

**CITY OF FENTON, MISSOURI
625 NEW SMIZER MILL ROAD, FENTON, MO 63026
MINUTES OF THE BOARD OF ALDERMEN MEETING
THURSDAY, JANUARY 27, 2022
7:00 P.M.**

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

CALL TO ORDER

Mayor Bob Brassés called the Board of Aldermen meeting to order at 7:00 p.m. via Zoom Videoconference (RSMO 610.015) and explained the reasons for conducting the meeting via videoconference, i.e., due to the State of Emergency (as specified in the notice above) on Thursday, January 27, 2022.

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

ROLL CALL

City Clerk Jane Hungler called the roll:

Alderman Ralph Cruts - <i>Present</i>	Alderman Chris Clauss - <i>Present</i>
Alderman Kevin Yarbrough - <i>Present</i>	Alderman Robin Huels - <i>Present</i>
Alderman Brian Wisbrock - <i>Present</i>	Alderman Tom Heard - <i>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 Brassés - *via video conference*
City Attorney Erin Seele, Esq. - *via video conference*
City Administrator Andrea N. Finkbiner - *via video conference*
City Clerk Jane Hungler - *via video conference*
City Planner Amy Starck - *via video conference*
Public Works Director Dan Howard - *via video conference*
St. Louis County Police Precinct Captain Kevin Lawson - *via video conference*
Financial Consultant Tammy Alsop - *via video conference*

I. MAYOR'S COMMENTS

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

Alderman Jokerst shared she feels at this time to continue via Zoom for February. Alderman Wisbrock expressed his preference is to continue via Zoom for one (1) more month and discuss again at that time. Alderman Clauss shared she agreed with Alderman Wisbrock as it is highly transferrable right now. Alderman Huels shared she was in favor to continue via Zoom for one (1) more month. Mayor Brasses shared he feels should continue via Zoom for one (1) more month in the best interest for those with health concerns. Alderman Yarbrough agrees to continue via Zoom for one (1) more month. Alderman Huels suggested no hybrid meetings as she feels it is not fair to force Staff to attend in-person. Mayor Brasses agreed. Alderman Maurath shared he feels it is up to the person to protect themselves, however, does not object to continuing via Zoom for one (1) more month but need to resume in-person going forward. After discussion, Mayor Brasses stated February meetings will be held via Zoom and discuss again at the February Board meeting.

Mayor Brasses suggested with the veto discussion he would like to move Mayor's Comments topics to after Public Comments on the agenda. Alderman Maurath made a motion to move Mayor's Comments topic to after Public Comments on the agenda. The motion was seconded by Alderman Wisbrock. The motion was passed unanimously by voice vote.

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.

12 20 21 Board of Aldermen Meeting – Alderman Maurath made a motion to approve the minutes of the December 20, 2021, Board of Aldermen Meeting. The motion was seconded by Alderman Wisbrock. Upon a vote being taken, it was announced that the motion was passed unanimously by the Board of Aldermen.

12 20 21 Special Meeting of the Board of Aldermen – Alderman Wisbrock made a motion to approve the minutes of the December 20, 2021, Special Meeting of the Board of Aldermen. 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.

01 13 22 Board of Aldermen Committee Meeting – Alderman Clauss made a motion to approve the minutes of the January 13, 2022, Board of Aldermen Committee Meeting. The motion was seconded by Alderman Wisbrock. Upon a vote being taken, it was announced that the motion was passed unanimously by the Board of Aldermen.

01 20 22 Special Meeting of the Board of Aldermen – Alderman Wisbrock made a motion to approve the minutes of the January 20, 2022, Special Meeting of the Board of Aldermen. 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.

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 12/01/2021 to 12/31/2021 in the amount of \$764,285.06 as submitted. 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.

Mayor Brasses acknowledged former six (6) term mayor, Dennis Hancock was in attendance and also Gary Siebert.

IV. PUBLIC COMMENTS

Dennis Hancock, 29 Senna Wood Drive, Fenton MO 63026 – former Mayor of Fenton, shared comments in regard to the Mayor’s comment in the newsletter. He agreed with the Mayor. He expressed he feels the Mayor’s point is spot on. He shared that in his occupation he hires technicians, mechanics, and building mechanics all the time and they are now up to \$30 an hour with three plus weeks of vacation to start and still having difficulty getting/attracting qualified and decent candidates. He cannot imagine the quality of the candidates for \$15 an hour and now trying to cut back to ten (10) days of PTO. The City will not get/attract anybody you want to hire. It is a fact in this marketplace right now. There are a lot of people that when Covid came along they left the marketplace, and they are now not coming back. So, the people that you are going to be seeing in the marketplace if they have skills that are marketable are commanding top dollar, and the people who do not have skills command lesser wages.

