

CITY OF FENTON, MISSOURI
625 NEW SMIZER MILL ROAD, FENTON, MO 63026
MINUTES OF THE SPECIAL MEETING OF THE BOARD OF ALDERMEN
THURSDAY, FEBRUARY 17, 2022
7:00 P.M.

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

CALL TO ORDER

Mayor Bob Brasses called the Board of Aldermen meeting to order at 7:02 p.m. via Zoom Videoconference (RSMO 610.015) and explained the reasons for conducting the meeting via videoconference, i.e., due to the State of Emergency (as specified in the notice above) on Thursday, February 17, 2022.

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 all by video conference.

CITY OFFICIALS PRESENT:

Mayor Bob Brasses - *via video conference*

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

City Administrator Andrea N. Finkbiner - *via video conference*

City Clerk Jane Hungler - *via video conference*

Public Works Director Dan Howard - *via video conference*

Financial Consultant Tammy Alsop - *via video conference*

St. Louis County Police Precinct Captain Kevin Lawson - *via video conference*

Mayor Brasses stated that he called this Special Meeting for:

- **Discussion regarding draft framework for a partnership between the City and YMCA for the management of RiverChase.**
- **Public Comments.**

City Clerk Jane Hungler announced the submitted public comments regarding Petland, that were all in opposition, will be attached as part of the minutes for the record.

City Clerk Jane Hungler read into the minutes a public comment from Missie Nicholls:

"I'm reaching out on this messy winter day to encourage the City of Fenton to continue their support and partnership with me as an independent contractor giving swimming lessons at Riverchase. I'm Gail

“Missie” Nicholls and I have been working in many capacities at Riverchase Pool since it’s opening. Since 2011 I have just been giving private swim lessons to families of typically developing kiddos as well as those that do not fall within that description. I have over 50 years of aquatic experience as well as 45 years as a speech pathologist for the St. Louis Public Schools, and I recently retired from St. Louis County Special School District. I have enjoyed my partnership with the City of Fenton and would love to continue that 22 year relationship. With the possibility of the YMCA management of the facility, I feel it necessary to speak up and express the need for continuing our relationship. When I started with Fenton I began a very successful group lesson program until 2010, I was told that I was doing a great job, but would I consider doing the job for half salary. I declined that offer, but continued offering private lessons. Over the years the successful program disappeared, it’s takes a knowledgeable person with significant teaching experience to train teachers, as well as coordinate all the aspects of the program. My interest at this point is to continue in my current capacity, although it is not a partnership which currently exists in YMCA facilities. I would hope the City of Fenton would recognize my commitment, reliability, and loyalty, not to mention my level of skill and the quality of the product I have offered.

At this point in my life, I am extremely fortunate to have the time, energy, and extreme interest in teaching swimming and providing lessons to all children including those that don’t thrive in a group program. Thank you for this opportunity to enjoy my work in a lovely facility. I pray I can count on the continued support from the City of Fenton and its residents. Missie Nicholls.”

City Attorney Erin Seele stated for the record anyone wishing to speak during public comments may speak regarding any topic even if the topic is not on the agenda. The Board of Aldermen’s rule is there will be no action or discussion on public comments but they would like to hear any comments from the public.

George Phillips, 12 Fir Crest Lane, inquired whether there was an update on YMCA and City negotiations. Mayor Brasses replied that is taking place at this meeting.

Gretchen Rednour, 651 Greenhurst Ct, Fenton MO, inquired if there will be a special meeting called or will topic be on agenda at the next Board meeting to discuss Petland. Alderman Jokerst inquired if topic could be placed on the next Board meeting agenda. Mayor Brasses stated it could be considered.

Cathy Commack, 19 Woodington Court, Fenton MO, she heard that Petland anticipates opening their store in March and expressed she feels delaying discussions is a disadvantage to discourage their opening.

Gretchen Rednour, 651 Greenhurst Ct, Fenton MO, spoke regarding Cathy Commack’s comment and if store opens and the next meeting is after that, there should be a special meeting called as soon as possible for discussions prior to their opening.

- **Discussion regarding draft framework for a partnership between the City and YMCA for the management of RiverChase.**

Tim Helm, President and CEO, Jared Beard, Chief Operating Officer, and Matt Clark, District Vice President-South District, 2815 Scott Avenue, St. Louis MO 63103.

Tim Helm shared at the conclusion of presentation they will be looking for a consensus of agreement on the terms overview from the Board to continue with the next step to a draft contract.

Matt Clark and Jared Beard presented an overview draft of framework for a partnership between the City and YMCA for the management of RiverChase. (attached presentation as part of these minutes).

