

**CITY OF FENTON, MISSOURI
625 NEW SMIZER MILL ROAD, FENTON, MO 63026
MINUTES OF THE BOARD OF ALDERMEN COMMITTEE MEETING
THURSDAY, AUGUST 11, 2022
7:00 P.M.**

CALL TO ORDER

Mayor Maurath called the Board of Aldermen Meeting of the City of Fenton, St. Louis County, Missouri to order at 7:00 p.m. on Thursday, August 11, 2022. The meeting was held at Fenton City Hall and via Zoom Videoconference (RSMo 610.015).

PLEDGE OF ALLEGIANCE – Mayor Maurath led the Pledge of Allegiance.

ROLL CALL

City Clerk Jane Hungler called the roll:

Alderman Ralph Cruts - *Present*

Alderman Terry Bereitschaft - *Present*

Alderman Robin Huels - *Present*

Alderman Ron Harrell - *Present*

Alderman Chris Clauss - *Present - via video conference*

Alderman Brian Wisbrock - *Present*

Alderman Scott Maserang - *Present*

Alderman Susan Jokerst - *Present*

Eight Aldermen were present at the opening of the meeting.

CITY OFFICIALS PRESENT:

Mayor Joe Maurath

City Attorney Erin Seele, Esq.

City Administrator Andrea N. Finkbiner

Community Development Director Amy Starck

City Clerk Jane Hungler

St. Louis County Police Captain Kevin Lawson

MAYOR'S COMMENTS

Mayor Maurath shared there is presentation from the YMCA tonight. St. Paul Annual Soccer Tournament started today and encouraged attendance to cheer the teams on.

PUBLIC COMMENTS

There were no public comments.

Alderman Huels made a motion to move YMCA topics under parks and capital improvements next on the agenda. 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.

CAPITAL IMPROVEMENTS – *Ald. Maserang, Chairman (Bereitschaft, Harrell, Huels)*

- **Presentation and request by the YMCA to amend the City's Capital Improvement Plan for improvements at the RiverChase YMCA facility.**

Matt Clark, District Vice President, Gateway Region YMCA, gave an overview of updates on projects associated with transitional startup costs to the facility such as painting / decals, interior graphics and shared Keelyn Krill will present additional projects they feel will help drive the success and serve the community and surrounding areas. See attached presentation.

Keelyn Krill, Vice President of Membership and Healthy Living, Gateway Region YMCA, shared their vision of top ten (10) fitness trends they feel would bring value to the space and help strengthen and grow the membership base. Milli Matronia, Health & Wellness Director RiverChase YMCA (former Fenton Recreation Supervisor-Fitness), has been involved in the development of these programs with her knowledge of what the community is in need of and their interests. Alderman Jokerst inquired if they were considering programs geared toward child health. Keelyn Krill replied not specifically children for the group classes, but they focus on family health as a whole. Keelyn Krill gave overview of reimagined spaces for programs and the new fitness equipment that has been ordered via lease.

Tom Verheyen, Executive Director at RiverChase YMCA, summarized fall programs they will be offering, and noted that child watch hours will be extended. Tom explained the funding sources: 1. startup costs of \$140,000 (interior/exterior signage, marketing, and office supplies) and 2. Capital Money – they are requesting reallocation of pool renovations \$150,000, pool audit \$25,000, and flooring \$20,000 = totaling \$195,000 to meet immediate desires to grow impact in the community as presented in the presentation for improvements; a total expense of \$335,000.

Mayor Maurath stated for the record the funds have already been approved in the 2022 budget by the Board of Aldermen and the request is a reallocation of those Capital funds. Mayor Maurath noted he has witnessed Tom Verheyen performing cleaning duties to help maintain the cleanliness of the facility and has heard the number of attendees for classes have begun to increase.

Milli Matronia shared class attendance is increasing, and she believes upgrading the proposed spaces will continue to attract more attendees.

City Administrator Nikki Finkbinder shared the YMCA is planning a grand opening September 14th. City Administrator Nikki Finkbinder noted for the record that the \$25,000 for pool audit will still be retained as well as \$100,000 in pool renovations, and Midwest Pool and Court is scheduled after Labor Day to start line testing for the pools, with Fenton Building and Grounds Technician and YMCA on site to assist. If approved tonight, the YMCA requested reallocation will be captured in the mid-year budget.

After discussion, Alderman Maserang made a motion to open the topic to the full Board of Aldermen.

The motion was seconded by Alderman Huels. Upon a vote being taken, the motion passed unanimously by the Committee.

Alderman Maserang made a final motion to approve the YMCA request to reallocate funds as proposed. The motion was seconded by Alderman Huels. Upon a vote being taken, the motion passed unanimously by the Board of Aldermen.

PARKS AND RECREATION – *Ald. Huels, Liaison*

- **Discussion regarding the City of Fenton Swim Team.**

The City currently has a swim team, that is part of a “Municipal Swim League” (swim teams formed by surrounding municipal recreation centers). The team is coached by RiverChase employees and practices at RiverChase during the summer months. The team also participates in meets at other municipal recreational centers, and two (2) meets are held at RiverChase each summer. In the past, the team’s practices and meets were coordinated by a City of Fenton Recreation Supervisor at RiverChase, and assistance to set-up and tear-down for the meets were performed by Staff at RiverChase and Public Works.

