

**BOUNDARY COMMISSION
ST. LOUIS COUNTY, MISSOURI**

**MINUTES OF PUBLIC HEARING - BC9611
September 3, 1996**

COMMISSION ATTENDANCE:

COMMISSIONER	PRESENT(P)/ ABSENT(A)
ED BRUER	P
AL ECKERT	P
JULIUS FRAGER	P
AGNES GARINO	P
SCOTT MIDDELKAMP	P
JACK REHAGEN	A
KENNETH TRETTER	P
WILLIE WEARY, JR.	A
JACK WIESEHAN	A
ANNA MARIE WINGRON	P
DON WOJTKOWSKI	P

OTHERS PRESENT:

Carl Ramey - Administrator
Steve Martin - Legal Counsel

CALL TO ORDER

Chairperson Wingron called to order the meeting of the Boundary Commission at 7:00 p.m. on September 3, 1996. The meeting took place at the Crestwood Community Center, White Cliff Park, Crestwood, Missouri. The purpose of the meeting was to conduct a public hearing on a proposal submitted by the City of Crestwood to annex unincorporated territory described in their proposal as the Watson/Pardee Road Area (BC9611).

**PUBLIC HEARING - BC9611 - WATSON/PARDEE ROAD AREA ANNEXATION
PROPOSAL - CITY OF CRESTWOOD**

A. CONVENE PUBLIC HEARING

Chairperson Wingron convened the Public Hearing at 7:02 p.m. for BC9611, a proposal by the City of Crestwood to annex an area known as Watson/Pardee Road.

B. PRESENTATION BY PROPOSING AGENT - CITY OF CRESTWOOD

Mayor Jim Brasfield of Crestwood presented the city's proposal to annex an area bounded on the west partially by the City of Crestwood and the Town of Grantwood Village, on the north by the City of Webster Groves, on the south and partially on the east by the Town of Grantwood Village and unincorporated St. Louis County. Mayor Brasfield indicated the city was responding to a group of residents, who in September 1995, petitioned the city seeking annexation. He indicated the City had a similar proposition fail two years ago by some sixteen votes. However, the voters of Crestwood overwhelmingly approved that annexation proposal. Since that time, the law creating the Boundary Commission has changed, favorably resolving the issues of financing fire protection districts involved in annexations.

Mayor Brasfield stated it was Crestwood's policy to favor expansion of its community through annexation when it was in the best interest of all parties. He indicated cities have generally grown by annexation. This is consistent with Crestwood's history and that of other cities. Mayor Brasfield reviewed for the Commission the history of the city and its growth, along with the demographics of the community. He indicated Crestwood shopping center was one of the first major regional shopping centers in the St. Louis area. It remains a vital component of the city's economy.

Mayor Brasfield reviewed the area to be annexed as having approximately 290 acres of land with approximately 1600 residents in 699 housing units. It is an area similar in topography and development to the City of Crestwood. The area is primarily single family residential with some multi-family development. Commercial development is generally limited to Watson Road.

Mayor Brasfield stated that although the area is not legally an unincorporated pocket, the annexation proposal seems to make it appear so, because the area is virtually surrounded by municipalities. The city feels the annexation is a natural extension of Crestwood. The area includes a portion of Pardee Road which is currently in unincorporated St. Louis County, lying between the City of Crestwood and the Town of Grantwood Village. Access to the entire area would be easy for the police and public works departments. Overall the area is very much like the City of Crestwood both in terms of topography and housing. A number of former residents of Crestwood currently reside in the area.

Financially, Mayor Brasfield stated their analysis found the City of Crestwood virtually breaking even with the annexation. Revenues derived from the area and expenses to serve the area were estimated to be approximately \$500,000.

Mayor Brasfield stated that the City did not see the annexation as offering the city a financial bonanza. The City viewed the long term growth and service efficiencies derived from a larger community as benefiting the city.

Regarding fire service, Mayor Brasfield reviewed the prior history of annexations and the concerns of fire districts over the loss of service territory and tax base. Mayor Brasfield stated the City has no interest in extending fire service to the annexed area or of building additional fire facilities for the City.

The Mayor reviewed other governmental services to be extended to the annexed area. He indicated the City would be hiring four additional police officers to help service this new area. The ratio of police officers per 1,000 population would go from a current level of 2.7 to 2.8. He stated also the government center is close to the area. The Public Works Department provides routine maintenance and street reconstruction services. The street maintenance program is based upon analysis of street conditions and then a priority ranking of when improvements should be made to them. The annexed area would be included in the analysis and ranked on the basis of priority. In terms of need, Mayor Brasfield stated, the City would not place the annexed area at the end of the list. Snow removal is also a high priority for the City. This service along with its high priority would be extended to the annexed area.

