

**CITY OF FENTON, MISSOURI  
625 NEW SMIZER MILL ROAD, FENTON, MO 63026  
MINUTES OF THE BOARD OF ALDERMEN MEETING  
MONDAY, DECEMBER 20, 2021  
7:00 P.M.**

**CALL TO ORDER**

Mayor Bob Brasses called the Board of Aldermen Meeting of the City of Fenton, St. Louis County, Missouri to order at 7:00 p.m. on Monday, December 20, 2021. The meeting was held at Fenton City Hall and via Zoom Videoconference (RSMo 610.015).

**PLEDGE OF ALLEGIANCE** - Mayor Brasses led the Pledge of Allegiance.

**ROLL CALL**

City Clerk Jane Hungler called the roll:

Alderman Ralph 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>Present</i>
Alderman Joe Maurath - <i>Present</i>	Alderman Susan Jokerst - <i>Present</i>

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

**CITY OFFICIALS PRESENT:**

Mayor Bob Brasses  
City Attorney Erin Seele, Esq. - *via video conference (7:53)*  
Attorney Joseph Bond - *via video conference*  
City Administrator Andrea N. Finkbiner - *via video conference*  
City Clerk Jane Hungler  
City Planner Amy Starck  
Public Works Director Dan Howard - *via video conference*  
St. Louis County Police Precinct Captain Kevin Lawson  
St. Louis County Police Sergeant Ed Bagley

Mayor Brasses asked Captain Lawson to introduce Sgt. Ed Bagley to the Board. Sgt. Bagley will be replacing Sgt. Lottman. Sgt. Bagley served previously with St. Louis County Police, then served Kansas City Police Department violent crimes unit and homicide detective and returned to the St. Louis County Police Department in Wildwood and has now transferred to the Fenton Precinct.

## **I. MAYOR'S COMMENTS**

Mayor Brasses shared his letter regarding proposed change for PTO (attached as part of the minutes).

Mayor Brasses further shared he believes as an Alderperson, you have to think beyond yourself, your personal experiences, and think what is best for the City.

Mayor Brasses thanked the Board for running for office, stepping up, being here, and noted that says a lot about personal characteristics when willing to put yourself out in the public. Each member comes with individual backgrounds; Alderman Jokerst is a nurse, Alderman Heard was a leading executive with Southwestern Bell, Alderman Huels has ability to speak things through and ask the hard questions, Alderman Clauss has a good heart and a good head, Alderman Maurath is somebody he feels can see the future to an extent, such as Riverchase twenty (20) years ago when he expressed he felt it was too big for the City to handle, Alderman Wisbrock coordinates logistics for chemicals for planes to fight fires around the country, Alderman Cruts had fourteen (14) years working outside sales, and Alderman Yarbrough had some failed businesses however he turned them around and became a more successful businessman.

Mayor Brasses stated it is not the fact that you failed, it is working and learning from your failures. The Board makes what the City is going to be in 5, 10, 15, 20 years and he feels actions taken today are going to affect what the future will be.

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

**11 22 21 Public Hearing - Budget** – Alderman Heard made a motion to approve the minutes of the November 22, 2021, Public Hearing - Budget. 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.

**11 22 21 Special Meeting of the Board of Aldermen** – Alderman Jokerst made a motion to approve the minutes of the November 22, 2021, Special Meeting of the Board of Aldermen. 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.

**11 22 21 Board of Aldermen Committee Meeting** – Alderman Maurath made a motion to approve the minutes of the November 22, 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.

**12 09 21 Board of Aldermen Committee Meeting** – Alderman Clauss made a motion to approve the minutes of the December 9, 2021, Board of Aldermen Committee Meeting. The motion was seconded by Alderman Wisbrock. Alderman Jokerst suggested adding on page 16, discussion of MDC managed deer hunt, request of number from total harvest before further decisions to be made on next hunt options. City Administrator Nikki Finkbiner will hopefully have reports for the January meeting. Alderman Jokerst stated on page 17, amendments to Municipal Code, she had abstained from the portion of amendment reducing land buffers and it was not noted. City Administrator Nikki Finkbiner stated that abstention was noted on page 15 amendments to the Zoning Code. Upon a vote being taken with addition of discussion of Managed Hunt, it was announced that the motion was passed unanimously by the Board of Aldermen.