With the recent YMCA takeover of the management and operations of RiverChase, hosting a team will prove difficult as the City will need to appoint a City representative to oversee and coordinate the team and coaches (per the Muni League By-Laws, the City’s representative must be a City employee) and coordinate with the YMCA’s schedule for practices and meets at the RiverChase YMCA pool during the summer. (Note: Per the YMCA, they provide a swim team opportunity at their South County Y location.)

Based on the above, and to give the City ample time to inform anyone who may want to participate on the team next year as well as informing the Municipal League of the City’s participation, Staff is requesting that the Board decide if they would like to continue to have a municipal swim team. If it is determined that the City will no longer have a team, the Y will reach out to interested participants to provide information regarding their swim league at the South County Y.

Alderman Jokerst inquired how many swim team members would be affected. Tom Verheyen replied approximately 85 members.

Following discussion, Alderman Huels made a motion to continue to the September Board of Aldermen meeting the discussion regarding the City of Fenton Swim Team. The motion was seconded by Alderman Bereitschaft. Upon a vote being taken, it was announced that the motion was passed unanimously by the Board of Aldermen.

Alderman Maserang made a motion to move Health and Safety topics after Police and Personnel topics on the agenda. 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.

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

- **Discussion regarding Active Shooter Training.**

Captain Lawson shared it had been approximately over two (2) years since last training. Tentative dates for training are Thursday, September 15th at 7 p.m. for Board, Commission, and Committee members and Tuesday, September 20th at 10 a.m. for Staff.

Alderman Clauss inquired if there would be alternative dates and locations for training if unable to attend. Captain Lawson stated that can be discussed with the Tactical Operations Unit.

Alderman Jokerst shared she would not be available to attend on the 15th.

PERSONNEL – Ald. Wisbrock, Chairman (Cruts, Huels, Jokerst)

• **Consideration of amendments to the City’s Personnel Manual.**

Due to recent change to allow certain employees to work four (4) day - ten (10) hour work schedule in lieu of the five (5) day - eight (8) hour work schedule, and the recent change in RiverChase management, Staff is proposing amendments to the City’s Personnel Manual:

5.3 Holidays Section 5.3.1 Schedule for Holidays

CURRENT:

All Full-Time Employees will receive a full day’s pay for full day holidays.

All Part-Time Employees will receive holiday pay on a prorated basis based on standard hours worked.

PROPOSED AMENDMENT:

A Full-Time Employee shall be entitled to be paid his or her regular rate of pay for eight (8) hours of holiday pay for holiday(s) observed regardless of the employee’s work shift and work schedule. (Employees may use either PTO or Compensatory Time off to supplement their hours.)

For example, if a holiday falls on a Monday, an employee who regularly works a ten (10) hour day on Monday, shall be entitled to eight (8) hours of pay and may either:

- 1) use PTO or Compensation Time to receive the full ten (10) hours of pay for that day,*
- 2) receive two (2) less hours of pay for that work-week; or*
- 3) with the Department Head’s prior authorization, work an additional two (2) hours during the same work-week.*

When a holiday falls on a day outside a Full-Time Employee’s basic workweek (i.e., the Employee works Tuesday through Friday and the holiday falls on a Monday), he or she is entitled to eight (8) hours of “in lieu of” holiday, to be taken within the same pay period. Part-Time Employees are not entitled to an “in lieu of” holiday.

A Part-Time Employee shall be entitled to be paid his or her regular rate of pay on a prorated basis based on standard hours worked.

Mayor Maurath inquired if enough time had passed since the implementation of the four (4) day – ten (10) hour work schedule for evaluation to determine if will continue during winter and if changes to the manual were needed now. City Administrator Nikki Finkbiner shared this amendment would define the number of hours of holiday pay that would be paid based on work schedule and the Department Head has ability to change work schedules as needed. Mayor Maurath suggested holiday pay should be eight (8) hours for a five (5) day – eight (8) hour work schedule and ten (10) hours for a four (4) day – ten (10) hour work schedule, based on employees work schedule.

Alderman Maserang inquired the ratio split of employees working Monday-Thursday and Tuesday-Friday work schedules. City Administrator Nikki Finkbiner replied she believes four (4) working Monday-Thursday and five (5) working Tuesday-Friday.

Alderman Bereitschaft inquired on the challenges for scheduling “in lieu of” holidays for Department Head to ensure work shifts are properly staffed. Alderman Wisbrock shared when 4-10 work schedule was approved, it was approved with the note that if scheduling became an issue, the 4-10 work schedule would be eliminated. Mayor Maurath stated an “in-lieu of” holiday must be approved by an

Employee's Department Head.

After discussion, Alderman Wisbrock made a motion to forward to the July Board of Aldermen meeting the consideration of amendments to the City's Personnel Manual with amendment to read:

A Full-Time Employee shall be entitled to be paid his or her regular rate of pay for:

- Eight (8) hours of holiday pay for holiday(s) observed if working a five (5) day – eight (8) hour work schedule; or
- Ten (10) hours of holiday pay for holiday(s) observed if working a four (4) day – ten (10) hour work schedule.

And add Use of an “in-lieu of” holiday must be approved by an Employee's Department Head.