He applauded the Mayor’s comments, and he encouraged the Board to uphold his veto and voiced the only other advice he would give the Mayor from his own experience, when you put things in the newsletter that some members of the Board do not agree with, he can expect a conversation at a future Board meeting of possibly censoring the Mayor and the newsletter. He encouraged the Mayor to keep saying what he is saying, keep expressing his opinion, he is the only one who is elected Citywide, he has a quorum and a voice to speak to the City at large. Mr. Hancock encouraged the Mayor to please continue to do so.

City Clerk Jane Hungler read into the record the public comments received and are attached as part of the minutes.

V. MAYOR’S REPORT

❖ ***Mayor’s return of Bill 21-103: An Ordinance 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, and objections thereto as provided in Section 120.088 of the Municipal Code.***

Mayor Brasses shared he was asked at prior meeting what his agenda was, he stated his agenda is to get and keep good employees. Which he feels is done by providing good pay and benefits, with pay being the biggest drive and benefits second. Without good pay it is hard to get good people and Staff, especially in the Public Works area. Without benefits to go with good pay, it makes it even less likely people are going come here and that does affect our existing employees, because we cannot bring in new people, they become overworked, get tired of being here, and more likely to move on creating more shortages and more frustration. We are setting the managers up for failure, because if they do not have Staff, it makes it awfully hard to run a department. Mayor Brasses requested his veto be entered into the record and is attached as part of the minutes.

Alderman Maurath shared an offer he felt was in best interest for the City. Alderman Maurath suggested a cooling down period and shared he did not want a vote or a veto of the Bill tonight. Alderman Maurath suggested moving it back to Committee Meeting for discussion of the Bill before any decisions are made. He thinks it is in everyone’s best interest to move it to Committee to discuss more and work it out amicably. Alderman Maurath shared he felt there were a lot of innuendoes made in the newsletter, and he disagrees with the Mayor using the newsletter to air his opinion. Also, he believes with his veto letter that it will not end well for

all involved. Alderman Maurath again suggested continuing to February meeting or call a special meeting.

- ❖ **Motion in the form of “*Shall the bill pass, the objections of the Mayor thereto not withstanding?*” to reconsider *Bill 21-103: An Ordinance 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, as provided for in Section 120.088 of the Municipal Code. (Motion to approve requires two-thirds of all the members elected to the Board of Aldermen).***

Alderman Clauss made a motion that Shall the bill pass, the objections of the Mayor thereto not withstanding?” to reconsider Bill 21-103: An Ordinance 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, as provided for in Section 120.088 of the Municipal Code. (Motion to approve requires two-thirds (2/3) of all the members elected to the Board of Aldermen).The motion was seconded by Alderman Yarbrough.

Alderman Jokerst voiced as everyone has strong opinions on this matter, she expressed she was in favor of pausing a decision. As Aldermen Yarbrough, Clauss, Huels, and Heard were against the Bill or on the fence, she suggested more discussion of the Bill as it needs further discussion to come up with a better plan than what is suggested. She felt everyone was willing to work with and look at it but then felt they had to move forward. Mayor Brasses shared he has presented an alternative option for consideration for discussion at a future meeting.

Alderman Huels voiced she had commented that she was not comfortable with the years 4-14 receiving three (3) weeks for ten (10) years, but that was part of the package, and there was not an alternative option given. In discussions with residents in her ward, they expressed they felt four (4) weeks in the first year was too much and also that employees accrued time during their probationary period. She supported what was given in Committee and voted for with the caveat she was not comfortable with some of the options. She stated she is open for discussion of changes to the first year and years 4-14. She further expressed her frustration that the newsletter was written that easily identified the five (5) aldermen that voted for the bill with no explanation. Mayor Brasses commented that the discussion can be brought back if the veto is sustained, for a better plan.

Alderman Maurath, based on the veto letter presented, reviewed Mayor Brasses’ comments.

