

CITY OF FENTON
625 NEW SMIZER MILL ROAD, FENTON, MO 63026
THURSDAY, JUNE 10, 2021
MINUTES OF THE BOARD OF ALDERMEN COMMITTEE MEETING
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, June 10, 2021. The meeting was held at Fenton City Hall.

PLEDGE OF ALLEGIANCE

Mayor Brasses led the Pledge of Allegiance.

ROLL CALL

City Clerk Jane Hungler called the roll:

Alderman Ralph Cruts - *Present*

Alderman Kevin Yarbrough - *Present*

Alderman Brian Wisbrock - *Present*

Alderman Joe Maurath - *Present*

Alderman Chris Clauss - *Present*

Alderman Robin Huels - *Present*

Alderman Tom Heard - *Present*

Alderman Susan Jokerst - *Present*

Eight Aldermen were present at the opening of the meeting.

CITY OFFICIALS PRESENT:

Mayor Bob Brasses - *Present*

City Attorney Erin P. Seele, Esq. - *Present*

City Administrator Andrea N. Finkbiner - *Present*

City Planner Amy Starck - *Present*

Financial Consultant Tammy Alsop - *Present*

St. Louis County Police Precinct Captain Kevin Lawson - *Present*

City Clerk Jane Hungler - *Present*

MAYOR'S COMMENTS

Mayor Brasses shared outdoor pool issues are being addressed and will keep updated as information becomes available. City Administrator Nikki Finkbinder updated Board that the Geo. Tech. engineer has been onsite and waiting for his analysis. City Administrator Nikki Finkbinder shared Staff suggests moving forward with scoping the lines with a camera.

PUBLIC COMMENTS

There were no public comments.

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

- **April 30, 2021, Monthly Financial Report.**

Alderman Heard summarized the monthly financial report. There were no further questions or comments on the monthly financial reports.

- **Consideration of the 2020 Financial Report (Audited).**

Financial Consultant Tammy Alsop summarized the draft 2020 financial report. She is anticipating receiving an unmodified opinion for the audit report and should be received prior to June 24th.

Alderman Maurath inquired on the City's overall financial status compared to other municipalities through the Covid pandemic. Financial Consultant Tammy Alsop stated the City of Fenton did very well due to healthy fund balance that was able to be utilized so the City did not need to borrow from other funds to cover expenses and Department Heads all worked together and were diligent in keeping expenses down. There were no further questions or comments on the draft 2020 financial report.

Upon discussion, Alderman Heard made a motion to forward to the June Board of Aldermen meeting consideration of the 2020 Financial Report (Audited). The motion was seconded by Alderman Maurath. Upon a vote being taken, the motion passed unanimously by the Committee.

- **Discussion regarding a request by Infinity Hospitality, LLC to start the process and have a public hearing regarding Community Improvement District (CID), Transportation Development District (TDD), and Chapter 353 for the development of 800 S. Highway Drive.**

A presentation was submitted by Infinity Hospitality, LLC to assist in a discussion regarding their request to start the process and have a public hearing regarding Community Improvement District (CID), Transportation Development District (TDD), and Chapter 353 for the development of 800 S. Highway Drive.

This request was discussed by the Board in 2019 and as indicated in the Meeting Minutes, the Board chose not to move forward with calling a Public Hearing.

Alderman Heard announced at this time the petitioner has requested to table their presentation. City Attorney Erin Seele shared they requested to withdraw the presentation until they can give a more accurate presentation.

City Attorney Erin Seele shared that each is a finance tool to help a private developer finance improvements to property. A 353 freezes the property taxes and developer uses the increased value from the improvements to pay off the costs of the development. A CID is a tool used by communities to form (within a specified area) either a not-for-profit corporation or a political subdivision. CIDs can raise revenue via special assessments and taxes to fund infrastructure improvements.

PARK & RECREATION COMMITTEE MEETING JUNE 7, 2021 – UPDATE/ DISCUSSION

Ald. Huels, Liaison

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

- **Announcements from the Park and Recreation Committee Meeting:**
 - The Parks and Recreation Committee Park and Recreation Committee was given a presentation regarding Sunshine Law by the City Attorney.
 - The Park and Recreation Committee held general discussion regarding the Master Plan Project.
 - The Park and Recreation Committee discussed options for the Fenton Community and Farmers' Market.