The motion was seconded by Alderman Cruts. Upon a vote being taken, it was announced that the motion was passed unanimously by the Committee.

- **Discussion regarding 2023 employee salaries.**

Alderman Wisbrock shared he would like to start discussing 2023 employee salaries as year-end and budgeting discussions will be coming soon. Alderman Wisbrock inquired what form the Board wants to consider using for 2023 salaries, quartile matrix, merit, percentage, or flat.

Alderman Jokerst stated she feels evaluations are needed before discussions for budgets or raised scheduled. City Attorney Erin Seele stated that amendments were made to the Personnel Manual to provide for that.

Mayor Maurath suggested providing a memo to the Board explaining how the quartile matrix works. City Administrator Nikki Finkbinder to provide information to the Board of Aldermen explaining how the quartile matrix works.

HEALTH AND SAFETY – *Ald. Jokerst, Chairman (Cruts, Wisbrock, Clauss)*

- **Discussion regarding residential re-occupancy inspections.**

Currently the City does not require re-occupancy permits for existing residential dwellings (for rent or sale pending). Occupancy Permits are only obtained for new residential construction.

Many municipalities that contract with St. Louis County for building inspection services (as the City also does) contract with the County for residential re-occupancy inspections at no cost to the city. These contracts can be based on the terms developed by the City for the inspection, but would require the City fully adopting the County's Property Maintenance Code and amending the current contract for services with the County. Before researching a possible contract amendment with St. Louis County for such services, Staff is seeking the Board's input as to whether this type of inspection is desired.

City Administrator Nikki Finkbinder shared the City has received some concerns typically regarding rental properties on the number of allowed residents/occupants. The reply to the concern as defined in the City Zoning Code defines Family - One (1) or more persons who are related by blood, marriage, or adoption (including foster care) living together and occupying a Dwelling Unit, or a group of not more than three (3) persons living together on a non-profit, cost-share basis. But, it is difficult for the City to enforce without an occupancy permit.

Alderman Maserang asked if City could limit scope of work for inspections or if St. Louis County has their own guidelines. City Administrator Nikki Finkbinder replied, St. Louis County has guidelines,

County's Property Maintenance Code, they follow that the City would need to adopt. Alderman Maserang inquired if inspection would apply to both rental and selling of home. City Administrator Nikki Finkbinder responded the City can select to include selling of home. Alderman Maserang expressed he is not in favor of including selling of home but would consider rental re-occupancy inspections and further inquired if City could perform inspections instead of St. Louis County. City Administrator Nikki Finkbinder stated that could be a possibility, however it would be a cost to the City, and the City would need to create that position.

Alderman Jokerst inquired if purpose for inspection was for City to ensure appropriate for the number of people. City Administrator Nikki Finkbinder responded yes and safety compliance of residence such as fire detectors, proper access, stability of stairs, etc. Alderman Jokerst further inquired consequences if not approved. City Administrator Nikki Finkbinder responded the City does not have it now.

Alderman Wisbrock expressed concerns with increase in rental properties and City not having code to enforce safety compliance and allowed number of people to occupy dwelling.

Alderman Clauss inquired of affect to property tax. City Administrator Nikki Finkbinder responded residential rental re-occupancy inspections would not affect property tax.

Mayor Maurath shared he is not in favor of residential re-occupancy inspections unless it becomes an issue as he feels it is an overreach of government.

Alderman Jokerst expressed she is not in favor of amending code due to one (1) or two (2) complaints, and there may be other avenues the City could consider instead.

Alderman Bereitschaft asked if there were any current codes limiting the number of persons based on square footage or number of bedrooms/bathrooms. Alderman Wisbrock replied, no.

Alderman Clauss inquired if inspection would be for only person inhabiting the residence for the first time or would it be an annual inspection. City Administrator Nikki Finkbinder responded it would be for a new owner and/or each new renter, and it would also depend on if the Board chooses to require inspections for rental properties only or both rental and selling of properties. Alderman Clauss expressed she has no concerns if inspections are performed only for "new" owners or renters.

Alderman Huels inquired on enforcement if additional occupants would move in after inspection, whose obligation would it be to inform City of such. City Administrator Nikki Finkbinder it would be enforced should there be a complaint or issue with the property.

Mayor Maurath asked City Attorney if something could be initiated to limit the number of unrelated people living in residence. City Attorney Erin Seele replied there is currently the definition of "family" in the zoning code, however without the occupancy permit it would be difficult to enforce. Mayor Maurath expressed he feels should not overreact and suggested can amend in future if needed.

After discussion, Alderman Jokerst made a motion to continue to the September Board of Aldermen meeting the discussion regarding residential re-occupancy inspections and have Staff provide breakdown of services included in St. Louis County residential re-occupancy inspections for consideration. The motion was seconded by Alderman Wisbrock. Upon a vote being taken, it was announced that the motion was passed unanimously by the Committee.

- **Discussion regarding street trees.**

During the April 14, 2022, Committee Meeting, the Board requested that Staff research “street trees” (trees that are planted in the public ROW, typically between the street curb and the sidewalk in residential areas).