1. In the Mayor’s opening statement, he states given the low salary for employees the Board has declined to increase starting pay repeatedly. Is he taking talking low pay or starting salary? PTO is what is at issue here but the keyword here is starting. Once again, a majority of this Board and past Boards have deemed the salary range to be adequate for the City of Fenton. Alderman Maurath recalled in the past if a candidate passed on experience and skill levels required, the Department Head has the ability to recommend to the Board a higher rate and this has happened in the past.
2. Mayor Brasses stated Alderman Maurath, sponsor of the bill, states there is no plan to manage the labor shortage. Alderman Maurath read a section of the January 20th minutes, the Mayor cites, “Aldermen Heard commented if a bigger plan, he would like to hear the plan instead of a single action”. As stated, and again these are quotes that the Mayor has provided with his exhibits in the veto. “Alderman Maurath stated he does not have a plan mapped out but does have other ideas.”

3. “Mayor Brassess asked Alderman Maurath what analysis he made in comparison with other municipalities regarding PTO/vacation/sick time to try to compare apples to apples if possible. Alderman Maurath replied he feels that has been a problem since he has been on the Board and cannot pick one to compare to. Need to review revenue streams and a of issues; however, in this case he did not review.”
4. The following bullet points are Mayor Brassess’ opinion based on untruths and what he believes. “The chair withheld information when he disagreed.” Alderman Maurath asked since when has it become the duty of any Chair or Alderperson to do the job of Staff, gathering the information and providing it to the Board. All have certainly looked at internet sources for better understanding, but there is no statutory obligation of anyone to provide this information, certainly as you will hear next if you do not believe information is relative why would you bring it up? Mayor Brassess in his veto message stated an email from Captain Lawson, “the Chair had verbally asked and received PTO of the Saint Louis County Police Department” which has a far greater benefit than Fenton’s. Alderman Maurath responded the City of Fenton does not own its Police Department it is contracted with Saint Louis County, their duties are not even close to what civilians perform, of course by its nature you would expect differences in the amount of time off and benefits due to the risks associated with their job that being 24/7 and skills needed when asked to use deadly force to protect themselves. He did not think that would be a good comparison. Alderman Maurath stated he confirmed with Captain Lawson this week, that he never asked Captain Lawson for any information, however in the exhibit it does say that Alderman Maurath contacted Captain Lawson, but Captain Lawson offered the Saint Louis County PTO plan to him, and he thanked the Captain as he is always willing to assist. Alderman Maurath commented as previously said, it did not seem to match Fenton’s situation that is why it was not sent out, no harm intended as Mayor Brassess alluded to.
5. The Chair stated he obtained information from the Bureau of Labor statistics to determine that two (2) weeks of PTO is the norm. The exhibit offered do not indicate that to be the Case. Alderman Maurath stated his comments were taken out of context to better the Mayor's argument, it was meant to point out by mentioning the Bureau of Labor statistics that was also reviewed by him as a possible source. If Mayor Brassess would have read the entire example from the Bureau of Labor statistics that he provided to make a counter against his statement he would have realized the information was compiled for private industry, Fenton is not a private industry. Alderman Maurath voiced he thinks Mayor Brassess found information in the study he felt would bolster his position the same scenario he is accusing others of, however if he had read on further, he would have read the endnote which states, “incident of employee benefits in state and local governments should not be used to compare directly to private industry due to industry composition”.
6. Alderman Maurath stated Mayor Brassess stated “the Committee and Board heard no alternatives to his preconceived conclusion” meaning me. Everyone involved had the opportunity to offer alternatives and no one (1) person can act alone. The Chair of any Committee merely leads the discussion and yes, they have their own opinion as well. But can one (1) person on the Board have the power to make any change by him or herself? Do not be fooled; but one (1) person actually does have the ability to block the vote of a majority of the Board and that is the Mayor, through his veto power; does not seem right that one (1) person can override the majority, but it is an option allowed under the State Statute, we have to live by that. Somewhere the majority made the decision that is why in override cannot and should not be the recourse here. After this review ask yourself are the

Mayor's reasons grounds enough to even consider a veto. I would like to point out that according to the minutes from a year ago January there was a motion and a second to have a third party look at the salary and benefits and it was approved by the Board. So, I asked the question where is that third party study? That should have been done, where was the ball dropped on that situation? And Mayor you are the one that runs the day-to-day operation and if that study has not been completed, why hasn't it?