The Mayor also stated the City provided a detailed zoning classification for the area.

The City also contracts for waste hauling and recycling. The current contract is \$11.90 per month. According to state law the City can not extend this service at the contract rate for two years after annexation. The street lighting plan for the area is based upon neighborhood interest. The City responds to requests for lighting.

Mayor Brasfield also indicated the City would redraw its ward boundaries to accommodate the proper legislative representation.

C. QUESTIONS FROM THE BOUNDARY COMMISSION

Commissioner Wojtkowski asked the City to offer a brief summary of why their proposal is in the best interest of the citizens in the area to be annexed. Mayor Brasfield responded that there are several reasons, including:

- The value of an established, well run city, which offers a sense of community.
- From a fiscal standpoint, there would be a modest gain to the residents.

- Local based police service.
- Ability to access the recreational complex for services at resident rather than non-resident rates.

Commissioner Wojtkowski also asked what constitutes a neighborhood request for street lighting. Mayor Brasfield indicated there is a petition form which is submitted to the City by the interested party. It could be a group or individual. The petition then goes to a public works advisory board for review and recommendation, and then on to the Board of Aldermen for action. The process for decision making could be as long as two months or just a few weeks.

Commissioner Bruer asked how many swimming pools the City owned. Mayor Brasfield stated the City owns one pool, located in White Cliff Park. He indicated there is a pool adjacent to City Hall, but it is a private club. Commissioner Bruer asked whether the City retains full time park attendants. Mayor Brasfield indicated they do have full-time park employees. Mr. Bruer also asked when snow removal would be extended to the area. Mayor Brasfield said the City would extend the service as soon as the annexation takes place.

Commissioner Garino asked what the city's policy is regarding sidewalk maintenance. Mayor Brasfield stated the city has a joint participation program with the property owners on the repair of sidewalks, when the repair is required under their standards. As a policy, the city does not have an on-going program to add sidewalks where they currently do not exist. The city does require sidewalks where new construction occurs. If it were an issue of public safety, the city would more than likely pay for the cost of installation of new sidewalk.

Commissioner Garino also asked how the boundaries for the annexation area were established. Mayor Brasfield stated the proposal extended to the boundaries of their adjoining neighbors, Grantwood Village, Webster Groves, and then east to Rock Hill Road. The question was asked, why stop at Rock Hill Road? The city felt Rock Hill Road forms a natural boundary on the east. It is currently an arterial road and would make a natural boundary if there ever was to be an incorporation of the area known as Affton.

Commissioner Frager asked whether the city has had discussions with Grantwood Village regarding the boundaries or mergers. Mayor Brasfield indicated in their discussion with Grantwood Village there was an interest on their part to keep White Haven in Grantwood Village. The City of Crestwood said they would be willing to talk further regarding this issue.

Commissioner Tretter asked what the current ratio of police in the city is and what it would be if the annexation were to occur. Mayor Brasfield stated the current ratio of police officers per 1,000 population was 2.74. After annexation that ratio would be 2.81 per 1,000. Commissioner Tretter asked whether the city will add the additional police officers it has indicated in their proposal. Mayor Brasfield stated the City was committed to adding the additional police officers and maintaining that number.

Commissioner Tretter also asked whether the city needed to add additional public works employees. Mayor Brasfield indicated the city would add two additional personnel. They did not anticipate the need to buy additional equipment. Mr. Tretter also asked who is responsible for sidewalk repair. Mayor Brasfield stated that if the sidewalk meets the city's criteria for repair, there is a program to share equally with the property owner the cost of making the repair. If it does not meet the criteria as a public safety hazard, the resident is responsible.

Commissioner Eckert inquired whether the city has anything to do with the second pool. Mayor Brasfield indicated the city has no ownership interest or participation in the facility. The city does share a parking lot with the private club.

Commissioner Eckert asked whether the city's recent adoption of the Charter Form of government is an issue citizens in the annexation area should be aware of. Mayor Brasfield stated the new charter offers the community greater freedom and flexibility in dealing with local issues than being a fourth class city. The voters of Crestwood voted overwhelmingly in favor of the charter.

Commissioner Eckert asked that a map of the city in relation to the entire area, including the annexed area, be provided. Mayor Brasfield indicated the city would provide such a map.

Commissioner Eckert asked why the City was seeking Pardee Road. Mayor Brasfield stated the city did not want to leave it in unincorporated county, lying between two incorporated communities. It would resolve issues that occur along there, including traffic enforcement.

Commissioner Eckert asked whether the city had considered the problems regarding ambulance service where there would be two levels of payment for ambulance service. In the fire protection district people are not charged for the service, while in Crestwood there is a fee. Mayor Brasfield indicated that their experience is that virtually all bills are covered by insurance or Medicare/Medicaid. He presumed the fire protection district receives similar reimbursements.