- **The Park and Recreation Committee recommended the following:**
 - Approval for staff to create general waiver for volunteers and develop City initiated volunteer programs.

After discussions, City Administrator Nikki Finkbiner shared a blanket waiver could be created for Bud Weil and Westside Park for preapproved City initiated programs. City will still need waiver on file, a list with names, dates, and times of volunteers at each activity for tracking purposes.

- **Other Park and Recreation Department Items:**
 - Discussion regarding the Park Master Plan.

Alderman Huels shared that Planning and Design Studio presented an option for consideration. Instead of moving forward with prior to estimated cost for the scope of services for a Master Plan of \$71,000, to consider an ala cart phase one only for \$21,500 for data collection at this time.

City Administrator Nikki Finkbiner shared Andrew Franke with Planning Design Studio is present via video conference for clarity. Upon discussion with Mr. Franke, if it is the desire of the Board not to move forward with the Master Plan at this time, Planning Design Studio has offered to step back until the Board is ready to move forward. Verification with City Attorney if this would occur, this would not have to go back out for bid and at the that time could renegotiate with Planning Design Studio as they were selected as based on best qualifications to provide the product. This would allow the Board to review and research the issues with the pools and other matters as discussed and renegotiate terms of agreement with Planning Design Studio as they cannot lock in the price today for six (6) months or more due to sub-contractors involved in the proposal. Andrew Franke confirmed they hold their price, but they cannot guarantee pricing of the sub-contractors.

Alderman Yarbrough inquired on who decided to delay and what effect this would have on pending ordinance. Alderman Huels replied this was the discussion and recommendation of the Park Commission at their meeting on June 7th. Alderman Huels shared the recommendation was based on financial concerns, clarity on items desired, what is reasonable and manageable, material costs (such as lumber) and resident input.

City Administrator Nikki Finkbiner shared that there was not a motion made from the Park Commission, it was a discussion and as she attended the Park meeting, her take away was the Park Commission does not want the consideration of a Master Plan to go away. Alderman Huels shared that this was not a reflection on Planning Design Studios, but rather a timing issue.

City Attorney Erin Seele reminded the Board the pending ordinance is under old business and will be considered at the Board meeting for a vote if the Board would so choose. City Administrator Nikki Finkbinder inquired if the bill were denied, would process have to restart or could the Board renegotiate. City Attorney Erin Seele replied, it could be renegotiated as it was due to timing, and they were selected as most qualified.

Alderman Yarbrough inquired if voted on and approved, the Board does not have to spend any money beyond the proposal cost until the Board would be ready to move forward with construction.

Alderman Jokerst commented her problem is the City has already spent over \$100,000 on the previous park plan that just sat there. Her fear is the Board will approve the expense of this Master Plan and the same thing will happen, it will just sit there as the Board is not ready to move forward with it. Alderman Jokerst asked for clarification if there is a previous Park Master Plan. City Administrator Nikki Finkbinder replied that plan was never adopted by the Board. And therefore, could not be enforced or implemented.

Alderman Jokerst further voiced the previous plan cost over \$100,000, that nothing was done with it. City Administrator Nikki Finkbinder replied, the Board did not take action to approve, not Staff. Alderman Jokerst stated again she does not want to pay for another plan that will not be utilized and expressed she is in favor tabling for a least six (6) months for further discussions of items.

Alderman Maurath shared discussion at the Park Commission was to cut back the initial cost of the proposal to gather further information. He feels soliciting residents and getting their hopes for considerations for the Master Plan, and then not doing anything with the information would not be a wise choice. He feels the Board is not ready at this time. Alderman Maurath noted for the record, the last master plan was \$800,000 to initiate the plans brought forth in 2000 and the Staff had nothing to do with the Board not approving that plan.

Upon discussion, Alderman Huels made a motion to revisit the Park Master Plan in six (6) months. The motion was seconded by Alderman Jokerst.

Alderman Maurath shared Park Commission discussed a timeframe of six (6) months to one (1) year. Alderman Jokerst voiced in that timeframe the topic could be forgotten and consider placing on agenda to revisit in six (6) months and if needed at that, could move timetable back again. City Attorney Erin Seele explained at current time there is a pending bill, and this topic was for discussion on tonight's agenda and if action taken could conflict with bill.

Alderman Jokerst rescinded her second. Alderman Huels rescinded her first.