**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 Heard made a motion to approve the warrants for the period of 11/01/2021 to 11/30/2021 in the amount of \$861,630.11 as submitted. The motion was seconded by Alderman Maurath and noted happy to see Amazon costs were down and continue to buy locally. Upon a vote being taken, it was announced that the motion was passed unanimously by the Board of Aldermen.

**IV. PUBLIC COMMENTS**

Robin Huels read letter she received from Dan Hagen, Trustee for the San Simeon Subdivision (attached as part of the minutes). Alderman Huels thanked Cub Scout Pack 776 for the hard work they performed. Mayor Brasses expressed his thanks and suggested Alderman Huels or City Administrator Nikki Finkbiner invite the Pack to the January or February meeting to perform opening flag ceremony for the Board meeting.

Alderman Maurath commented that he did not agree whole heartedly, with the letter Mayor Brasses submitted to the Board regarding proposed change for PTO; he feels information was left out. Alderman Maurath expressed appreciation for the kind words the Mayor shared with the Board earlier and further stated he sees changes will be positive and influential for the City and he is comfortable with the decision that he is proposing. Mayor Brasses shared his intent of the letter was to share information to consider, not tell the Board what to do, it was to share information as he sees it.

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

❖ **Announcement from the Planning and Zoning Commission Meeting:**

- **CASE 2021-SUP-18: A Petition by Brda Electric Inc. for a Special Use Permit for Outdoor Storage at 1756 Chase Drive. The Property is zoned “BP-3” Business Park District. This Case was withdrawn by the Petitioner.**

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

- **Ord. approving a Special Use Permit for Tender Hearts Child Therapy, LLC to operate a Medical Office at 558 Gravois Road.**

Alderman Maurath announced this will be considered under Bill 21-97.

- **Ord. approving a Special Use Permit for Mercy-GoHealth Urgent Care, LLC to operate Medical Facility at 676 Gravois Bluffs Boulevard.**

Alderman Maurath announced this will be considered under Bill 21-98.

- **Approval, with conditions, of CASE 2021-SPR-04: A Petition by Maty Aronson of Snarf’s Sandwiches Fenton for Site Plan Review of a proposed building addition. The Property is located 870 S. Highway Drive and is zoned “HP-1” Hospitality Park District.**

Alderman Maurath made a motion to approve with conditions (as presented at the December 9<sup>th</sup> Committee Meeting), CASE 2021-SPR-04. 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.

- **Ord. approving a Special Use Permit issued to Snarf’s Fenton, LLC for Outdoor Dining at 870 S. Highway Drive.**

Alderman Maurath announced this will be considered under Bill 21-99.

**VI. PARK & RECREATION** – *Ald. Huels, Liaison*

❖ **Announcements:**

- **Due to the holiday, the next Park and Recreation Committee Meeting will be held on Monday, January 10, 2022.**
- **The Park and Recreation Committee was given presentation by Scott George regarding restoration updates and possible efforts for spring/summer 2022.**

❖ **Other Items from the Park and Recreation Department:**

- **Ord. authorizing the Mayor to execute a one-year contract with Gateway Region Young Men Christian Association for Lifeguard and related Aquatic Services for the operation of the City’s swimming pools.**

Alderman Huels announced this will be considered under Bill 21-100.

**VII. MAYOR’S REPORT**

- ❖ **Ord. adopting and enacting a new Code of Ordinances, including a Zoning Code, of the City of Fenton, County of St. Louis, State of Missouri; establishing the same; providing for the repeal of certain Ordinances not included therein, except as herein expressly provided; providing for the manner of amending such Code of Ordinances; providing a penalty for the violation thereof; and providing when this Ordinance shall become effective.**

Mayor Brasses announced this will be considered under Bill 21-101.