Alderman Clauss asked Alderman Maurath for clarification on his cites for two (2) different issues; one with Captain Lawson and the other the Labor Board, and that he cites that neither are comparable to Fenton's situation. If they were not comparable, why were they cited? Alderman Maurath replied if his comments were listened to, he brought up the fact and it was taken out of context, he attempted to look through every piece of information on the internet that he could to help with the situation. And further commented he did look at the Bureau of Labor Statistics, he never said that is what the Board should be looking at or it was definite. He suggested reading the minutes as provided. As far as the Captain, he offered copies of their benefit package and after reviewing, it was different than civilian benefits and was not apples to apples and not relevant. He did not bring up the County Police benefits it was brought up in the Mayor's veto with accusations that he hid information. Alderman Maurath stated it was Alderman Clauss that made the past motion to have a third-party study performed and asked where that study was now. Alderman Maurath stated there is no study. Mayor Brasses stated the study has been killed several times when brought up. Alderman Maurath expressed the minutes are not correct.

Alderman Cruts commented to Alderman Clauss that she commented that Alderman Maurath asked for to achieve information from Captain Lawson and he did not do that, the Captain gave it to Alderman Maurath thinking it may help.

Alderman Yarbrough expressed it does not matter who asked for what, but if there was information provided either from the Bureau of Labor Statistics to a Chair or Committee member that he is a member of, he would like that information. He further stated that he did not receive any information. Alderman Maurath replied that he could get that on his own, it was not relevant to the conversation. He tried to look at different scenarios. Mayor Brasses asked if prior meeting videos should be reviewed for reference. Alderman Maurath replied if that is what he feels he needs to do.

Alderman Maurath referred to the February 6, 2020 "Alderman Patton asked what the overall survey is saying to the Board. Alderman Clauss replied good benefits and salary range comparisons, some are significantly different, and some are not. Alderman Maurath asked Clerk Hungler why the comparison cities were chosen and what was overall take on survey. Clerk Hungler replied they were chosen due to location to our City and relative to surrounding cities for the most part to which we are comparable. It is hard to make a comparison of the compensation received by each position since job functions are oftentimes quite different making it hard to compare "apples to apples." Comparing additional benefits, these include health insurance, paid time off and holidays, the City has one of the best benefit packages around and its full compensation (including benefits package) is in line with other cities for most positions. Alderman Maurath recommended distributing to employees. City Administrator Nikki Finkbiner stated certain positions do pay lower, but benefits need to be considered. Public Works Director Matt Budd emphasized that he feels Maintenance Worker 1 needs to be increased to be competitive. Alderman Clauss expressed that maybe some adjustment could be made, however, Department Heads can always petition the Board for higher starting wages for a particular employee." And he noted that still stands true for today.

The current job description asks for skills that include welding, street striping, asphalt and concrete work, ability to work on streetlights, which the City does not do. Job descriptions need to be changed. They are asked to cut grass, pick up lawn debris, and minor crack sealing. He feels pay and compensation are relative to some of the others. And most recently the Missouri Municipal League (MML) shared a comparison of cities that he shared with the Board members and asked if it had been reviewed by anyone. Mayor Brasses stated he reviewed the MML comparison. Mayor Brasses expressed the study referred to in the February 6th minutes was completed by Staff in lieu of using a third party, as the Board did not want to pay the expense to have a third party perform a study. Alderman Maurath stated that was not the case and suggested he read the minutes.

Alderman Heard shared candidly he is not interested in the he said/she said details, he inquired what the motion was that is before the Board.

City Attorney Erin Seele explained once the Mayor returns the Bill with his objections and unsigned, the Bill is vetoed. The Board has the authority through Statue and Code to override the veto, there is no time period in the Statue or Code when that has to be done, however, there has been a motion and a second made. The Board is voting weather or not the Bill is to become law notwithstanding the Mayor's veto. Does the Board want to override the veto and make the Bill become law and it needs a two-thirds (2/3) majority to pass? City Attorney Erin Seele repeated the motion "that Shall the bill pass, the objections of the Mayor thereto not withstanding?" If vote is yes, you want that bill to become law. If vote is no, you want the Mayor's veto to stand, and the bill does not become law. Alderman Heard clarified, unless motions are rescinded, the Board has to act on the motion. City Attorney Erin Seele replied yes. Alderman Cruts shared comments and discussions had not been heard before the motion was made and that is not right. City Attorney Erin Seele stated that statement is not true as under Roberts Rules there is not supposed to be discussion until there is a motion and seconded and noted it is discussion time now before a vote is taken.