Alderman Huels made a motion if pending bill would not pass, it would be the Board's desire to have Staff bring the discussion back in six (6) months for reconsideration. The motion was seconded by Alderman Jokerst. Upon a vote being taken, the motion passed unanimously by the Board of Aldermen.

PLANNING & ZONING COMMISSION MEETING JUNE 1, 2021 – UPDATE/ DISCUSSION

Ald. Maurath, Liaison

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

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

- **Approval, with conditions, of CASE 2021-SUP-06:** A Petition for Special Use Permit by Daniel F. Guerra, DMD, to operate a Medical (dental) Office at 517-519 Main Street. The parcel is zoned “OT-2” Olde Towne District.

Conditions of Approval:

1. This Special Use Permit is solely for Dr. Daniel F. Guerra, DMD to operate a medical (dental) office at 517-519 Main Street.
2. An Occupancy Permit will be required.
3. Compliance with all other applicable City of Fenton Codes and Ordinances.

Alderman Maurath noted in 2017 Dr. Mark Meyers opened a dental office in this same location and is now selling and the SUP does not transfer, so it requires a new SUP and Dr. Guerra is not proposing any changes to the type of business use.

Daniel Guerra was present via video conference but did not have any comments or questions.

- **Approval, with conditions, of CASE 2021-SUP-07:** A Petition by American Multispecialty Group, Inc. dba Esse Health, Office of Sri Kolli, MD, for Special Use Permit to operate a Medical Office at 416-420 Old Smizer Mill Road. The parcel is addressed as 400 Old Smizer Mill Road and is zoned “C-1” Commercial District.

Conditions of Approval:

1. This Special Use Permit is solely for American Multispecialty Group, Inc., dba Esse Health, to operate a medical office at 416-420 Old Smizer Mill Road.
2. Overnight treatment of patients will not be permitted.
3. Compliance with all other applicable Code and Ordinance requirements.

Alderman Maurath noted this was a former hair salon and day spa.

Phillip Holden, Architect for the project, was present via videoconference to answer any questions the Board may have. There were no further questions.

- **Denial of CASE 2021-TXT-05:** A Petition by Mitesh Kalthis for a Text Amendment to amend the Zoning Code to create a new Zoning District known as “HP-2” Planned Hospitality Park District.

The concerns the commission had were to rezone and convert the existing townhouse suites hotel to multi-family dwelling units is not the best interest of the zoning district, especially in a commercial zone district. It was further noted for the record that this request would not just be for this company, but for the entire zoning district so similar businesses could then petition for this zoning change.

Alderman Jokerst inquired if this was a similar request to change zoning from an R-1 to an R-4. Alderman Maurath replied, no, this is a request to create a whole new zoning district.

City Planner Amy Starck further noted this request is not in compliance with the Comprehensive Plan, should this request be approved, the Comprehensive Plan would need to be amended and recommended if approved, to do in conjunction or prior to text amendment for clarification.

Jake Buening, Civil Engineer Stock and Associates and representing for the property owner, shared at this time they are looking for an opportunity to increase business on the

property given the loss of revenue and down trend of hotel usage in the last year due the pandemic, they are looking to multi-family usage. Mr. Buening stated in relation to the Master Plan and the Comprehensive Plan their door is open to any stipulations or requirements that may be helpful specifically to this property. After meeting with City Staff on several occasions it was clear that this was the main avenue to try and obtain a residential use on the property.

- **Approval, with conditions, of CASE 2021-SP-04:** A Petition by Kimley-Horn & Associates on behalf of Target, Corp. for review of a Sign Plan for proposed signage at 197 Gravois Bluffs Plaza Drive. The property is zoned “C-1” Commercial District.

Conditions of Approval:

1. Municipal Zoning Approval by the City of Fenton and Sign Permits issued by St. Louis County will be required for the proposed small pole signs.
2. The existing small pole sign (solar beacon sign) will require Municipal Zoning Approval by the City of Fenton and Sign Permits issued by St. Louis County.
3. Compliance with all other applicable City of Fenton Codes and Ordinances.

Alderman Maurath stated the signage is for drive-up/pickup locations, they are requesting twelve double sided small pole signs with an overall height of seven-point two feet with a sign face of eight-point five square foot sign face at each designated drive-up parking stalls.