- ❖ **Ord. of the City of Fenton, Missouri, imposing a use tax for general revenue purposes at the rate equal to the total local sales taxes in effect for the privilege of storing, using, or consuming within the City an article of tangible personal property pursuant to the authority granted by and subject to the provisions of Section 144.600 through 144.761 RSMo; providing for the use tax to be repealed, reduced, or raised in the same amount as any sales tax is repealed, reduced, or raised; and providing for submission of the proposal to the qualified voters of the City for their approval at the general election called and to be held in the City on the 5<sup>th</sup> day of April, 2022.**

Mayor Brasses announced this will be considered under Bill 21-102.

**VIII. CITY CLERK’S REPORT**

- ❖ **Approval of a request to destroy records in accordance with the Missouri Records Retention Schedules, as discussed at the December 9<sup>th</sup> Committee Meeting.**

Alderman Yarbrough made a motion to approve the request to destroy records in accordance with the Missouri Records Retention Schedules, as discussed at the December 9<sup>th</sup> 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.

**IX. REPORTS FROM STANDING COMMITTEES**

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

- **Monthly Report – Captain Lawson**
  - Responded to 831 calls for service vs. 877 in October 2021 and 839 in November 2020.
  - Handled 1,350 self-initiated assignments vs. 1,333 in October 2021 and 1,750 in November 2020.
  - 29 arrests (includes SIL’s) vs. 11 in October 2021 and 40 in November 2020.

- Responded and handled 658 radio/on-view assignments in the retail business area vs. 603 in October 2021 and 710 in November 2020.
- Those calls resulted in 14 arrests vs. 10 in October 2021 and 34 in November 2020.
- Issued 27 traffic citations, 16 warning citations and 1 DWI vs. 51/31/0 in November 2021 and 37/xx/0 in November 2020.
- Radar trailer with Flock camera was deployed on Assembly Parkway.
- Handled:
  - 3 Part 1 crimes against persons vs. 3 in October 2021 and xx in November 2020.
  - 53 Part 1 crimes against property vs. 41 in October 2021 and xx in November 2020.
  - 7 Part 1 crimes against society vs. 3 in October 2021 and xx in November 2020.

Captain Lawson shared the radar trailer with the Flock camera was repaired as it was not holding a charge. Captain Lawson explained monthly report reflects adjusted numbers to NIBRS reports and noted monthly numbers may fluctuate pending final approval of reports occurring after month end.

Captain Lawson updated the Board that investigations are ongoing regarding burglary attempts on Larkin Williams Road. Alderman Jokerst inquired how and where the radar unit is deployed. Captain Lawson replied it depends on citizen complaints of traffic concerns. Alderman Yarbrough shared there have been vehicle thefts in his neighborhood and inquired with the increase in thefts if owners of privately owned camera systems could help provide footage to assist with information in investigations. Captain Lawson replied they can canvass and ask camera owners to provide video to help with active investigations, also citizens and subdivision trustees can register their security cameras with their local police stations to allow access. If a crime occurs in an area, the police can look up who has a security camera in that area and request the footage.

- **City of Fenton Court Statistics for November 2021.**

Alderman Cruts asked if there were any questions or comments on disbursements of \$2,775.00 for Rejis and \$2,517.00 for Show-Me-Court. There were no comments or questions.

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

- **Monthly Report**

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

- Public Works Department

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

- Parks and Recreation Department

- Recreation Associate I / Front Desk Attendant
- Recreation Associate I / Fitness Attendant
- Recreation Associate I / Concession Stand Attendant
- Recreation Associate I / Stay N Play Attendant
- Recreation Associate I / Swim Coach
- Recreation Associate II/Park Concession Stand Attendant
- Recreation Associate III / Park Concession Stand Manager
- Recreation Associate III / Manager on Duty
- Recreation Associate V/ Fitness Instructor
- Recreation Associate V/ Personal Trainer

- Recreation Associate V/ Volleyball Official

- **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 Employees.**  
Alderman Maurath announced this will be considered under Bill 21-103.