History Regarding Street Trees

Until 2013, the City required street trees for all new residential subdivisions; however, due to issues with sidewalks and required maintenance by the City, the Board requested that the Planning and Zoning Commission amend to Zoning Code to remove the requirement for street trees. The Commission in doing so required additional trees to be planted on each new lot (on private property) in lieu of trees in the ROW.

Additionally, the City amended its “policy” regarding street trees in the late 2010’s (date still being researched) to eliminate additional trees being placed in the ROW. This decision was based on the required time to maintain the trees, damage to City infrastructure, and the mixed feeling by residents regarding the street trees in front of their home (some wanted them, others did not).

Street Tree Program

Based on the conversation that occurred on April 14, 2022, it appears that the Board has a desire to create a street tree program, which if created would include a list of “approved trees” for planting in the public ROW.

Before developing a program for review and consideration, Staff is seeking direction on the following:

- 1) What department will oversee the program?
- 2) Will the plantings be optional (at the residents request only)?
- 3) Who will plant the trees?
- 4) Who will be responsible for maintaining the trees?
- 5) Will the City have the discretion to remove the tree if it becomes damaged or diseased, or is deemed to be causing traffic concerns or damage to the infrastructure?

Once clarification is given regarding the above, Staff will draft a program proposal for the Board’s review and consideration, which as stated above, will include a list of “approved trees” and provide information on what sections of the City’s ROW Code will need to be amended.

Alderman Jokerst stated she received complaint from a resident regarding street trees not being replanted by the City and expressed she feels street trees bring aesthetic beauty, absorb CO2, produce oxygen, decreases heat index, increase property value, and benefit health. She expressed she is in favor to consider street trees. She stated she believed street trees were discontinued due to health/safety concern due to roots buckling streets and sidewalks. She was informed there are certain trees that can be planted that would not cause that type of safety hazard. There are programs available for street trees.

There were questions of who would plant, trim, maintain, remove, and replant trees. Alderman Jokerst replied, a program could be drafted to address procedures, types of trees allowed, the number of trees to be planted annually, and allowed locations.

Alderman Clauss expressed she feels eliminating street trees will not cause environmental damage and does not believe it is City responsibility to replace street trees that are dead or needed to be removed.

Alderman Maserang expressed he was in favor of a program. Consider requiring residents to get on a list if they want a street tree planted and limit number of trees to be planted each year. City should be responsible for planting, not resident.

Mayor Maurath shared in past it was requirement for a developer of a new subdivision to plant trees between curb and sidewalk, it was found that some trees broke up sidewalks and streets. There are also complaints from residents that do not want street trees. It is no longer a requirement of the developer to plant street trees, but rather on the lot itself. There is a long waiting list to have street trees removed.

Alderman Clauss expressed trimming is needed on street trees and is not always aesthetic, and even though trees may not affect sidewalks or streets, it does not remove the issue with trimming. Residents can plant trees in their yard. City Administrator Nikki Finkbiner explained the reason the City eliminated continuing street trees was the hazardous conditions they created, the trimming and maintenance for upkeep for the Public Works Department. As stated earlier by the Mayor, the Public Works Department is behind in the removal of street trees that have been requested to be removed and this consideration would place further need of Public Works to plant and maintain new street trees.

Alderman Clauss asked Alderman Jokerst how many complaints or concerns she received regarding street trees. Alderman Jokerst responded one and she agreed with him.

City Attorney Erin Seele explained some residents view rights-of-way as their property. The City receives calls/complaints that City cut or removed their trees and it had to be explained that they were City trees and are City responsibility. In prior years, large amounts of trimming was performed to street trees near Halloween to remove overhang hazards and always generated a lot of complaints. City Attorney Erin Seele advised if program drafted it needs to be very clear when signing up the trees are City property, located on City property, maintained by the City, and not responsible to trimming aesthetically.

Alderman Jokerst made a motion to continue to the September Board of Aldermen meeting the discussion regarding street trees and draft program that includes sign up list, allowed tree types, number of trees to be planted each year, and all maintenance to be performed by Public Works Department as discussed. The motion was seconded by Alderman Wisbrock. Upon a vote being taken, it was announced that the motion was passed by the Committee with Alderman Clauss voting nay.

COMMUNITY DEVELOPMENT AND AFFAIRS – *Ald. Bereitschaft, Chairman (Harrell, Clauss, Maserang)*

• **Discussion regarding Business Licenses.**

The Board has requested that Staff investigate other revenue sources for the City. One item that has been discussed in the past is a Business License. Currently, businesses in the City of Fenton do not pay for an annual Business License, only a one-time Occupancy Permit Fee of \$50 when they apply for an Occupancy Permit to locate within a building/space within the City.

At this time, Staff is seeking the Board's input as to whether or not you are interested in Staff researching and/or developing a Business License program for the City, which would be brought back to the Board for consideration at a future meeting.

Alderman Maserang expressed he was in favor of business license and suggested to keep license fee down, possible tier fee based on square footage and would provide opportunity for current contact information that may be needed in case of emergency.

Alderman Bereitschaft inquired if the revenue would cover the expenses to perform the requirement. Mayor Maurath suggested before initiating business license to consider placing the Use Tax back on ballot for passage to help recover lost sales tax revenue.

