

CITY OF FENTON, MISSOURI
625 NEW SMIZER MILL ROAD, FENTON, MO 63026
MINUTES OF THE SPECIAL MEETING OF THE BOARD OF ALDERMEN
THURSDAY, MARCH 31, 2022
7:00 P.M.

CALL TO ORDER

Mayor Bob Brasses called the Board of Aldermen Meeting of the City of Fenton, St. Louis County, Missouri to order at 7:00 p.m. on Thursday, March 31, 2022. 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 Cruets - <i>Present</i>	Alderman Chris Clauss - <i>Present</i>
Alderman Brian Wisbrock - <i>Present</i>	Alderman Robin Huels - <i>Present</i>
Alderman Joe Maurath - <i>Present</i>	Alderman Tom Heard - <i>Present</i>
Alderman Kevin Yarbrough - <i>Absent</i>	Alderman Susan Jokerst - <i>Absent</i>

Six Aldermen were present at the opening of the meeting.

CITY OFFICIALS PRESENT:

Mayor Bob Brasses
City Attorney Erin Seele, Esq.
City Administrator Andrea N. Finkbiner
City Clerk Jane Hungler
St. Louis County Police Precinct Captain Kevin Lawson

Mayor Brasses stated that he called this Special Meeting for:

Discussion regarding Proposition U, which will be on the April 5, 2022, General Election Ballot. This discussion will provide facts regarding Proposition U and will allow public comments and questions regarding the same.

Stuart Haynes – Missouri Municipal League, Director of Administration & Policy was in attendance via videoconference. Mr. Haynes shared a presentation on Prop U that is attached as part of the minutes. Differences between sales tax and use tax: Sales tax is based on the point of sale while the use tax is based on the point of delivery. Purchases from out-of-state vendors would be subject to the use tax while purchases from Missouri businesses are subject to the sales tax. There would not be a double tax.

Richard Patton, 1714 San Martin Drive, Fenton MO 63026 inquired what is Fenton tax rate that Prop U will affect and if that includes the Park and Storm Water tax. It was explained the proposed tax would match the current 1% local sales tax for purchases made online from out-of-state vendors, not the .5% storm water/parks tax. Also, any future modifications to the City's sales tax rate would be automatically mirrored by the use tax rate.

Mr. Patton asked if collected tax would be surrendered as part of St. Louis County tax pool. It was explained it would not be part of the tax pool, all of revenue collected through this tax would remain in Fenton.

Mr. Patton inquired if the proposition does not pass, if a tax increase ballot will continue to come before the voters. It was expressed that it is not a consideration at this time.

Mr. Patton inquired on the anticipated revenue from the tax. It was expressed that the anticipated revenue is unknown at this time. Mr. Patton commented he believes the anticipated revenue would be less than \$100,000 based on Fenton population and he feels that minimal anticipated revenue does not warrant being placed on the ballot. It was explained the anticipated revenue is not only from Fenton residents but also includes Fenton businesses which would increase this anticipated revenue calculation.

Mr. Patton inquired on the reasoning and why the need for proposition to be on the ballot as he does not see budget shortfall. It was explained if passed, this would result in purchases from out-of-state retailers now being subject to the same tax rate as from local businesses and as online sales are increasing this would help keep up with the way consumers are shopping today and not lose future revenue.

Mr. Patton expressed he was not in favor of the tax and would be advocating against it. He feels this tax is unnecessary and taking money away from residents that need it.

Mayor Brasses asked if there is a self-reporting requirement now. Mr. Haynes replied yes. The new law requires online sellers to collect use tax on out-of-state purchases rather than the consumer paying it into the state, however consumers are to file use tax returns on purchases over a cumulative amount of \$2,000 in any calendar year.

David Hering, 104 Parkside Acres, Fenton MO 63026 inquired on difference as there is a county and local proposition on ballot. It was explained that each proposition is separate as Proposition C is for St. Louis County to collect St. Louis County 3.513% tax and Proposition U is for Fenton to collect Fenton 1% tax. If both pass, both taxes would be collected or if one or the other would pass only the one that passed would be collected.

EXECUTIVE SESSION

At 7:48 p.m., Alderman Clauss made a motion to enter into Executive Session pursuant to Section 610.021 (1) Legal actions, causes of action or litigation. The motion was seconded by Alderman Huels.

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

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

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

ADJOURNMENT

At 8:10 p.m. with no other business before the Board, Alderman Huels 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