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

- **Monthly Report**

- **During the month of November 2021, the following businesses received an Occupancy Permit in the City of Fenton:**
  - **Axes Physical Therapy**  
53 Fenton Plaza  
*Physical & Occupational Therapy*
  - **Capital Group, Inc.**  
2079 Hitzert Court, Bld. 8  
*HVAC and Plumbing Distributor*
  - **Panda Express**  
651 Gravois Bluffs Blvd.  
*Restaurant*
  - **Sargent’s Elite Fitness**  
1707 Gilsinn Lane  
*Personal Fitness Instruction/Co-tenant w/Jacob Exteriors*

❖ **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 bid opening for construction on the Allen Road Project was held on November 2, 2021. The concurrence of award has been submitted for review to MoDOT. Once MoDOT agrees with the submittal, an approval of the contract will be submitted to the Board for consideration.
- The following projects are currently in the design phase:
  - Rudder Road Reconstruction Project, with Right-of-Way/Temporary Construction Easement acquisition on-going.
  - Larkin Williams Road project (concrete portion).
  - S. Old Highway 141 Improvement Project.

Alderman Maurath inquired on stalled/slow progress on Horan Drive project. Public Works Director Dan Howard responded biggest reason for stall in project is utilities that installed after the design. Currently discussing with contractors about procedures through the winter. If weather conditions are good, they will continue; however, if weather does not allow productive rate, they will pour concrete to match up both sides of overlay and install temporary transition, until the utility issues are completed.

Alderman Jokerst inquired on status of restroom facility/shed project at Preslar Lake. Public Works Director Dan Howard replied, there was prior discussion; however, there was no direction to retro fitted to a public restroom. He does not believe the current structure could be reconstructed into a public facility. Mayor Brasses suggested adding the discussion to the

January Park and Recreation agenda. Alderman Huels inquired if it would need to be ADA compliant. Public Works Director Dan Howard replied yes, any roadway projects or restroom facility upgrades, reconstruction, or new construction are required to be ADA compliant.

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

• **Monthly Update**

- MSD Project – MSD contractor has moved the operations to the Center Street area.
- Public Works has concluded the Fall Leaf Pick-Up Program the week of December 13<sup>th</sup>.
- Public Works continues right-of-way tree removal 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 winterized and closed the restrooms in the City's parks. The only restroom facility to remain open throughout the winter is at the main pavilion in Fenton City Park. Heros Memorial ball fountain has also been winterized.
- Public Works is preparing vehicles for the snow season.

❖ **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 12/13:

▪ **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 is on backorder until April. ENT found a comparable model that was scheduled to be installed on 12/13/2021.
- The annual required PCI compliance scan is being conducted and failed on a credit card processing machine. The reason this is failing is because the machine is being blocked from reaching outside of the network. Engineers are working to change firewall settings to correct the setting for the credit card processing machine.
- A drive error was found on the Public Works Server. A check disk command prompt has been run and waiting for results. Typically, these resolve themselves with a reboot, otherwise a new drive may need to be installed.

▪ **Projects:**

- Computer for the Concession Stand at Fenton City Park – Completed.
- Time Clocks for RiverChase were installed on 12/13/2021. The needed switch for the system is on backorder until April. ENT is loaning a switch to the City until the backordered switch is received.
- Security Cameras at 900 Gregory Lane – Cameras have been installed. ENT is working on getting employees needed access to the system.

- **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. More information will be presented to the Board in January.
- Additional cameras at RiverChase are being explored to capture the south parking lot. This area is not covered by the current system and a car break-in recently occurred and catalytic convertors stolen off City vehicles.

- Service Ticket List for November 2021.

- **Approval of a request for CivicPlus website training for City employees, as discussed at the December 9<sup>th</sup> Committee Meeting.**

Alderman Heard made a motion to approve the request for CivicPlus website training for City employees, as discussed at the December 9<sup>th</sup> Committee Meeting for three (3) training courses for \$2,250.00. 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.

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

- **Monthly Financial Update for October 2021**

INVESTMENTS

The total value of City’s cash and investments (General Fund, Storm Water/Parks Fund, and Capital Projects Fund) was \$17,817,108 at 10/31/21.

The Storm Water/Parks Fund cash and investments was \$7,208,167 at 10/31/21. Of this amount \$2,980,947 is restricted for Storm Water/Parks and the remaining \$4,227,220 is committed for emergencies or assigned for Storm Water/Parks.