Alderman Cruts stated he considers reputation the number one thing in his life. He feels comments on how this was done threw everyone under a bus. He is okay with Alderman Maurath's statements. Alderman Cruts suggested tabling discussion and veto to a later date and work it out. He feels that would have been the appropriate thing to do and is tired of half-truths and led down a pathway with no results. He had considered not running again in the next election as he is tired of asking for information, making phone calls, and not receiving information and not explanation on why he is not provided information. Before decision to consider PTO, there was discussion of salary increases, he feels Public Works employees deserve extra money. There was prior questions of duties and responsibilities of an Alderman. As each Alderman represents approximately 1,000 residents and when an Alderman takes the opinion of 1, 2, or 3 people and ignores the others, that alderman should not be there. Integrity is number one. Alderman Cruts shared the Mayor made comments that the aldermen were cherry picking, specifically at Alderman Maurath. He further stated people are asking how the members can be so non-caring, and cruel for the people we are looking out for, and that is the furthest from the truth. He is trying to figure out why Fenton has the best benefit package out there and now we have to give the best pay on top of that and funds are not unlimited, they are declining. He is looking for alternatives, why it must be done or not. He specifically asked for information of the nine (9) cities that were given regarding benefits to review to make a decision and it was not provided. The information that is provided is cherry picked. The reason the nine (9) cities were used was to show how bad salaries are. He wants to know why the salaries are so bad, if the why is corrected, the City can do tremendous things. If not questioned why and just go along with it, you go deeper in a hole with the problem. He feels his reputation

is on the line. He spent three (3) hours of his own time researching what he asked Staff for that he did not receive. There is a variety of paid time off. He found that there are almost no cities that offer 100% employee paid insurance that is comparable to Fenton's program. He stated that Fenton is paying thousands of dollars more per employee than sister cities around Fenton and throughout the county with the most limited source of revenue. As a resident for twenty plus years, Fenton offers great benefits to the residents such as leaf pick-up, free trash, free recycling, and other benefits. Alderman Cruts further shared that when he is considering bills, should it still be done, can City afford to keep doing, etc. but so often when bills come up, the Board is forced to make a decision based on something that has been cherry picked. He is not on the Board to supplement his income, he is here to work with the City employees, and he is infuriated that they think he is not, his reputation is everything. Alderman Cruts suggest charging employees \$50 or \$100 a month for their health insurance, such as sister cities, that would free up approximately \$30,000 to use toward each employee a \$3,000 increase in pay that would not affect the City and help the situation as everyone looks at pay for salary first and utmost and agrees it needs to be increased. But he did not get information before he made the vote. If Board would have had information as requested upfront, just as the Mayor is accusing Alderman Maurath of withholding information from Captain Lawson and agrees with Alderman Yarbrough that information should have been shared. Alderman Cruts stated if the City keeps going down this path the City will fail.

Alderman Yarbrough restated if there is any information on a Committee it should be distributed to the Board before a vote is taken.

Alderman Maurath voiced there was no intent to withhold information, he did not feel it was apples to apples comparison to share to have members think about information. He asked City Attorney if he or other aldermen were statutorily required/obligated to provide information they find on the internet with others, and if he had found anything he would have passed it on. No harm intended, did not want to waste their time. The Mayor made a damning comment in the newsletter that there are numerous openings for employment. Alderman Maurath shared in conversation with HR department and inquired of the eleven (11) individual positions in Parks and Recreation Department, how many of those were benefited employees, HR's reply was zero, they are seasonal and occasional employees that are not affected by this PTO. There are three (3) positions within Public Works Department that are affected by this PTO, he does not feel that is numerous. Other cities have many more benefited employees that they have openings for. He referred to an article he saw in the Webster/Kirkwood times, the finance people in that city have indicated if the city continues down the path financially taking money out of their reserves, in five (5) years they will be \$8 million dollars in the red, as part of their expenses including pay and benefits. Fenton in 2008 and 2009 had to make cuts in services and employees to reduce debt, with hard work of Staff and Board members the City was successful. The City cannot continue to subsidize RiverChase. Alderman Maurath suggested the Board lookup what taxes other municipalities are collecting.

Alderman Huels expressed earlier as Alderman Cruts referred to earlier that the insinuation's that this decision was made by one person and other followed, was not correct; she made her decision based on the opinions of people that she spoke with that she represents in her ward and the majority expressed that they were not in favor of four (4) weeks in the first year.

Alderman Maurath asked for clarification of the yes and no vote. City Attorney Erin Seele explained the Board is voting weather or not the Bill is to become law notwithstanding the Mayor's veto. If vote is yes, you want to override the veto and the bill to become law. If vote is no, you want the Mayor's veto to stand, and the bill does not become law. City Attorney Erin

Seele further explained it requires two-thirds (2/3) majority (six (6) yeases) to pass and override the Mayor's veto and must have video to participate in roll call vote.