Alderman Huels shared she is in favor of current contact information that may be needed in case of emergency but not a fee for annual business license as the current businesses located in Fenton are not having a fee imposed on them. Alderman Jokerst expressed she agreed with Alderman Huels that she was not in favor of changing rules but could consider exempting current businesses.

Alderman Cruts expressed he agrees with Mayor Maurath, he feels the Use Tax passage first before consideration of business license. Alderman Maserang asked what if Use Tax would not pass, he is in favor of business license with low fee tier based on square footage. Alderman Wisbrock shared emergency contact information needs to be updated annually. Alderman Clauss feels a nominal business license fee is a part of business.

After discussion, Alderman Bereitschaft made a motion to continue to the September Board of Aldermen meeting the discussion regarding Business License and have Staff draft a proposal. The motion was seconded by Alderman Clauss. Upon a vote being taken, it was announced that the motion was passed unanimously by the Committee.

Alderman Maserang exited the meeting at 9:02 p.m.

- **Discussion regarding a request by the Sovereign State of SHRIKAILASA for a Bilateral Agreement with the City of Fenton.**

Alice Kramer, Nithyananda Satsang Center-Festus, 14 Evergreen Lane, Festus MO 63028, expressed the Sovereign State of SHRIKAILASA is requesting to establish a bilateral relation between Fenton and SHRIKAILASA for Youth and Education, Economic Development, Culture and Arts, Peacebuilding, Health & Wellness, Humanitarian Assistance and Environmental Sustainability.

Ambassador Vijayapriya Nithyananda and Ambassador Srehanayi shared they have been offering free classes including yoga, kriya, meditation sessions, courses on life solutions, youth workshops, workshops on leadership, courses on Sanskrit chanting, activities for kids and vegan cooking classes, following the guidelines of the ancient Hindu teachings in surrounding community's libraries, private residences, and hospitals. Sri Kailasa St.Louis, which is an ecosystem of the Sovereign State of SHRIKAILASA in St. Louis, is committed to the enrichment of communities around it by providing free programs and services in line with the ancient sacred sciences and knowledge of Hinduism for all of humanity to awaken to their peak potential and live in the highest Consciousness.

Alderman Jokerst asked why they were requesting agreement. Ambassador Srehanayi replied to have City help to expand their services and members to contribute for continuance. Alderman Huels asked where they currently offer classes. Ambassador Srehanayi replied, locations such as Festus library, yoga studios, St Johns Mercy, and homes.

Mayor Maurath inquired on number of participants in current classes. Ambassador Srehanayi replied St. Louis County library approximately twenty (20) participants and four (4) – fifteen (15) in Jefferson County. Alderman Cruts inquired if they were in need of a facility for their programs. Ambassador Srehanayi replied no, they would like partnership like the YMCA; Fenton would tell people about program/classes. Mayor Maurath expressed that he does not feel the City is the correct venue and suggested contacting other agencies more in line with for their services. There was no further discussion.

- **Discussion regarding the 2022 Annual Lighting Ceremony.**

In past years, the City of Fenton has an annual Lighting Ceremony the Friday before Thanksgiving. This year that event would fall on Friday, November 18. Normally we have either Rockwood or

Lindbergh elementary choir perform before we light the outdoor lights at 6:15 p.m. followed by a visit by Santa and refreshments.

Due to Covid, the last two years this event was canceled. Staff is seeking the Board's desire to move forward in holding the event this year. The last time the event was held in 2019, the total cost was under \$200 under Miscellaneous Supplies. Should the event be approved, Staff will also look into having market vendors in the former library space, similar to the 2019 event.

After discussion, Alderman Bereitschaft made a motion to forward to the August Board of Aldermen meeting the 2022 Annual Lighting Ceremony. The motion was seconded by Alderman Huels. Upon a vote being taken, it was announced that the motion was passed unanimously by the Committee.

Break 9:28 – 9:33. Mayor Maurath reconvened the meeting.

Alderman Huels made a motion to move Planning and Zoning up next on the agenda. 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.

PLANNING AND ZONING COMMISSION REPORT – *Ald. Harrell, Liaison*

- **Announcements:**

- CASE 2022-SUP-09: A Petition by Carrot Investors, LLC for a Special Use Permit to operate a Used Automotive Sales Dealership at 515 Gravois Road was withdrawn by the Petitioner.
- The Planning and Zoning Commission will hold their annual training in advance of the September 6th meeting at 6:00 p.m.

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

- **Approval, with conditions, of CASE 2022-SP-03:** A Petition by Chris Smith of Dale Sign Service on behalf of Chase Bank for a Sign Plan for proposed signage at 190 Gravois Bluffs Circle. The property is zoned “C-1” Commercial District.

Conditions of Approval:

1. The approval is for Chase Bank at 190 Gravois Bluffs Circle to locate two (2) Small Pole Signs, identified as E15 and E16, within the existing parking area as indicated in plans submitted with the application and dated June 28, 2022.
2. Municipal Zoning Approval by the City of Fenton and Sign Permits issued by St. Louis County will be required for the proposed small pole signs.
3. Compliance with all other applicable City Codes and Ordinances

- **Approval, with conditions, of CASE 2022-SUP-10:** A Petition by Dr. Jeffrey Becker of Regenerative Wellness Center, LLC for a Special Use Permit to operate a Medical Office (men's health and wellness) at 794 Gravois Bluffs Boulevard, Suite B. The property is zoned “C-1” Commercial District.

