Scott George for additional native areas in Bud Weil and Westside Parks.**
After discussion, Alderman Huels made a final motion to approve consideration of a request by Scott George for additional native areas in Bud Weil and Westside Parks. 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.

- **Request to apply for the Hydration Station Grant through Missouri American Water.**

Staff is seeking permission to apply for a grant, offered by Missouri American Water, for a hydration station. Said station would replace a broken water fountain at the main pavilion in Fenton City Park. Although little information is given regarding the percentage of reimbursement, it is noted that the City will need to purchase a replacement water fountain for the pavilion, nonetheless. Hydration stations appear to cost around \$1,000 - \$1,500 depending on the selected options. Unfortunately, the deadline for this year was missed due to the rescheduling of the meeting and Staff did not have authorization to apply for the grant.

After discussion, Alderman Huels made a motion to approve the request to apply for the Hydration Station Grant through Missouri American Water when available and purchase a replacement water fountain for the pool area and utilize the one currently in the pool area at another area. The motion was seconded by Alderman Maserang. Upon a vote being taken, it was announced that the motion was passed unanimously by the Board of Aldermen.

- **Request to temporarily close RiverChase for two days for management transition.**

As on July 1, 2022, the YMCA will be assuming the management of the RiverChase facility.

In order to prepare for the management transition, Staff is requesting to temporarily close RiverChase for two (2) days on Wednesday, June 22nd and Thursday, June 23rd. Said closure will allow the following to occur:

City staff will work with the City's IT provider (ENT) to identify all computer hardware that will need to be removed from the location (computers, phones, printers, etc.). ENT will assist in backing up all data on the server and assessing the need to keep the hardware or surplus. Furthermore, ENT will work with the YMCA's IT Department to ensure a seamless transition when the cutover occurs on July 1st.

City staff will be removing all City files from the location to another City location. Said files will be reviewed and cataloged by the City Clerk to ensure required record retention.

The YMCA will be using the meeting rooms to train in-coming staff and, if need be, may use the indoor pool for lifeguard certification training.

Staff will be removing all City property that has been identified by both entities to remain with the City (PW tools, handsets, equipment for outdoor sports) or has been deemed non-usable by both parties.

If approved, said temporary closure will be advertised well in advance to members of the facility to limit the inconvenience.

After discussion, Alderman Huels made a final motion to approve request to temporarily close RiverChase for two days for management transition. The motion was seconded by Alderman Wisbrock. Upon a vote being taken, it was announced that the motion was passed unanimously by the Committee.

HEALTH AND SAFETY – *(Cruts, Wisbrock, Clauss, Jokerst)*

- **Election of the Committee Chairperson.**

Alderman Cruts made a motion to elect Alderman Jokerst as Chairman of the Health and Safety Committee. The motion was seconded by Alderman Wisbrock. Upon a vote being taken, it was announced that the motion was passed unanimously by the Committee.

MISCELLANEOUS

- **Consideration of an agreement with the Missouri State Highway Patrol to utilize a City building for training and satellite office space.**

City Attorney Erin Seele stated per prior discussions, the Missouri State Highway Patrol (MSHP) requested to utilize a City building for training and satellite office space for water rescue. The Board authorized her to work with their attorney to draft a lease agreement. A draft lease was available for review that included the typical City form lease with the indemnification and hold harmless and insurance provisions removed. Revisions included: #9. The MSHP is self-insured, #10. "Each party to this Agreement agrees to be responsible for the liabilities arising out of their own conduct. Accordingly, neither party shall be responsible for the acts or the failures to act of the other party in connection with the performance of the covered services under this Agreement. Nothing in this Agreement should be deemed to be a waiver of any immunities held by either party", and deletion of #12. all personal property of any kind that may be on the Premises remains there at the sole risk of Tenant, irrespective of its ownership, and enforcement rights.

Alderman Jokerst inquired if damages to the property occurred, who was responsible for repair. City Attorney Erin Seele replied they agree to be responsible for damage arising from their own conduct. Alderman Jokerst inquired if City could still utilize building and remove and place items in the building. City Attorney Erin Seele stated yes and that the City has the right to terminate agreement at any time with 30 days' notice.

City Administrator Nikki Finkbinder suggested amending to require that MSHP be responsible for their personal property and hold them responsible to lock and secure their room and property and define if any damage resulting from trainings be their responsibility.

After discussion, Alderman Huels suggested making changes to agreement as discussed and bring back to the Board in June for consideration of an agreement with the Missouri State Highway Patrol to utilize a City building for training and satellite office space. There were no objections.

- **Consideration of a recommendation regarding the LPR cameras at RiverChase.**

On February 24, 2022, the Board of Aldermen approved a quote by the City's IT provider, Essential Network Technology (ENT) for the purchase and installation of outdoor security cameras at RiverChase. All of the exterior cameras have been installed with the exception of the License Plate Reader (LPR) cameras at the entrance of the facility.

With concerns of future lighting strikes on this camera, which has occurred in the past, during the February 24, 2022 Board Meeting, Staff was also authorized to have an electrical engineer look into the placement of the cameras. As requested, Staff contacted Cochran (the City's on-call, as-needed engineering firm) for review of the camera location.

Per Cochran, and as suggested by ENT, another type of pole is not necessarily needed; however, the cameras need to be grounded, with surge protection. ENT's original quote, approved on February 24th included three (3) surge protection units for the LPRs and Public Works in able to install the needed ground rod with little cost to the City. Based on the above, Staff is requesting to install the LPRs (grounded with surge protection) as suggested by Cochran Engineering and ENT.

After discussion, Alderman Jokerst made a final motion to approve the consideration of a recommendation regarding the LPR cameras at RiverChase. 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.