They are requesting two four-sided small pole signs, one new sign and one existing sign to be relocated, they are twelve-foot overall height with a four-foot square sign face within the parking area to provide direction to the drive-up parking area. Also looking to strip and paint on the pavement within the driver parking areas to identify the driver stalls and no parking. These signs will also act as a safety measure for patrons and employees utilizing the drive-up areas.

- **Approval, with conditions, of CASE 2021-SUP-08:** A Petition by Gary Grewe of Gravois Bluffs East 8B, LLC on behalf of S&H Sports Group, LLC to amend an existing Special Use Permit to expand an Indoor Unlimited Recreation Facility (volleyball facility) at 601 Gravois Bluffs Boulevard, Suite D-G. The parcel is zoned “OT-3” Olde Towne District.

Conditions of Approval:

1. This Special Use Permit is solely for S&H Sports Group, LLC to operate an Indoor Unlimited Recreation Facility at 601 Gravois Bluffs Boulevard, Suite D-G.
2. Minimally, an Occupancy Permit will be required before the building is occupied.
3. Municipal Zoning Approval (MZA) by the City of Fenton for any proposed interior remodel will be required.
4. Any proposed signage will require a separate Sign Permit.
5. Compliance with all other applicable City of Fenton Codes and Ordinances.

Alderman Maurath noted this request to add addition volleyball facilities and concession/kitchen area, with a 26,700 square foot addition.

Scott Touzinsky was present via videoconference to answer any questions the Board may have. There were no further questions.

- **Denial of CASE 2021-TXT-06:** A Petition by Corbin Holtzman of PPM/Cassens, LLC to amend Section 476.010 Land Use Matrix of the Zoning Code to allow Medical Office as a use allowed by Special Use Permit in the “IP-1” Industrial Park District.

Alderman Maurath commented that after a lot of discussion, the case was denied 7-1 as medical offices are currently not allowed in this zoning district.

Doug Holtzman, 9 Brentmoor Park, Clayton MO, shared his concerns for his petition that he may have misunderstood. Doug Holzman stated at a prior meeting he was told there was no medical zoning, he stated there is medical zoning, it is zoned medical. Doug Holzman distributed a handout to the Board (attached as part of the minutes). He stated he has read the entire Fenton Code. He reiterated words he heard earlier in this meeting “reasonable”. The Fenton Zoning Code says what is reasonable, and anybody reading this with reason, would see there is no difference between the two. “Covid” and “the downplay of Covid” – Doug Holtzman shared their building went from 95% occupancy to below 45% occupancy. It is tough, but at the same time, they got their hopes up moving in a location and starting a new business. They put in Rock Steady and a dialysis in the same office complex that is comprised of 375 square feet in office building of approximately 67,000 square feet.

Doug Holtzman shared in reading the code he found within Section 400.020 “provides infrastructure more economically”, they never asked for a TIF, money, they bought the building out of bankruptcy, and the value was in the mid 20 million and today the value is probably 15 million. They have taken a 10 million hit on this location. “Provide the efficient delivery of needed public services such as police and fire control”. Doug Holtzman stated this is a public service that is needed. Another location that competes with, currently located at 2071 Bently Plaza and approved by the Fenton Fire District, located in the City of Fenton. In that plaza is a bar, a vape center, mental health, a kid’s gym, and some other facilities.

Alderman Huels stated that location is not in the City of Fenton. Doug Holzman stated it was approved by the Fenton Fire Department. City Administrator Nikki Finkbiner voice they are a separate entity and is not located within the City limits of Fenton.

Doug Holzman expressed that is what they are currently competing with a bar, a kid’s gym, and a vape center. They have an office-medical building that they already have two medical uses in. Reasonable standards of use that conforms is what Fenton says. They already have two of these uses and want to put in another. Provide for the continuation for non-conforming use as required by law.

Alderman Heard inquired on the approval of Rock Steady. Doug Holzman replied it is a gym for Parkinson’s. Doug Holzman further stated Covid and mental health are popping up everywhere because it is required and needed. They are taking buildings that they cannot lease or find tenants and roll with the times and keep going.

Doug Holzman shared he has another medical building and is familiar with medical office and has not seen this delineation where some medical is ok and other medical is not. In this location they can put in an urgent care but not mental health. They started the project, paid the architect, signed the lease, spent legal fees, got everyone going and the City of Fenton say the use does not comply.

