

CITY OF FENTON
625 NEW SMIZER MILL ROAD, FENTON, MO 63026
MINUTES OF THE BOARD OF ALDERMEN COMMITTEE MEETING
THURSDAY, NOVEMBER 10, 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, November 10, 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 Brian Wisbrock - *Present*

Alderman Ron Harrell - *Present*

Alderman Chris Clauss - *Present*

Alderman Robin Huels - *Present*

Alderman Scott Maserang - *Absent*

Alderman Susan Jokerst - *Absent*

Six 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

Public Works Director Dan Howard

St. Louis County Police Precinct Captain Kevin Lawson

MAYOR'S COMMENTS

Mayor Maurath acknowledge Veterans Day on Friday, November 11, 2022 and reminded everyone of the Annual Lighting Ceremony will be on Friday, November 18, 2022 from 4:00 to 8:00 p.m.

Alderman Huels made a motion to move Parks and Recreation and Planning and Zoning topics next on the agenda and Finance topics last on the agenda. 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.

PUBLIC COMMENTS

There were no public comments.

PARKS AND RECREATION COMMITTEE - *Ald. Huels, Liaison*

All recommendations from the Parks and Recreation Committee will be forwarded to the next Board Meeting for approval unless otherwise noted.

- **Announcement from the Parks and Recreation Committee meeting:**
 - The November Parks and Recreation Committee was cancelled.
- **The Parks and Recreation Committee recommended the following:**
 - There were no recommendations.
- **Other items from the Parks and Recreation Department:**
 - **Consideration of City of Fenton Officials being members of the RiverChase YMCA Branch Board.**

The RiverChase YMCA has requested that the City consider having one (1) or two (2) City Officials sit on the RiverChase YMCA Branch Board. A description of the role of the Branch Board for discussion and consideration was available for review.

Alderman Huels asked if there were other municipal partnerships that have Board members on Branch Boards and if there is a concern of conflict in advocating in raising funds for the YMCA. City Attorney Erin Seele expressed does not feel it would be a true conflict, not incompatible offices as a Branch Board member is not an officer, however there could be situations of appearance of conflict such as advocating for the YMCA then presenting to the Board of Aldermen for permission, she advised to recuse themselves if necessary.

Mayor Maurath asked if two (2) City Officials considered, should it be two (2) Board members or one (1) Board member and one (1) Staff member.

Tom Verheyen, Executive Director RiverChase YMCA, stated he believes it is in the best interest to keep a strong working relationship between the YMCA and the City. The YMCA has other branches that have municipal Board members and City Staff serving on Branch Boards. The biggest responsibility of the member would be to advocate for the YMCA.

Alderman Clauss clarified if person selected for Branch Board was a Board of Aldermen member it did not preclude them from serving on both. City Attorney Erin Seele answered correct it did not, it may give appearance of conflict such as advocating for the YMCA then presenting to the Board of Aldermen for permission, and again advised to recuse themselves if necessary.

Mayor Maurath shared he feels one (1) member is sufficient. Alderman Wisbrock suggested Staff member. Alderman Huels commented the Branch Board requires attendance to fundraisers, tournaments, and other functions that would require a lot of time out of the office.

Alderman Huels and Alderman Clauss both expressed they would be interested in the opportunity to serve on the Branch Board.

After discussion, Alderman Cruts made a final motion that Alderman Huels be the representative for the City of Fenton Official member of the RiverChase YMCA Branch Board. The motion was seconded by Alderman Bereitschaft. Upon a vote being taken, the motion passed unanimously by the Board of Aldermen

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

All recommendations from the Planning and Zoning Commission will be forwarded to the next Board Meeting for approval unless otherwise noted.

• **Announcements for the Planning and Zoning Commission Meeting:**

- Planning and Zoning Commission held a Workshop Session to discuss proposed amendments to the City’s Comprehensive Development Plan at City Hall in advance of the Commission meeting on November 1st at 6:00 p.m. The Commission Chairperson called an additional workshop in advance of the January 3, 2023, meeting at 6:00 p.m. to continue discussion of amendments to the Comprehensive Plan.
- Linda Nelson was administered the oath of office to serve on the Planning and Zoning Commission, term ending August 2026.