OPERATIONS

The October financial report, which was presented in full at the previous Finance Committee meeting, reported the results of operations through October 30, 2021.

- General Fund operating revenues as of 10/31/21 were approximately \$4,030,754 while operating expenditures were approximately \$4,155,390. Revenues are at approximately 64.26% of the annual budget of \$6,272,150, and expenditures are at approximately 70.27% of the annual budget of \$5,913,452.
- Storm Water/Parks Fund revenues as of 10/31/21 were approximately \$3,755,800 while expenditures were approximately \$3,711,657. Revenues are at approximately 70.78% of the annual budget of \$5,306,675, and expenditures are at approximately 69.48% of the annual budget of \$5,342,165.

SALES TAX REDISTRIBUTIONS

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

"A" SALES TAX SUMMARY		"B" (POOL) SALES TAX SUMMARY		COMBINED SALES TAX SUMMARY	
Generated	Redistributed	Generated	Redistributed	Generated	Redistributed
\$482,022	\$264,879(55.0%)	\$282,244	\$276,505(98.0%)	\$764,267	\$541,385(70.8%)



- **Ord. approving the 2022 Budget for the City of Fenton, Missouri.**  
Alderman Heard announced this will be considered under Bill 21-104.
- **Ord. authorizing the Mayor to execute a Supplemental Cooperation Agreement with St. Louis County, Missouri, for the allocation of the Community Development Block Grant funds for the year 2021.**  
Alderman Heard announced this will be considered under Bill 21-105.

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

- **Monthly Update**
  - The City has continued with Covid-19 protocols for cleaning buildings and equipment.
  - The Missouri Department of Conservation (MDC) held the third and final Managed Deer Hunt for 2021 on December 9-16. Final numbers of deer harvested will be forwarded once they are received from the MDC.

**X. CONSIDERATION OF PENDING BILLS**

There were no pending bills.

**XI. CONSIDERATION OF NEW BILLS:**

**Bill 21-97 Ord. approving a Special Use Permit for Tender Hearts Child Therapy, LLC to operate a Medical Office at 558 Gravois Road.**

Sponsor: Maurath

Alderman Maurath desired first reading of Bill No. 21-97. 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 Jokerst. 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. 21-97 for a second time by title only.

Alderman Maurath made a motion that Bill No. 21-97 be enacted as Ordinance No. 4181. 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>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 Bill No. 21-97 was passed by the Board of Aldermen and would become Ordinance No. 4181 when and if signed by the Mayor.

**Bill 21-98 Ord. approving a Special Use Permit for Mercy-GoHealth Urgent Care, LLC to operate Medical Facility at 676 Gravois Bluffs Boulevard.**

Sponsor: Maurath

Alderman Maurath desired first reading of Bill No. 21-98. 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 Jokerst. 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. 21-98 for a second time by title only.

Alderman Maurath made a motion that Bill No. 21-98 be enacted as Ordinance No. 4182. 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 Bill No. 21-98 was passed by the Board of Aldermen and would become Ordinance No. 4182 when and if signed by the Mayor.

**Bill 21-99 Ord. approving a Special Use Permit issued to Snarf's Fenton, LLC for Outdoor Dining at 870 S. Highway Drive.**

Sponsor: Maurath

Alderman Maurath desired first reading of Bill No. 21-99. 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 Jokerst. 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. 21-99 for a second time by title only.

Alderman Maurath made a motion that Bill No. 21-99 be enacted as Ordinance No. 4183. The motion was seconded by Alderman Wisbrock. 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 Bill No. 21-99 was passed by the Board of Aldermen and would become Ordinance No. 4183 when and if signed by the Mayor.

**Bill 21-100 Ord. authorizing the Mayor to execute a one-year contract with Gateway Region Young Men Christian Association for Lifeguard and related Aquatic Services for the operation of the City's swimming pools.**

Sponsor: Huels

Alderman Huels desired first reading of Bill No. 21-100. 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 Maurath. 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. 21-100 for a second time by title only.

Alderman Huels made a motion that Bill No. 21-100 be enacted as Ordinance No. 4184. The motion was seconded by Alderman Wisbrock.