Laura Salter, 2275 Cassens Avenue, Fenton MO, shared they are insurance driven and they also do soft pay. Those with behavior health issues during the pandemic have increased and the business is booming. They provide therapy, counseling, anxiety, depression, and medication management. There is a psychiatrist, psychiatric nurse practitioner, and she is a licensed clinical social worker.

Doug Holzman shared he felt this would be the same process as Rock Steady. With their current location next to a bar and a vape shop, this location would be better in a private office building.

Alderman Heard inquired if they are or were involved with Rock Steady. City Administrator Nikki Finkbiner voiced this application is not related to Rock Steady. Alderman Heard clarified it is just located on the same property. Doug Holzman replied yes.

Alderman Jokerst asked for clarification if medical health facility is allowed and mental health facility is not. City Administrator Nikki Finkbiner replied that clarification is not correct. City Attorney Erin Seele explained a medical facility, is allowed that includes urgent care centers, hospitals, big medical facilities that have multiple doctors. Medical office is not allowed that includes mental health, therapy, clinics, counseling and chiropractors. It is a smaller operation within a building with one or more positions under one single umbrella.

City Attorney Erin Seele stated there was a fourteen-month process and completed approximately a year and a half ago where the City with Planning and Zoning Commission had multiple public hearings and went through every single district within the City and went through every single use within the City, and decided which uses they wanted within each district. At that time, it was decided medical facilities, with testing, diagnostics centers, urgent cares were appropriate in the IP district, whereas medical offices were not. City Attorney Erin Seele stated there are many other districts that do allow medical offices within the City.

City Attorney Erin Seele also explained the text amendment they are requesting is asking to change and allow medical offices in the entire IP district, which would change the code since that use is currently not allowed in the IP-1 district. The next case would be discussing the specific business and property.

Doug Holzman stated they have owned the building for some time, they have a brokerage company inhouse, construction company inhouse, they know what they are doing as they have done development for a lot of years. Doug Holzman stated he never received information regarding the text amendment, or signage on property for the hearings. When he inquired how it was passed, he was informed it was in the Fenton newspaper and website. He feels it was not his obligation to look for it. City Attorney Erin Seele replied the City did it right and explained a text amendment is different than a zoning on your property. This property is zoned IP-1 and remained IP-1. State law requires when zoning of a property is going to be considered, notice has to be provided to the specific property owner. Under state law when it is a text amendment, as it applies to the entire district, you do not have to send notices to specific properties; notice was in the newspaper, the Fenton newsletter, and on the City website for over fourteen months. There were many public that attended the workshops and discussed the uses with the City, as well as attended the Planning and Zoning Commission public hearings that were advertised. The City did comply with state law.

Doug Holzman stated that he was informed that if the dialysis center closes, he cannot reopen it under any circumstances as the use does not conform.

City Administrator Nikki Finkbiner reiterated, the City Attorney Erin Seele is stating that the application at hand that we have right now, the question is, and the petitioner provided you the handout, where it states uses allowed and uses not allowed. Under uses not

allowed is medical office. Moving forward does the Board feel that that is an appropriate use in the industrial park area.

Alderman Heard inquired on how large the IP district was. City Administrator Nikki Finkbiner replied most of the City north of I-44.

Corbin Holzman, 1 Pillsbury Place, 63124, stated the property this building sits on is two parcels away from zoning that allows medical office use. It is a 75,000 square foot building. Over 75% of this building is built out for office use and parking leverage is very compliant to the needs. It has in and out highway capabilities.

Corbin Holzman stated he did not have intentions on changing the entire zoning for the whole IP district, he is here for a SUP for Aspire Wellness. Corbin Holzman referred to an article 475.060 can have medical, dentist, and offices and feels comfortable that they would obtain a SUP for their tenant.

- **Denial of CASE 2021-SUP-09:** A Petition by PPM/Cassens, LLC on behalf of Aspire Wellness for a Special Use Permit to operate a Medical Office (behavioral health clinic) at 2275 Cassens Drive, Suite 128. The parcel is zoned "IP-1" Industrial Park District.

Conditions of Approval:

1. This Special Use Permit is solely for Aspire Wellness, to operate a Medical Office (behavioral health clinic) at 2275 Cassens Drive, Suite 128.
2. Minimally, an Occupancy Permit will be required before the space is occupied.
3. Municipal Zoning Approval (MZA) by the City of Fenton and a Building Permit from St. Louis County will be required for any proposed interior remodel.
4. Compliance with all other applicable City of Fenton Codes and Ordinances.