Conditions of Approval:

1. Approval of the Special Use Permit is for Dr. Jeffrey Becker of Regenerative Wellness Center, LLC to operate Medical Office (men's health and wellness) at 794 Gravois Bluffs Boulevard, Suite B, as indicated on the plans provided with the application and dated July 7, 2022.
2. Any proposed interior remodel, including future offices/exam rooms, will require a separate Municipal Zoning Approval (MZA) by the City of Fenton and Building Permit by St. Louis County.

3. A separate Occupancy Permit will be required before the subject suite can be occupied.
 4. Compliance with all other applicable City of Fenton Codes and Ordinances
- **Approval, with conditions, of CASE 2022-SUP-11:** A Petition by Miranda Cardinali of Osage Valley Counseling, LLC for a Special Use Permit operate a Medical Office (counseling) at 320 Gravois Road, Suite 210. The property is zoned “OT-2” Olde Towne District.

Conditions of Approval:

1. Approval of the Special Use Permit is for Osage Valley Counseling, LLC to operate a Medical Office (counseling) at 320 Gravois Road, Suite 210, as indicated on the site plan provided with the application and dated July 7, 2022.
2. A separate Occupancy Permit will be required before the subject suite can be occupied.
3. Compliance with all other applicable City of Fenton Codes and Ordinances.

The Petitioner, Miranda Cardinali, was present to answer any questions. There were no questions.

- **Approval of CASE 2022-TXT-02: Consideration of amendments to Chapter 405 Addendum A: Fee Schedule of the Zoning Code related to application fees.**
Staff recently performed a study comparing the City’s permit application with those of four (4) surrounding municipalities with similar contract agreements with St. Louis County and found the following:

Commercial Permit Fees

The City’s fees for Commercial Permits (new construction and alterations) are based on the value of construction with fees ranging from \$50 + \$15 filing fee up to \$100 + \$15 filing fee (\$65-\$115 total). The comparison study shows that the four other municipalities’ fees range from \$85 (Green Park & Twin Oaks) to \$425+ (Crestwood) with an average fee of around \$100-\$150. While the City’s maximum fee is comparable to the surrounding area, the low end of the fee schedule is below all the municipalities reviewed by Staff. Additionally, Staff found that the Commercial Occupancy fee to be lower than most, with a one-time \$50 fee and no annual business license, with all other requiring an annual license except for Green Park.

Residential Permit Fees

The City’s charges a \$15 fee for all Residential Permits, which is the lowest fee in the comparison study with the other municipalities charging between \$25 (Manchester) up to \$215+ (Crestwood). Additionally, the other municipalities all require Residential Inspection/Occupancies ranging from \$25 to \$310. By comparison, Fenton requires a \$5 Residential Occupancy permit for new construction only.

Planning and Zoning/Board of Adjustment Permit Fees

As each municipality has its own unique requirements for these types of applications - some require separate preliminary and final Site Development applications/review or architectural review, for example, a like-for-like comparison wasn’t always possible. Staff finds that the City’s current fees for Planning and Zoning or Board of Adjustment application adequate to cover public notices and Staff review time.

Based on the above, Staff recommends the following proposed changes:

1. Increasing Commercial Municipal Zoning Approval fees by \$25
2. Increasing Residential fees from \$15 to \$25
3. Increasing Residential Occupancy Fees to \$25

Community Development Director Amy Starck explained the consideration of increase of fees. Mayor Maurath inquired if suggested fees would cover Staff expense. Some fees will cover staff time, some will not.

Alderman Wisbrock suggested increase fee for residential new construction. Alderman Jokerst expressed keeping fees unified.

City Attorney Erin Seele advised a future effective date can be placed in the ordinance. City Administrator Nikki Finkbinder suggested first reading one month and second reading the next month to give opportunity to for public comments.

❖ **Other items from the Community Development Department:**

There were no other items.

PUBLIC WORKS/FORESTRY – *Ald. Wisbrock, Chairman (Bereitschaft, Clauss, Maserang)*

• **Request for Tree Removal Services.**

Currently, the City has budgeted \$100,000 under the 2022 Capital Improvements for Tree Trimming/Removal. It was initially planned this year to have this project prepared and out for formal bid. With the current staffing situation that has been experienced this year this project has yet to be placed out for a formal bid.

As advertising formal bids in order to secure bidders to have a contract approved is a longer process, Staff is requesting the Board consider waiving the formal bidding procedures and consider contracting with a tree service for the remainder of the year. If approved, this would allow dangerous trees within the City's park system and residential areas be expedited for removal.

Staff reached out to multiple tree service companies to inquire if they provided a daily rate for tree removal. Only one indicated they provided a daily rate with a couple of options, depending on the size of crew needed and type of equipment required for the day's work. Staff has secured daily rate pricing from Gateway Tree Care to perform this service.

At this time, it is requested to secure Gateway Tree Care on an as needed daily rate agreement for removal of dead/dangerous trees within the City for the remainder of 2022.

After discussion including placing an option to renew the contract past 2022, Alderman Wisbrock made a motion to forward to the August Board of Aldermen meeting the request for tree removal services. The motion was seconded by Alderman Clauss. Upon a vote being taken, it was announced that the motion was passed unanimously by the Committee.