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

- **Approval with conditions, of CASE 2022-SUP-12:** A Petition by Kenneth Hinrichsen of Spartan Golf Club for a Special Use Permit to operate an Indoor Limited Recreational Facility (golf club) at 1735 Chase Drive. The property is zoned “BP-3” Business Park District.

Conditions of Approval:

1. This Special Use Permit is solely for Spartan Golf Club, LLC to operate an Indoor Limited Recreational Facility at 1735 Chase Drive.
2. Ten Off-Street Parking Spaces shall be provided based on the total anticipated number of occupants that can be accommodated at any one time. Should additional parking be required in the future, evidence of an agreement for shared parking will be required.
3. Minimally, an Occupancy Permit will be required before the building is occupied.
4. A separate Municipal Zoning Approval (MZA) by the City of Fenton for any proposed interior remodel will be required.
5. Any proposed signage will require a separate Sign Permit.
6. Compliance with all other applicable City of Fenton Codes and Ordinances.

- **Approval, with conditions, of CASE 2022-SUP-13:** A Petition by Club Car Wash Operating, LLC for a Special Use Permit to operate an Automotive Washing Facility at 1912 Bowles Avenue. The property is zoned “HP-1” Hospitality Park District.

Conditions of Approval:

1. This Special Use Permit is solely for Club Car Wash Operating, LLC to operate an Automotive Washing Facility at 1912 Bowles Avenue.
2. A separate Occupancy Permit will be required.
3. Compliance with all other applicable City of Fenton Codes and Ordinances.

- **Approval, with conditions, of CASE 2022-SP-05:** A Petition by Matt Meyer of Ziglin Signs, on behalf of Wally’s, for a Sign Plan for proposed signage at 950 Assembly Parkway. The property is zoned “PID” Planned Industrial Development.

Conditions of Approval:

1. The approval is strictly for the overall Sign Plan for Wally’s at 950 Assembly Parkway as indicated in plans submitted with the application and dated October 7, 2022.

2. Municipal Zoning Approval by the City of Fenton and Sign Permits issued by St. Louis County will be required.
3. Compliance with all other applicable City Codes and Ordinances.

- **Approval with conditions, of CASE 2022-SUP-14:** A Petition by Stacey Steinfeld of The Lawrence Group, on behalf of America's Best Contacts and Eyeglasses, for a Special Use Permit to operate a Medical Office at 180 Gravois Bluffs Circle, Suite A. The property is zoned "C-1" Commercial District.

Conditions of Approval:

1. Approval of the Special Use Permit is for America's Best Contacts and Eyeglasses to operate a Medical Office at 180 Gravois Bluffs Circle, Suite A as indicated on the plans provided with the application and dated October 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, Stacey Steinfeld, was present to answer any questions. There were no questions.

- **Approval of CASE 2022-TXT-05:** Consideration of amendments to the Zoning Code related to Electric Vehicle Charging Stations.
- **Other items from the Planning and Zoning Department:**
There were no other items for discussion.

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

- **Agreement with the Army Corp of Engineers (USACE) for Flood Risk Study of the Meramec River Study under the CAP program.**
Excerpts from the Board of Aldermen Meeting minutes on 7/9/2020 and 2/10/2022 when the Board of Aldermen authorized the City to apply for funding under Continuing Authorities Program (CAP), through the U.S. Army Corp of Engineers (USACE), for a feasibility (flood risk management) study of the Meramec River were available for review.

A copy of the needed agreement between the City of Fenton and the USACE for the study was available for review. It was noted that the estimated cost to complete the feasibility is now \$500,000 (it was formerly \$400,000), with a 50/50 cost share between the City of Fenton and USACE. If approved, the City's \$250,000 cost will be earmarked in the 2023 Budget under the Parks and Stormwater Fund.

Mayor Maurath noted for the record the cost increased from \$400,000 to \$500,000 and asked Matt Jones with USACE to give an overview of the opportunities this study will do for the City.

Matt Jones, Project Manager explained this will be a feasibility with an integrated environmental assessment document study to look at the structural and non-structural mitigation options for Meramec River flooding within the City of Fenton. The study will take two (2) to three (3) years to complete. Once completed, the plan can be moved forward into design and construction and with the CAP program does not need additional authorization.