Alderman Heard noted that it was his intention to vote "no" as he did originally, he feels this is not the right decision, he agrees four (4) weeks too much and two (2) weeks is too little. He hopes the bill fails, so that the Board can negotiate a better solution.

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 did not pass.

Alderman Huels voiced she agrees with Alderman Heard and would like further discussions for consideration. Mayor Brasses stated he will place discussion on upcoming agenda, with his proposed option to start discussions. Alderman Maurath stated background information needs to be provided as it has been requested for a number of years and not received. With an understanding that more needs to be done before just approving the Mayor's proposal and the Board may have to individually go digging for information. Mayor Brasses expressed a motion can be made in next meeting to have a third party perform a study. Alderman Maurath replied that motion is already before him and has never been accomplished that he has failed in his position as a Mayor. Alderman Jokerst suggested placing topic on February agenda for further discussion. Mayor Brasses stated he believes prior Board rejected the costs for third party but will review minutes.

❖ **Approval of a request to renew an agreement with Cardinal Vending, Inc. for Vending Machine Services for another one-year term, as discussed at the January 13th Committee Meeting.**

Alderman Clauss made a motion to approve request to renew an agreement with Cardinal Vending, Inc. for Vending Machine Services for another one-year term, as discussed at the January 13th Committee Meeting. The motion was seconded by Alderman Wisbrock. Upon a vote being taken, it was announced that the motion was passed unanimously by the Board of Aldermen.

❖ **Mayor's re-appointment of Gary Johnson (Ward 1) to the Parks and Recreation Committee, term ending January 2024.**

Alderman Clauss made a motion to approve re-appointment of Gary Johnson (Ward 1) to the Parks and Recreation Committee, term ending January 2024. 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.

❖ **Mayor's re-appointment of Lynn Hughes (Ward 2) to the Parks and Recreation Committee, term ending January 2024.**

Alderman Clauss made a motion to approve re-appointment of Lynn Hughes (Ward 2) to the Parks and Recreation Committee, term ending January 2024. 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.

❖ **Mayor’s re-appointment of Deb Rogers (Ward 3) to the Parks and Recreation Committee, term ending January 2024.**

Alderman Huels made a motion to approve re-appointment of Deb Rogers (Ward 3) to the Parks and Recreation Committee, term ending January 2024. 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.

❖ **Mayor’s re-appointment of Eric Robeck (Ward 4) to the Parks and Recreation Committee, term ending January 2024.**

Alderman Heard made a motion to approve re-appointment of Eric Robeck (Ward 4) to the Parks and Recreation Committee, term ending January 2024. 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.

❖ **Mayor’s appointment to the Parks and Recreation Committee, Ward 4, un-expired term ending January 2023.**

There was no appointment made.

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

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

- **Approval with conditions, of CASE 2022-SP-01: A Petition by Warren Sign Company on behalf of Grey Eagle Distributors for Sign Plan Review of proposed signage at 801 Assembly Parkway. The property is zoned “PID” Planned Industrial Development.**

Alderman Maurath made a motion to approve with conditions (as presented at the January 13th Committee Meeting), CASE 2022-SP-01. 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 Final Plat to subdivide an existing parcel of land being part of the Boundary Adjustment Plat of Andrew Murphy Estates and a Boundary Adjustment of Lot E of Fenton Logistics Park Plat Four to create three (3) lots.**

Alderman Maurath announced this will be considered under Bill 22-01.

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

❖ **Announcements:**

- **The following items were continued to the next Parks and Recreation Committee Meeting:**
 - Discussion regarding possible uses and a name for City owned park parcels located at 725 New Smizer Mill Road and 905 Gregory Lane.
 - Discussion regarding restroom options at Fabick Nature Preserve.
 - Discussion regarding plantings around Westside Park and review/findings by the Missouri Department of Conservation.
- **The February 7, 2022, Parks and Recreation Committee Meeting will begin at 6:00 p.m. to allow additional time for annual training with the City Attorney.**

VIII. CITY CLERK’S REPORT

Nothing to report.