INFORMATION SERVICES – *Ald. Harrell, Chairman (Bereitschaft, Huels, Maserang)*

• **Request to amend and extend the existing contract with SumnerOne, Inc. for copy machines.**

Currently the City has an agreement with SumnerOne, Inc. to lease three (3) copy machines (City Hall, Community Development, Public Works), as approved by Ordinance 3672 and amended by Ordinances 3959, 4192, and 4249. The current contract is set to expire on 10/14/2022 (was extended from 4/14/2022 earlier this year). After the removal of the RiverChase copy machine last month, the current monthly rate for the three (3) copy machines is \$795.28.

Currently, overall, Staff is satisfied with the existing equipment and at this time does not suggest replacement; however, Public Works would like a copy machine that provides a color copy option

(the current machine is black and white only), especially now that the department encompasses the Parks and Recreation duties.

Based on the above, Staff is requesting an amendment to the existing contract with SumnerOne, Inc. to 1) exchange the PW copy machine with a similar refurbished machine that provides a color option; and 2) extend the current contract for another twenty-four (24) months, until 10/14/2024. The proposed “Addendum F” to the contract, showing the monthly cost to the City will remain the same at \$795.28 for the next twenty-four (24) months even with the exchange, was available for review.

After discussion, Alderman Harrell made a motion to forward to the August Board of Aldermen meeting the request to amend and extend the existing contract with SumnerOne, Inc. for copy machines. The motion was seconded by Alderman Huels. Upon a vote being taken, it was announced that the motion was passed unanimously by the Committee.

FINANCE – *Ald. Cruts, Chairman (Wisbrock, Huels, Jokerst)*

- **April 30, 2022, Monthly Financial Report.**
- **May 30, 2022, Monthly Financial Report.**
- **June 30, 2022, Monthly Financial Report.**

Alderman Cruts summarized the monthly financial reports. Discussion also ensued regarding the process for federal reimbursement contracts.

PARKS AND RECREATION – *Ald. Huels, Liaison*

❖ **Announcements:**

- **Sonia Palmisano, Ward 4, was administered the oath of office to serve on the Parks and Recreation Committee, term ending January 2024.**
- **A Certificate of Appreciation was presented to Eric Robeck for his service on the Parks and Recreation Committee, February 2020 – March 2022.**
- **Mary Heinemann was elected to the vacant Vice-Chairperson position.**
- **The Parks and Recreation Committee amended the list of parks for reports by deleting RiverChase and combining Riverside Park and Westside Park to create 8 parks for the 8 members, and each member selected a park.**
- **Due to the Labor Day holiday, the next Parks and Recreation Meeting will be held on Wednesday, September 7th.**

❖ **Parks and Recreation Committee recommended the following:**

- **Approval of additional 2022 park events for a Movie Night in Park in October and a 5K Turkey Trot in November.**

A proposed 2022 budget amendment for events was available for review. The 2022 Budget has a line item under Parks and Recreation at \$25,000 for park events, to date no funds have been used. Discussion ensued regarding ensuring enough staff for these events, especially the food truck event in September which was soon, and comments to maybe forego the Turkey Trot this year.

Alderman Huels made a motion to extend the meeting 45 minutes. 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.

- **Approval of 1) implementing a rental fee for the Main Pavilion in Fenton City Park 2) increasing rental fees on all pavilions 3) imposing a security deposit for all pavilions, except**

“resident only” pavilions in Westpark Park and Valiant Park 4) charging the same (“flat fee”) security deposit for all (applicable) pavilions, and 5) increasing rental fees based on the size and amenities of the pavilion. These changes would begin in 2023.

Discussion ensued including that shelter fees remain at residential fee of \$40, non-residential fee at \$75, begin charging same shelter fee for main pavilion, and a flat deposit fee of \$50 for all pavilions including Westside Park and Valiant Park.

- **Approval of proposed policies for city parks, athletic fields, and pavilions, with amendments.**
Amendments to include:

- 1) If a rental is cancelled by the City due to unforeseen circumstances, a full refund will be provided.
- 2) **BUSINESS CONDUCTED WITHIN THE PARK**
Use of the City Park or City Park Facilities for commercial purposes shall only be authorized by a license per and in accordance with Section 220.125 of the City Code.
- 3) No gate fees shall be allowed for any tournament.
- 4) Definition of “Mini-Shelters” are single covered picnic tables or benches located throughout the City’s park system.

❖ **Other items from the Parks and Recreation Department:**

- **Request to surplus gymnastic equipment formerly used at RiverChase.**

The City has large scale gymnastic equipment, including high and low balance bars, uneven bars, horse, an springboard, and assorted mats at RiverChase that the YMCA does not have a desire to keep and the City does not have a place to store.

Based on the above, Staff is seeking permission to try and surplus the equipment. If it is found that the equipment does not have market value, Staff will look into options to donate the equipment.

Following discussion, Alderman Huels made a final motion to surplus gymnastic equipment formerly used at RiverChase, and if unable to surplus, donate. 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.

- **Consideration of amendments to Chapter 220, Public Parks, of the Municipal Code.**

Proposed amendments (indicated in red font) to Chapter 220, Public Parks, of the City’s Municipal Code for consideration were available for review.