Laura Salter, 2275 Cassens Avenue, Fenton MO, stated they specifically choose this address as there are minimal behavioral health providers in the Fenton area. This location removes stigma to seek help and does not make patients uncomfortable accessing it. They want to reach more patients as there is a large need for this service. She expressed she now understood that this required a code change.

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

- **Request to purchase AED units for Fenton City Park and Fenton Sports Complex.**
Currently the City has AED units in each facility; however, these units have not been installed at Fenton City Park or the Fenton Sports Complex. Based on this and after research regarding the units, Staff is requesting to purchase two (2) Zoll AED 3 units. The reason this unit is desired is it includes universal pads for adults and pediatric, the battery and pads have a longer life span (5 years), which will equate to reduced costs in the future. The average cost for these units through online retailers is \$2,000 per unit.

(Note: The City strives to have all employees CPR (with AED) Certified by offering annual, on-site classes through the Fenton Fire Protection District).

City Administrator Nikki Finkbiner shared a quote was received and pricing is less than anticipated. The cost is quoted for \$1,574.10 per unit totaling \$3,148.20 and would further suggest purchasing wall cabinets for the units.

Alderman Clauss inquired if St. Clare had been contacted for a better price or if any grants were available for AED units. City Administrator Nikki Finkbiner stated she could reach out to inquire for further pricing or grants options. Alderman Clauss further suggested placing signage on the outside of the concession stands stating that there is an AED available.

Alderman Jokerst asked if CPR classes could be made available to the public at RiverChase. City Administrator Nikki Finkbiner replied she would talk to the Fenton Fire District to see if they would have desire to use room at RiverChase to conduct classes if the Board would be willing to waive the fees for the room.

Alderman Huels pointed out that the quote states “with each purchase a donation is made to the Red Cross”.

Upon discussion, Alderman Jokerst made a motion to request to purchase AED units for Fenton City Park and Fenton Sports Complex and wall cabinets. The motion was seconded by Alderman Yarbrough. Upon a vote being taken, the motion passed unanimously by the Committee.

Alderman Wisbrock suggested moving the purchase along quickly with all the activity at the facilities and open the topic up to the full Board for a final approval.

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

Alderman Jokerst made a final motion to approve request to purchase AED units for Fenton City Park and Fenton Sports Complex and wall cabinets, if needed. The motion was seconded by Alderman Yarbrough. Upon a vote being taken, the motion was passed unanimously by the Board of Aldermen.

MISCELLANEOUS

- **Request to purchase timeclock system.**

Due to the high number of employees, multiple positions, and varying hours at RiverChase, the new Fenton Sports Complex facilities and within the RiverChase Department, Staff has been researching timeclocks and timeclock software options that would streamline employee ability to clock in/out from any of these unit locations, increase reporting options, track time and jobs, and expedite processing payroll. This system would automatically upload information to cloud for processing.

Staff is requesting to install new timeclock systems at Fenton Sports Complex and Fenton City park concession stand and replace timeclocks at RiverChase and Public Works.

Staff recommends the CB4000 timeclock system would best fit the needs. A cost of \$199.99 per unit, Staff would like to purchase five (5) units totaling \$995.95, with a monthly fee of \$100.00 for up to 250 employees for the first unit plus \$10.00 per month for each additional unit with no contract required.

The CB4000, a web based biometric time clock can verify identity via palm scan, face scan, or fingerprint scan as well as pin code, and connect multiple web time clocks from different locations into a single cloud with no software installation required. It also includes unlimited support, unlimited device warranty, unlimited upgrades, data backup, storage, and reporting included in monthly fee. At this time, only the pin code would be recommended to implement verification for clocking in or out.

The City’s IT provider, ENT, provided a quote to install Lan connections, cat6 ethernet drops, would need to be installed at a cost estimated at a cost of \$185-200 per drop. It would be suggested to also install battery backups for each device in the event of a power outage, at this time Staff is awaiting a quote.

The cost for the CB4000 system not being a part of the 2021 Budget or the Capital Plan, it is requested to approve the system and amend the 2021 Budget at the mid-year to include the purchase of the clocks and include the cost of the monthly fee in future budgets.