Mayor Maurath inquired if structural mitigation included options such as levies and berms. Mr. Jones replied yes, also detention basins and flood walls. Non-structural includes options such as elevations, buy outs, acquisitions, flood proofing, and nature-based solutions. Review would be given to determine the most effective options.

Mayor Maurath inquired if the study had to be paid up front or pay in portions. Mr. Jones replied it is fine with them if pay half up front and the remaining half upon request. Mayor Maurath inquired if

study could be terminated once it was started. Mr. Jones replied yes and further explained that if terminated the City would only pay for what has been completed.

City Administrator Nikki Finkbiner inquired if the City would be interested in mitigation buy out, if deemed feasible, and if USACE will be taking into consideration the newest flood maps with the expanded flood plain area, would the buyout acquisition be an option the City can utilize funds through the USACE or would funds be for structural only. Mr. Jones replied if buyout would be part of the plan and considered the most cost-effective option and that plan would be agreed to by all, funds can be federally shared for the project.

Mayor Maurath inquired if the study takes into consideration the trending growth of the flood plain and future effects of a project. Mr. Jones shared USACE uses most up to date modeling, work closely with FEMA and Wood Engineering to get their most up to date models to determine alternatives. Mayor Maurath inquired if other jurisdictions are looking into similar situations for flood studies. Mr. Jones replied that he is currently in the middle of a study with the City of Eureka and in early stages of study with the City of Pacific.

City Administrator Nikki Finkbiner asked if it was nationally competitive for the City of Fenton to receive funds. Mr. Jones replied yes, each division within the USACE is ranked for projects and this study ranked number one (1) in the Mississippi Valley Division.

Alderman Wisbrock inquired if restricted Storm Water / Park funds could be utilized. City Administrator Nikki Finkbiner responded yes and is included in the 2023 proposed budget.

Alderman Clauss inquired on effects and prevention causing downstream damage to other municipalities as well as being protected from upriver municipalities. Mr. Jones shared through no rise restriction polices.

Alderman Wisbrock asked if Yarnell Creek Study will be used for this study. Mr. Jones replied he feels it will have very little influence on the Meramec Study. The Yarnell Creek Study was a planning level only study.

Mayor Maurath asked if USACE works in unison with Metropolitan Sewer District (MSD) for this study. Mr. Jones replied yes, but unsure of effect as this is river flooding not stormwater drainage.

Alderman Wisbrock made a motion to forward to the November Board of Aldermen meeting the agreement with the Army Corp of Engineers (USACE) for Flood Risk Study of the Meramec River Study under the CAP program. The motion was seconded by Alderman Cruts. Upon a vote being taken, the motion passed unanimously by the Committee.

MISCELLANEOUS

There were no items for discussion.

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

- **September 30, 2022, Monthly Financial Report.**
Alderman Cruts summarized the monthly financial report. There were no questions or concerns.
- **Request for renewal increase under the SunGard Pentamation Accounting Software Agreement.**
On December 21, 1998, the City approved Ordinance No. 2213 approving an agreement with SunGard Pentamation Government Systems (now Superior, LLC/Central Square Technologies) relating to computer hardware and software for the licensing, support, and maintenance of the City's accounting software. The City also approved an upgrade to the accounting software through SunGard on July 28, 2016 via Ordinance 3615.

The 2023 annual renewal fee for the program is \$20,330.36, which has increased \$968.11 from the 2022 renewal fee of \$19,362.25. At this time, Staff is requesting approval for hardware and software support and maintenance for the City's financial software in accordance with the terms and procedures of the agreement between the City and SunGard Public Sector for software license, sale and installation of equipment and support and maintenance services. If approved, this item is will be included in the 2023 Budget under Acct#10112-57852 Software Maintenance.

After discussion, Alderman Cruets made a motion to forward to the November Board of Aldermen meeting the request for renewal increase under the SunGard Pentamation Accounting Software Agreement. The motion was seconded by Alderman Huels. Upon a vote being taken, the motion passed unanimously by the Committee.

EXECUTIVE SESSION

There was no executive session held.

ADJOURNMENT

At 7:43 p.m. with no other business before the Board, Alderman Huels made a motion to adjourn. The motion was seconded by Alderman Wisbrock. Upon a vote being taken, it was announced that the motion was passed unanimously by the Board of Aldermen.

Respectfully submitted,

Jane Hungler
City Clerk
City of Fenton

DRAFT