- **Consideration of a revised job description for a Bookkeeper/Administrative Support position.**
Upon review of job description, a draft of the proposed Job Descriptions for the Bookkeeper/Administrative Support amending the position from part-time to full-time was available for review. Adding duties to provide needed support to assist in daily office needs so the staff can work efficiently and backlogged tasks can be completed. Staff is requesting the Board to adopt the proposed job description.

After discussion, Alderman Clauss made a final motion to approve the consideration of a revised job description for a Bookkeeper/Administrative Support position. 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.

- **Request for the 2022-2023 Liquor License Renewals.**
After discussion, Alderman Huels made a final motion to approve the 2022-2023 Liquor License Renewals. 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.
- **Request regarding the transfer of Spectrum Internet services at RiverChase to the YMCA.**
On November 7, 2019, via Ordinance 3986, the Board of Aldermen approved a contract with Spectrum Enterprises, LLC for the City's Internet Services (which was subsequently amended by Ordinances 4116 and 4157 for phone services). Said contract is a 5-year contract that will not expire until November of 2024.

With the pending partnership with the YMCA for the management of RiverChase, Staff is reviewing all contracts related to the facility to determine if the same can be transferred to the YMCA. In discussion with Spectrum, the City can transfer the remaining portion of the subject contract (related to RiverChase only) to the YMCA by completing and submitting a Consent to Assignment Form, which was part of the Board packet and available for review.

After discussion, Alderman Harrell made a final motion to approve the request regarding the transfer of Spectrum Internet services at RiverChase to the YMCA and authorize the Mayor to sign the Consent to Assignment Form. 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.

- **Request for a professional employment recruiter to assist in filling open positions.**
Due to the lack of candidate applications, there has been consideration to utilize a professional employment recruiter to assist in filling staffing vacancies to find qualified candidates for positions.

In discussion with a professional employment recruiter, Lynn Becker, she has provided recruitment services for ten (10) years, for positions that require a specific skillset. However, for the vacancies in the hourly fields that do not require such specific skills, she recommended seeking other alternatives for assistance.

She would not require a retainer fee and cost would only be incurred for successful recruitment at a fee of 10% of first year base salary.

After discussion, Alderman Wisbrock made a motion to work on draft agreement for a professional employment recruiter to assist in filling open positions and bring back to the Board for review. The motion was seconded by Alderman Harrell. Upon a vote being taken, it was announced that the motion was passed unanimously by the Board of Aldermen.

- **Request by Trane to conduct a Measurement and Verification (M&V) Report for Year 2 (November 2021 - October 2022).**

In accordance with Exhibit G, Performance Period Services, of the City's Performance Agreement for Comfort from Trane U.S. Inc. (Ordinance 3971, as amended), a Year 1 (2020-2021) Measurement and Verification (M&V) Report that provides details regarding the City's financial and energy results in the first year following the installation of the project's conservation measures was completed last fall. The report indicated that the City had a total monetary value/cost savings of \$68,927, which is \$3,352 over the guaranteed savings of \$65,575 in the first year, provided under Exhibit E of the agreement.

The above Year 1 M&V Report was required as part of the agreement with Trane at a cost of \$10,000 and, per Exhibit G of the agreement; however, any additional M&V Reports are optional. At this time, Trane needs to determine if the Board wishes to have a Year 2 M&V Report performed for November 2021-October 2022, at a cost of \$10,300. It is noted that, per Exhibit E, the City's monetary value cost savings for Year 2 is \$67,542.

Per Trane, the following items will be included in the Year 2 Report:

- Quantification of units of energy saved annually by Energy Conservation Measures implemented;
- Total verified energy cost savings to-date;
- Environmental Impact of Savings (Reduced CO2 emissions; Miles driven by average passenger vehicle; Carbon sequestered by acres of forest for one year);
- Quarterly remote compliance checks for BAS schedules/overrides/system performance;
- In order to validate the performance, Trane collects randomized sampling set points and schedules to confirm operation of equipment and internal environment conditions of BAS.

After discussion, Alderman Jokerst made a final motion to decline the request by Trane to conduct a Measurement and Verification (M&V) Report for Year 2 (November 2021 - October 2022). 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.

- **Request for temporary easements related to the Rudder Road Improvement Project.**

As part of the Rudder Road Reconstruction Project, it was required for the City to obtain needed temporary construction easements in order to construct the project. The City has secured through donation the needed Temporary Construction Easements from the following addresses: 460 Rudder Road, 530 Rudder Road, 562 Rudder Road, 719 Rudder Road, 695 Rudder Road, 1686 Larkin Williams Road, 1832 Fenpark Drive, 100 Matrix Commons Drive, and 101 Matrix Commons Drive.

At this time, it is requested to approve the above listed acquisitions for the Rudder Road STP-4989(614) Reconstruction Project.

Alderman Wisbrock made a motion to forward to the May Board of Aldermen meeting the request for temporary easements related to the Rudder Road Improvement Project. 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.

- **Request to surplus obsolete office equipment and software.**

Staff is requesting permission to surplus obsolete and/or non-functioning office equipment and software from City Hall and Community Development.

Alderman Wisbrock made a final motion to approve the request to surplus obsolete office equipment and software. 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.

EXECUTIVE SESSION

At 9:10 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. 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 Huels	<i>Aye</i>	Alderman Maserang	<i>Aye</i>
Alderman Wisbrock	<i>Aye</i>	Alderman Jokerst	<i>Aye</i>
Alderman Harrell	<i>Aye</i>		

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

ADJOURNMENT

At 9:26 p.m. Mayor Maurath reconvened the meeting at which time, with no other business before the Board, Alderman Wisbrock made a motion to adjourn. The motion was seconded by Alderman Maserang. 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

DRAFT