Matt Clark, District Vice President - YMCA – 12736 Southfork Road, St. Louis, MO 63128 was in attendance and introduced Glen Jackson, District Aquatic Director who will be helping to get this program up and running.

Alderman Clauss reiterated this agreement has nothing to do with partnership discussions for the management of the RiverChase facilities.

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 Bill No. 21-100 was passed by the Board of Aldermen and would become Ordinance No. 4184 when and if signed by the Mayor.

**Bill 21-101** Ord. adopting and enacting a new Code of Ordinances, including a Zoning Code, of the City of Fenton, County of St. Louis, State of Missouri; establishing the same; providing for the repeal of certain Ordinances not included therein, except as herein expressly provided; providing for the manner of amending such Code of Ordinances; providing a penalty for the violation thereof; and providing when this Ordinance shall become effective.

Sponsor: Maurath

Alderman Maurath desired first reading of Bill No. 21-101. 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 Wisbrock. 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. 21-101 for a second time by title only.

Alderman Maurath made a motion that Bill No. 21-101 be enacted as Ordinance No. 4185. The motion was seconded by Alderman Wisbrock. 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 Bill No. 21-101 was passed by the Board of Aldermen and would become Ordinance No. 4185 when and if signed by the Mayor. The Mayor expressed thanks to Staff and all involved as this has been a long process with lots of work by all.

**Bill 21-102** Ord. of the City of Fenton, Missouri, imposing a use tax for general revenue purposes at the rate equal to the total local sales taxes in effect for the privilege of storing, using, or consuming within the City an article of tangible personal

**property pursuant to the authority granted by and subject to the provisions of Section 144.600 through 144.761 RSMo; providing for the use tax to be repealed, reduced, or raised in the same amount as any sales tax is repealed, reduced, or raised; and providing for submission of the proposal to the qualified voters of the City for their approval at the general election called and to be held in the City on the 5<sup>th</sup> day of April, 2022.**

Sponsor: Maurath

Alderman Maurath desired first reading of Bill No. 21-102. 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 Heard. 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. 21-102 for a second time by title only.

Alderman Maurath made a motion that Bill No. 21-102 be enacted as Ordinance No. 4186. The motion was seconded by Alderman Clauss.

Alderman Heard inquired if the Board has the ability to modify ballot language on page two (2) of the ordinance after today since he believes the ballot language is not very clear as to what it does. City Attorney Erin Seele expressed the language would need to be fixed as of today, as it will be submitted to County Election Board, and also explained that the ballot language is set by statute substantially in this form and same language other municipalities are using. Alderman Heard feels language can be confusing. Alderman Maurath agreed and clarified the City cannot oppose or favor the issue, but the City can educate the residents. City Attorney Erin Seele replied yes, and noted that the Missouri Municipal League (MML) has a campaign toolkit for Cities to utilize and MML has ability to advocate and are trying to get as many cities as possible to place on the April ballot for effectiveness of education. Alderman Cruts shared he feels it is important this bill pass, as the revenues helps to maintain the City and inquired if a townhall meeting could be conducted to help educate residents. City Attorney Erin Seele replied yes, a townhall meeting could be held and should be encouraged. Alderman Jokerst agreed language is confusing and need to educate residents. Alderman Huels inquired on signage. City Attorney Erin Seele advised there is sample signage on the MML website.

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 Bill No. 21-102 was passed by the Board of Aldermen and would become Ordinance No. 4186 when and if signed by the Mayor.

**Bill 21-103 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 Employees.**

Sponsor: Maurath

Alderman Maurath desired first reading of Bill No. 21-103. 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 Jokerst. 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. 21-103 for a second time by title only.

Alderman Maurath made a motion that Bill No. 21-103 be enacted as Ordinance No. 4187. The motion was seconded by Alderman Jokerst.