IX. REPORTS FROM STANDING COMMITTEES

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

• Monthly Report – Captain Lawson

- Responded to 831 calls for service vs. 831 in November 2021 and 789 in December 2020.
- Handled 1,296 self-initiated assignments vs. 1,350 in November 2021 and 1,676 in December 2020.
- 18 arrests (includes SIL's) vs. 29 in November 2021 and 58 in December 2020.
- Responded and handled 670 radio/on-view assignments in the retail business area vs. 658 in November 2021 and 735 in December 2020.
- Those calls resulted in 14 arrests vs. 10 in November 2021 and 34 in December 2020.
- Issued 43 traffic citations, 17 warning citations and 1 DWI vs. 27/16/1 in November 2021 and 36/xx/0 in December 2020.
- Radar trailer with Flock camera was deployed on Fabick Drive and Rudder Road and stealth radar was not deployed.
- Handled:
 - 6 Part 1 crimes against persons vs. 3 in November 2021 and xx in December 2020.
 - 72 Part 1 crimes against property vs. 53 in November 2021 and xx in December 2020.
 - 4 Part 1 crimes against society vs. 7 in November 2021 and xx in December 2020.

• City of Fenton Court Statistics for December 2021.

Alderman Cruts asked if there were any questions or comments on disbursements of \$1,420.00 for Rejis and \$4,147.00 for Show-Me-Court. There were no comments or questions.

• Ord. amending Chapter 205, Article VII, Offenses Concerning Property, of the Municipal Code by adding a new Section 205.1130 pertaining to Vehicle Tampering and Vehicle Prowling.

Alderman Cruts announced this will be considered under Bill 22-02.

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

• Monthly Report

○ The City is currently advertising for the following positions:

Alderman Maurath noted the eleven (11) open positions in the Parks and Recreation are not eligible for benefits.

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

Alderman Maurath noted the three (3) open positions in the Public Works are eligible for benefits.

Public Works Department

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

- **Approval of a new job description for a Recreation Association V - Swim Instructor, as discussed at the January 13th Committee Meeting.**

Alderman Maurath made a motion to approve the new job description for a Recreation Association V - Swim Instructor, as discussed at the January 13th Committee Meeting. 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.

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

- **Monthly Report**

- **During the month of December 2021, the following businesses received an Occupancy Permit in the City of Fenton:**
 - **Tender Heart Child Therapy**
558 Gravois Road, Suite L-100
Child Counseling/Therapy Services
 - **MD Night Owl Tobacco, LLC**
35 Gravois Bluffs Plaza Drive
Tobacco Product Sales
- **Information regarding the upcoming Proposition U Local Sales Tax measure on the April 5, 2022, General Election ballot has been placed in the City's newsletter, on the City's website, and the City's social media.**

- ❖ **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.

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

- **Monthly Update**

- MSD Project – MSD contractor continues to replace the sanitary sewer in the Center Street area.

- Public Works continues right-of-way tree removal, stump grinding, and crack sealing operations, 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).

- **Approval of a request to renew an agreement with SC Engineering, LLC d/b/a Cochran for on-call, as needed engineering services for another one-year term, as discussed at the January 13th Committee Meeting.**

Alderman Wisbrock made a motion to approve request to renew an agreement with SC Engineering, LLC d/b/a Cochran for on-call, as needed engineering services for another one-year term, as discussed at the January 13th Committee Meeting. The motion was seconded by Alderman Jokerst. Upon a vote being taken, it was announced that the motion was passed unanimously by the Board of Aldermen.

- **Approval of a request to renew an agreement with Fire Tech, LLC for annual maintenance and on-call maintenance and repair services for the City's sprinkler systems for another one-year term, as discussed at the January 13th Committee Meeting.**

Alderman Wisbrock made a motion to approve request to renew an agreement with Fire Tech, LLC for annual maintenance and on-call maintenance and repair services for the City's sprinkler systems for another one-year term, as discussed at the January 13th Committee Meeting. 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.

❖ **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 01/19:

- **Open Service Tickets:**

- Issues with printers at RiverChase. Engineer was sent on-site to resolve.

- **Projects:**

- ENT is in the process of deploying the City's additional Cyber Security (Paladin Shield) provided through the City's insurance carrier.

- **Sales:**

- 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. ENT is working on a plan for a fiberglass pole for a LPR camera at the entrance.

- ENT is in the process of cleaning up the data closet at RiverChase.

- Service Ticket List for December 2021.

- **Ord. authorizing the Mayor to execute a second amendment to extend the term for the agreement with SumnerOne, Inc. for copy machines.**

Alderman Heard announced this will be considered under Bill 22-03.

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

• **Monthly Financial Update for December 2021**

INVESTMENTS

The total value of City’s cash and investments (General Fund, Storm Water/Parks Fund, and Capital Projects Fund) was \$17,423,310 at 11/30/21.

The Storm Water/Parks Fund cash and investments was \$7,345,393 at 11/30/21. Of this amount \$3,811,296 is restricted for Storm Water/Parks and the remaining \$3,534,097 is committed for emergencies or assigned for Storm Water/Parks.