Proposed amendments include:

- 1) Removing RiverChase YMCA from the “City Parks” definition.
- 2) Identifying the Public Works Director as the “Director”.
- 3) Further defining “Special Events” in the parks (related to proposed policy changes recommended for approval by the Parks and Recreation Committee).
- 4) Creating regulations for commercial activities in the park (related to proposed policy changes recommended for approval by the Parks and Recreation Committee).
- 5) Other minor changes related to proposed park policies as reviewed and recommended for approval by the Parks and Recreation Committee.

Following discussion, Alderman Huels made a motion to forward to the August Board of Aldermen meeting the consideration of amendments to Chapter 220, Public Parks, of the Municipal Code. 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.

MISCELLANEOUS

- **Request for approval of a Liquor License for Hut Missouri LLC d/b/a Pizza Hut.**

The applicant has submitted all needed documents to process the liquor license for Hut Missouri LLC d/b/a Pizza Hut, 585 Old Smizer Mill Road, Fenton MO 63026 for 5% beer by the drink including Sunday sales, consumption on the premises.

After discussion, Alderman Cruts made a final motion to approve the request for approval of a Liquor License for Hut Missouri LLC d/b/a Pizza Hut. The motion was seconded by Alderman Harrell. Upon a vote being taken, it was announced that the motion was passed unanimously by the Board of Aldermen.

- **Discussion regarding the 2022-2023 Holiday Meeting Schedule.**

In the past, due to the holidays, the Board has rescheduled the December and January Committee Meetings and November and December Board Meetings. Should the Board choose to do so again, Staff is requesting that:

- The Board hold the November Board Meeting on Thursday, November 17th *or* Monday, November 21st.
- The Board hold a combined Committee Meeting on Thursday, December 8th and hold the Board of Aldermen Meeting on Thursday, December 15th *or* Monday, December 19th.
- The Board hold a combined Committee Meeting on Thursday, January 12th.

After discussion, Alderman Wisbrock made a final motion to approve 2022-2023 Holiday Meeting Schedule with Monday dates. 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.

- **Readoption of the City's procedure to disclose potential conflicts of interests and substantial interests for certain City Officials.**

As information, an Ordinance readopting the City's procedure to disclose potential conflicts of interests and substantial interests for certain City Officials needs to be approved by the Board of Aldermen and sent to the Missouri Ethics Commission in order to be in compliant with Missouri State Law.

After discussion, Alderman Clauss made a motion to the August Board of Aldermen meeting the readoption of the City's procedure to disclose potential conflicts of interests and substantial interests for certain City Officials. 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.

- **Consideration of an upgrade to the City's postage machine.**

Per our Pitney Bowes representative, the USPS has changed their compliancy standards to Intelligent Mail Indicia (IMI), meaning that stamps have changed. This new implementation to automate processes will call for a digital connection, and therefore, require our postage meter to be upgraded by January 2024. Pitney Bowes is currently negotiating state contracts that will end this year and suggest that the City acquire the new machine under the current contract before prices increase under the contract for next year.

Based off our meter usage, it is recommended that we upgrade to the SendPro C Auto Postage Meter, an upgraded version of what we have now (the DM4000, *which is currently on a monthly meter rental and we own the base*). It is a fully automatic device, processes ninety-five (95) letters per minute, has a five (5) pound scale, full color touch screen, same ink cartridge/supplies as current, and requires a digital connection (LAN or Wifi).

Both a purchase and a lease agreement, along with a brochure on the upgraded model were available for Board review. This includes professional installation – they will box up the old one, install the new one, and train Staff how to use new meter.

It is noted that our current machine was originally leased from 2009-2011, and we have owned the machine since 2011 (11 years). Currently, we pay \$720 per year for the meter fee and \$76.96 per year for parts/labor Maintenance Agreement. The purchase price for the new machine is \$3,004.32 plus \$538 per year for the meter fee and \$321.60 for parts/labor Maintenance Agreement. The cost for the Maintenance Agreement will not incur for the first twelve (12) months of ownership as the machine will be under a one (1) year warranty.

The lease option is a monthly lease agreement of \$139.94 (billed quarterly) for sixty (60) months, or \$8,396.40, and the City will still have the required meter fee and maintenance fee following the sixty (60) month term.

In comparing these two options, Staff recommends moving forward with the purchase option, as it is a cost savings of \$1,093.68 over a sixty (60) month term. Costs following the sixty (60) month term are the same for both options.

Alderman Bereitschaft made a motion to continue to the August Board of Aldermen meeting the approval to purchase a new postage machine. The motion was seconded by Alderman Harrell. Upon a vote being taken, it was announced that the motion was passed unanimously by the Board of Aldermen.

EXECUTIVE SESSION

At 10:39 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 Bereitschaft	<i>Aye</i>	Alderman Huels	<i>Aye</i>
Alderman Wisbrock	<i>Aye</i>	Alderman Maserang	<i>Absent</i>
Alderman Harrell	<i>Aye</i>	Alderman Jokerst	<i>Aye</i>

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

ADJOURNMENT

At 10:57 p.m. Mayor Maurath reconvened the meeting at which time, with no other business before the Board, Alderman Bereitschaft 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