Alderman Heard expressed he is not in favor of this bill, but he is not opposed to making changes. He feels current package is a little generous but changing too far is not a good decision. He feels it is not competitive with other municipalities. He feels two (2) weeks the first four (4)-five (5) years is too little in today's market. He feels work life balance is important to employees and the loyalty of employees and perspective employees is an important consideration. Loyalty is trust earned and we have to earn that loyalty by treating our employees well, caring for them, giving direction, and giving tools to succeed. Giving them time away from work, time to care for their families and to care of themselves is absolutely an important step in obtaining that loyalty.

Alderman Huels shared she believes four (4) weeks PTO is a lot of time in their first year as they are still learning their job and in a probationary status. Since her tenure on the Board, she has heard that the current PTO package is too generous and feels it is not a driving attraction of new employees. She feels some new employees would rather have more money in their pockets instead of benefits.

Alderman Clauss shared she is against this bill. She feels it will have more negative effects than positive effects on current and future employees. She feels giving two (2) weeks will encourage employees to come to work sick and save PTO for use when they are not sick. If issue is with how time is given initially, she is open to discussion for options.

Alderman Jokerst voiced she is in favor of this bill. She expressed it is two (2) weeks PTO plus eleven (11) holidays, totaling twenty-five (25) days off each year and feels that is sufficient and with the number of vacant positions, current package has not been beneficial, it has not retained employees and has not attracted new employees.

Alderman Cruts shared cutting benefits can cause issues but agrees with Alderman Jokerst and Alderman Huels that with two (2) weeks PTO plus eleven (11) holidays there is still four (4) weeks off. He stated that employees on the bottom usually do not take two (2) weeks of PTO as they cannot afford to take time off for a vacation as they need to save for it. He is looking at the long-term effect, that is why it is important that current employees are taken care of. He feels giving four (4) weeks to new employees will cause the employees working very hard to continue to have to work very hard, two (2) weeks will help current employees to not be as stressed working as the new employees will not be taking time off as much. He shared he would rather entice new employees by decreasing benefits and increase pay. This change would free up funds for that consideration.

Alderman Yarbrough shared he feels current vacant positions are not a reflection of benefits but rather it is the same effect everyone nationwide is experiencing, no one wants to work. He agrees that four (4) weeks the first year is a lot and two (2) weeks for four (4) years is not enough. He asked if new employees get sick time also. Mayor Brasses replied no, it is all PTO only. Alderman Yarbrough stated he agrees with Alderman Heard and Alderman Clauss he would rather see another modified option.

Alderman Clauss shared some PTO will be used by single parents to take their children to the doctor and that cannot be done on a holiday.

Alderman Wisbrock expressed he is in favor of bill. As a new employee under a probationary period and learning the new job, he/she should not be taking a lot of time off. This gives incentive to stay employed with the City, as the longer they are here, the more PTO they will receive.

Alderman Maurath expressed appreciation for comments. He has reviewed this change for some time and realizes more now due to the pandemic the need for change. This is not the only benefit the City provides and also feels the 100% employee & 75% spouse/dependent paid medical has not been beneficial in attracting new employees. There are a lot of statistics available, he reverts back to Bureau of Labor statistics, they report average PTO for one (1) – four (4) years of service is ten (10) days. He discussed effects of the “great resignation”, indicating more people retired during the pandemic leaving vacancies for other employees to move up the ladder, leaving vacancies to be filled at the bottom. Statistics also reflect older employees would rather have PTO, younger employees would rather have more money than PTO, and the middle group are comfortable where they are. Alderman Maurath shared he sees this as a stepping-stone, a starting point and has other ideas, such as what Alderman Cruts referred to. He feels this is paramount to get started as it is discussed every year. This does not affect current employees.

Alderman Heard commented if a bigger plan, he would like to hear the plan instead of a single action. Alderman Maurath stated he does not have plan mapped out but does have other ideas. There is no harm passing this bill today. Alderman Maurath discussed previous change from vacation/sick time to PTO, he had inquired recently from Staff, how many employees were out sick vs. paid time off, that information is not tracked and shared that information should be tracked. He feels there is not a problem in upper or mid-level employment, just at the lower level.

Alderman Jokerst shared she is in favor of PTO instead of vacation/sick; she would lose time if not used as she does not utilize sick days like other people do. Alderman Maurath stated he is not proposing changing the verbiage.