OPERATIONS

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

- General Fund operating revenues as of 11/30/21 were approximately \$4,323,763 while operating expenditures were approximately \$4,568,084. Revenues are at approximately 68.94% of the annual budget of \$6,272,150, and expenditures are at approximately 77.25% of the annual budget of \$5,913,452.
- Storm Water/Parks Fund revenues as of 11/30/21 were approximately \$4,065,260 while expenditures were approximately \$3,885,380. Revenues are at approximately 76.61% of the annual budget of \$5,306,675, and expenditures are at approximately 72.73% of the annual budget of \$5,342,165.

SALES TAX REDISTRIBUTIONS

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

"A" SALES TAX SUMMARY		"B" (POOL) SALES TAX SUMMARY		COMBINED SALES TAX SUMMARY	
Generated	Redistributed	Generated	Redistributed	Generated	Redistributed
\$313,675	\$175,214(55.9%)	\$189,508	\$184,681(97.5%)	\$503,183	\$359,895(71.5%)

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

• **Monthly Update**

- The City has continued with Covid-19 protocols for cleaning buildings and equipment.
- “Danger Thin Ice” signs have been placed at the City lakes.

• **Approval of a request to apply for the 2022 Managed Deer Hunt through the Missouri Department of Conservation (MDC), as discussed at the January 13th Committee Meeting.**

Alderman Jokerst made a motion to approve request to apply for the 2022 Managed Deer Hunt through the Missouri Department of Conservation (MDC), as discussed at the January 13th Committee Meeting. The motion was seconded by Alderman Wisbrock. Upon a vote being taken, it was announced that the motion was passed unanimously by the Board of Aldermen.

X. CONSIDERATION OF PENDING BILLS

There were no pending bills.

XI. CONSIDERATION OF NEW BILLS:

Bill 22-01 Ord. approving a Final Plat to subdivide an existing parcel of land being part of the Boundary Adjustment Plat of Andrew Murphy Estates and a Boundary Adjustment of Lot E of Fenton Logistics Park Plat Four to create three (3) lots.

Sponsor: Maurath

Alderman Maurath desired first reading of Bill No. 22-01. 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. 22-01 for a second time by title only.

Alderman Maurath made a motion that Bill No. 22-01 be enacted as Ordinance No. 4190. 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. 22-01 was passed by the Board of Aldermen and would become Ordinance No. 4190 when and if signed by the Mayor.

Bill 22-02 Ord. amending Chapter 205, Article VII, Offenses Concerning Property, of the Municipal Code by adding a new Section 205.1130 pertaining to Vehicle Tampering and Vehicle Prowling.

Sponsor: Cruts

Alderman Cruts desired first reading of Bill No. 22-02. City Attorney Erin Seele read the Bill one time by title only.

Alderman Cruts made a motion to seek a waiver of the rules for a second reading. The motion was seconded by Alderman Yarbrough. Upon a vote being taken, it was announced that the motion was passed unanimously by the Board of Aldermen. City Attorney Erin Seele read Bill No. 22-02 for a second time by title only.

Alderman Cruts made a motion that Bill No. 22-02 be enacted as Ordinance No. 4191. The motion was seconded by Alderman Maurath. 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. 22-02 was passed by the Board of Aldermen and would become Ordinance No. 4191 when and if signed by the Mayor.

Bill 22-03 Ord. authorizing the Mayor to execute a second amendment to extend the term for the agreement with SumnerOne, Inc. for copy machines.

Sponsor: Heard

Alderman Heard desired first reading of Bill No. 22-03. 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 Huels. 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. 22-03 for a second time by title only.

Alderman Heard made a motion that Bill No. 22-03 be enacted as Ordinance No. 4192. 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. 22-03 was passed by the Board of Aldermen and would become Ordinance No. 4192 when and if signed by the Mayor.

XII. EXECUTIVE SESSION

At 8:57 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 (3) Hiring, firing, disciplining, or promoting employees. The motion was seconded by Alderman Jokerst.

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

Alderman Cruts	<i>Aye</i>	Alderman Clauss	<i>Aye</i>
Alderman Yarbrough	<i>Aye</i>	Alderman Huels	<i>Aye</i>
Alderman Wisbrock	<i>Aye</i>	Alderman Heard	<i>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 10:04 p.m. Mayor Brasses reconvened the meeting at which time, with no other business before the Board, Alderman Wisbrock made a motion to adjourn. The motion was seconded by Alderman Jokerst. 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