At this time, RiverChase spends approximately up to two and a half hours processing timecards to submit to finance and typically are not turned in until Tuesday. The time clock at Public Works is now stamping on top of itself.

Upon discussion, Alderman Clauss made a final motion to approve the request to purchase timeclock system as presented. The motion was seconded by Alderman Yarbrough.

Alderman Maurath inquired on biometric system concerns. City Attorney Erin Seele shared she wants to further research types of software the City may need in place in relation to security for fingerprints. If information stolen, there could be a liability for requiring employee's biometrics. It is not that the City cannot do biometrics, just information needs to be gathered on responsibilities, liabilities, and the concern of the increase of cyber theft before moving forward. Alderman Maurath voiced that such research should take place as biometrics cut down on a lot of problems at his work.

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

- **Request for annual Liquor License renewals.**

The following establishments have applied for their Liquor License renewal. All paperwork has been completed and is accurate.

1. Azteca Mexican Restaurant
2. Shreeji of Fenton d/b/a Phillips 66
3. Meramec Valley Store d/b/a Joe Clark's (contingent on final approval of Occupancy Permit)

It is requested that the Board forward the above listed Liquor License renewals to the June Board of Aldermen meeting for approval.

Also noted, the renewal applications for the Fenton City Park and Fenton Sports Complex Concessions liquor licenses are still to be processed to submit to the Board.

City Clerk Jane Hungler noted that the Occupancy Permit for Joe Clark's has been received.

Upon discussion, Alderman Huels made a final motion to approve the request for Liquor License Renewals. The motion was seconded by Alderman Wisbrock. Upon a vote being taken, the motion passed unanimously by the Board of Aldermen.

- **Request for a Temporary Liquor License from St. Paul Athletic Association for the annual soccer tournament.**

St. Paul Athletic Association is requesting a temporary liquor license request to sell beer at Fenton City Park, 1215 Larkin Williams Road, Fenton, Missouri 63026 during their annual St. Paul's Soccer Tournament for August 8 – 15, 2021. All paperwork has been completed and is accurate.

Upon discussion, Alderman Maurath made a final motion to approve the request for a Temporary Liquor License from St. Paul Athletic Association for the annual soccer tournament. The motion was seconded by Alderman Wisbrock. Upon a vote being taken, the motion passed unanimously by the Board of Aldermen.

- **Request for a Caterers Permit from Twisted Tree, LLC.**

Twisted Tree, LLC is requesting a Caterers Permit to sell liquor at 2091 Fenton Logistics Blvd., Fenton, Missouri 63026 for 1st Phorm customer appreciation event for June 19, 2021. All paperwork has been completed and is accurate.

Upon discussion, Alderman Huels made a final motion to approve the request for a Caterers Permit from Twisted Tree, LLC. The motion was seconded by Alderman Maurath. Upon a vote being taken, the motion passed unanimously by the Board of Aldermen.

- **Discussion regarding creating a policy for public meeting attendance via videoconference.**

City Administrator Nikki Finkbinder inquired if the Board desired to create a written policy for public meeting attendance via videoconference as we are now operating very differently than we have in the past, with the capability of the audiovisual. If the Board is interested in a policy for the elected officials, appointed officials, and Staff, would need to be addressed how that would operate. Or if you just want to see how it goes and we can revisit that later. It is great for our residents and petitioners to be able to come in virtually.

After discussion, City Attorney Erin Seele shared that MML has a model policy and Fenton could use that as a template and add additions to meet the City's need. City Administrator Nikki Finkbinder stated she will place topic on next month's agenda under miscellaneous for further discussion.

Mayor Brasses inquired on where the state stands legally on what we can and cannot do post Covid on this matter. City Attorney Erin Seele replied, the Attorney General states it is a gray area, during Covid it was absolutely legal, and now states that as long as the community believes there is still a state of emergency and it is necessary to continue the videoconferencing, it should be fine as all communities are not equal on the state of emergency. That is why it is recommended, if possible, to offer hybrid.

EXECUTIVE SESSION

At 8:44 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...And 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 unanimously passed by the Board of Aldermen.

ADJOURNMENT

At 9:26 p.m. Mayor Brasses reconvened the meeting at which time, with no other business before the Board, Alderman Huels made a motion to adjourn. 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.

Respectfully submitted,

Jane Hungler
City Clerk
City of Fenton