Alderman Huels expressed two (2) weeks for the first four (4) years, then three (3) weeks for the next ten (10) years seems like a long time before they qualify for next level of PTO.

Alderman Yarbrough expressed he would like to see three (3) weeks after three (3) years then an additional week after ten (10) years.

Mayor Brasses expressed he feels from discussion at committee meeting this should be discussion not a bill, he feels there is a lot more to discuss, a lot of questions that need to be answered. Such as if changed, would there be extra money for pay; that discussion has been had for a long time with no action. He has a problem if not all laid out in plan together and noted they need to move forward together. He feels reducing PTO to two (2) weeks and being among the lowest paying municipality will further hinder attracting new employees. Other municipalities and companies have increased their starting salaries. Mayor Brasses inquired if consideration had been given to effects for new employees in upper management positions, as most of those candidates, with years of experience, are usually from other municipalities offering more PTO and money as a base compensation package. Mayor Brasses challenged the Board to go look, and if the Board does not trust Staff to provide that information, go search other municipalities for that information. He is in favor of reviewing increasing starting pay. Mayor Brasses inquired what the problem is that is trying to be corrected; he suggested vesting option and additional policies/regulations on taking PTO. Mayor Brasses shared all municipalities have paid holidays as regulated through federal

government. Mayor Brasses shared previously under vacation/sick time, employees received two (2) weeks of each and two (2) personal holidays. He feels discussion should have included, if PTO is reduced: if pay increase is considered - how much of an increase, how will it be implemented, and other options as discussed.

Alderman Maurath asked for a vote on the bill. Alderman Jokerst shared she feels the Mayor has lectured the Board. She feels discussions have been ongoing since she became a member of the Board and feels it has been a deep dive and has been discussed.

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>Aye</i>
Alderman Wisbrock	<i>Aye</i>	Alderman Heard	<i>Nay</i>
Alderman Maurath	<i>Aye</i>	Alderman Jokerst	<i>Aye</i>

It was announced that Bill No. 21-103 was passed by the Board of Aldermen and would become Ordinance No. 4187 when and if signed by the Mayor.

**Bill 21-104 Ord. approving the 2022 Budget for the City of Fenton, Missouri.**

Sponsor: Heard

Alderman Heard desired first reading of Bill No. 21-104. City Attorney Erin Seele read the Bill one time by title only.

Alderman Heard made a motion to seek a waiver of the rules for a second reading. 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. City Attorney Erin Seele read Bill No. 21-104 for a second time by title only.

Alderman Heard made a motion that Bill No. 21-104 be enacted as Ordinance No. 4188. 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>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 Bill No. 21-104 was passed by the Board of Aldermen and would become Ordinance No. 4188 when and if signed by the Mayor.

**Bill 21-105 Ord. authorizing the Mayor to execute a Supplemental Cooperation Agreement with St. Louis County, Missouri, for the allocation of the Community Development Block Grant funds for the year 2021.**

Sponsor: Heard

Alderman Heard desired first reading of Bill No. 21-105. City Attorney Erin Seele read the Bill one time by title only.

Alderman Heard made a motion to seek a waiver of the rules for a second reading. 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. City Attorney Erin Seele read Bill No. 21-105 for

a second time by title only.

Alderman Heard made a motion that Bill No. 21-105 be enacted as Ordinance No. 4189. 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>Aye</i>
Alderman Maurath	<i>Aye</i>	Alderman Jokerst	<i>Aye</i>

It was announced that Bill No. 21-105 was passed by the Board of Aldermen and would become Ordinance No. 4189 when and if signed by the Mayor.

## **XII. EXECUTIVE SESSION**

At 9:04 p.m., Alderman Clauss made a motion to enter into Executive Session pursuant to Section 610.021(3) Hiring, Firing, Disciplining Or Promoting Employees.... The motion was seconded by Alderman Heard.

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

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

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

## **XIII. ADJOURNMENT**

At 10:21 p.m., Mayor Brasses reconvened the meeting at which time, with no other business before the Board, Alderman Maurath made a motion to adjourn. 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.

Respectfully submitted,

Jane Hungler  
City Clerk  
City of Fenton