Alderman Heard asked for clarification on calculations for the 12.5% expense. Jared Beard explained the 12.5% will be reflected in the p & l reports and is calculated on facility revenue from contributions,

memberships, and programs for an annual fee expense for overhead expenses. Tim Helm stated the 12.5% model is the same that each of the 23 YMCA's pay.

Jared Beard shared there was questions submitted from the Board regarding:

What the YMCA will be responsible for and what the City will be responsible for. Jared explained the YMCA will be responsible for inside the facility and the City will be responsible for all areas outside the facility.

Alderman Jokerst shared she had heard resident concerns of cleanliness, as they had visited other YMCA facilities, and inquired how those complaints would be addressed. Jared replied they would be addressed by the Manager (YMCA), and they use surveys for feedback. Matt added the Advisory Board is another aspect to address concerns.

Hours of operation will be agreed upon by both parties not to be less than 90 hours per week without written approval. City will have preferred access to facilities for events.

City Attorney Erin Seele stated for the record as the chat box is part of the public record, if comments are made, the City Clerk needs the name and address of the person making the comment.

The YMCA will consider program requests through collaborative program development opportunities, using a breakeven analysis and community need.

The City would fund Capital expenditures that exceed \$5,000, which would include building renovations, major mechanical, fitness equipment, etc. Alderman Jokerst inquired how equipment replacement is anticipated. Jared Beard replied they have toured the facility and the equipment is fairly new and has a great offering. YMCA will review on an annual basis and maintain a replacement schedule, i.e., cardio equipment replacement is every four (4) years and strengthening equipment is every six (6) years.

If a management fee were proposed in the future, it would be mutually agreed upon and would likely be a flat annual fee similar to other partnership agreements.

The City of Fenton will maintain property insurance coverage. The YMCA will maintain liability insurance and Workers Compensation coverage of (Liability \$1 million per occurrence; \$2 million aggregate; excess and umbrella coverage \$10 million; excess umbrella \$5 million per occurrence/\$10 million aggregate; WC self-insured up to \$400,000 and insured up to \$2 million.)

Any equipment under \$5,000 will be considered an operational expense and will be listed on the p & l report.

Alderman Jokerst voiced concern on total startup costs, particularly the City paying for rebranding the YMCA logo and time clocks as there are already time clocks installed at RiverChase. Jared replied the YMCA brand help attract people, it is a marketing effort, and helps grow membership to reduce deficient. The time clocks need to be compatible with the payroll software.

Alderman Maurath inquired what all was included in rebranding. Alderman Clauss inquired if "RiverChase" will remain in the rebranding. Alderman Heard expressed he is not sure the City should pay for rebranding expense. Jared replied interior and exterior signage and possible off site signage, the RiverChase name will be incorporated into the rebranding.

Alderman Maurath noted he was pleased to see the diverse representation desired for the Advisory Board. Alderman Maurath inquired if there were other municipalities they have partnered with. Tim Helm replied St. Louis City – the O'Fallon and Carondelet Park Recreation Complexes.

Alderman Heard inquired if there would ever be a termination of the partnership, how would the personal data information be handled and how termination works. Tim Helm replied it would be transferred to the City and allowed per terms of the contract but noted he has never experienced a non-renewal.

Alderman Clauss inquired on how YMCA raises contributions. Jared Beard replied through campaigns, they train and use volunteers for those campaigns and all funds stay local. In response to additional questions, YMCA said they will provide application process for those in need to the Board for review and Medicare does pay for YMCA memberships.

Alderman Huels thanked the YMCA and happy the YMCA will be retaining employees. Alderman Yarbrough echoed her comment.

Alderman Wisbrock shared he believes the rebranding is needed, it is marketing to help increase membership, if there is no marketing do not expect increase in membership.

Alderman Heard, Alderman Jokerst, and Alderman Cruts expressed consideration of partnership will help sustain RiverChase now and in future.

EXECUTIVE SESSION

At 8:20 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.... (3) Hiring, firing, disciplining, or promoting employees and (13) Individually identifiable personal records, performance ratings or records pertaining to employees or applicants for employment.... 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.

ADJOURNMENT

At 9:14 p.m., Mayor Brasses reconvened the meeting at which time, with no other business before the Board, Alderman Clauss made a motion to adjourn. The motion was seconded by Alderman Cruts. Upon a vote being taken, it was announced that the motion was passed unanimously by the Board of Aldermen.

Respectfully submitted,

Jane Hungler
City Clerk
City of Fenton