Commissioner Eckert asked the city why they included Whitehaven in their proposal. Mayor Brasfield stated the city did not want to leave an unincorporated pocket. The city would be happy to meet with Grantwood Village officials to accommodate their interests.

Commissioner Eckert asked whether the map included in their proposal included private roads and common areas, and if not, are there any. Mayor Brasfield indicated the city does not believe there are any, but would check and get back to the Commission.

D. Public Comment

Mr. Robert Y. Pesek, 1 Heather Drive, St. Louis, MO 63123 stated that he has been a resident for

thirty-five (35) years, and was opposed to the annexation of the area. He questioned whether the fire service would change and whether the right-of-way along Pardee Road would be included as a nature trail.

Mr. Tom O'Connor, 7639 Fort Henry, St. Louis, MO 63123, spoke in favor of the annexation proposal. He indicated there would be better control of problems such as traffic, speeding cars and auto repair businesses in the homes.

Mr. Roger Grow, Director of Planning, City of Webster Groves, #4 E. Lockwood, St. Louis, MO 63119, represented the City of Webster Groves in opposition to the annexation proposal. Mr. Grow submitted a written statement indicating the following:

- the proposed annexation area is not a logical extension of the borders for the City of Crestwood.
- the area is not best served by the City of Crestwood.
- the annexation is not in the best interest of the area as a whole.

He indicated the City of Webster Groves would be surrounded on all sides if this annexation were approved. He also stated that Webster Groves has an interest in annexing to its south. The City would be prepared to initiate preparation of a proposal and to coordinate with Grantwood Village such a proposal. Submittal would be dependent upon the disposition of the Crestwood proposal.

Mr. Thomas Wanner, 941 Briarton Drive, Crestwood, MO, submitted a Speaker Form, but did not speak.

Ms. Carol Wagner, 26 Heather Drive, St. Louis, MO, spoke in favor of the annexation proposal. She expressed concern that the City of Webster Groves is now showing interest in this area. She felt the area would be best served by Crestwood.

Mr. William Sullivan, P.O. Box 28804, St. Louis, MO 63123, indicated he had reservations about the proposal and the motivations of the City of Crestwood. He stated that he does not see any benefit to joining either Crestwood or Webster Groves. He felt the interest in the area is primarily financial.

Mr. Bill Boston, 107 Flamingo, St. Louis, MO, stated he is the President of the Webster Gardens Subdivision Association and spoke in opposition to the annexation. He felt the area receives good services from the county and the Affton Fire Protection District.

Ms. Joan Jones, 7920 Colonel Dent Drive, St. Louis, MO 63123, spoke in opposition to the proposed annexation. She stated she has lived there for thirty-five (35) years and is pleased with the county services and the fire protection district. She felt the City of Crestwood is seeking nothing more than tax dollars from the area.

Mr. Dan King, 8608 Vassel, St. Louis, MO, stated to the Commission he had prepared and delivered to the area a printed flier regarding the proposed annexation. He submitted a copy of that flyer to the Commission. He stated his efforts to incorporate the area into the City of Affton had been stalled by the law creating the Boundary Commission. Speaking as a county resident, the annexation would result in a reduction of revenue to the county in the long run.

Mr. Robert Paster, 231 S. Bemiston, Clayton, MO 63105, represented the Town of Grantwood Village in presenting to the Commission a copy of a resolution adopted by the Board of Trustees opposing a portion of the annexation proposal. He indicated Grantwood Village felt the area known as Whitehaven, a National Historic Site, logically belongs within the Town of Grantwood Village. This parcel of land and three or four other houses served in the area by Grantwood Village streets should be excluded from the proposal. Commissioner Frager asked whether Grantwood Village considered merging with another community, like Crestwood. Mr. Paster stated that he is not certain, but believes it would be strongly opposed. Commissioner Garino asked whether the only objection to the proposal is White Haven. Mr. Paster stated it is their only objection, along with four houses along White Haven Drive.

Ms. Pat Sorrels, 9145 Missy Ct., St. Louis, MO 63123, spoke in opposition to the annexation. She stated there is no need for another layer of government.

Ms. Deborah Ann Bourbon, 8980 Watson Road, St. Louis, MO 63119, spoke in opposition to the annexation. She stated that, historically, taxes increase after incorporations, along with unnecessary regulations. She also indicated that there is a changing mood regarding Medicare/Medicaid and the city should not rely on it as their means for ambulance service payments.

Ms. Valerie Tonnies, 7932 Colonel Dent, St. Louis, MO 63123, spoke on behalf of her parents in opposition to the annexation. She said they do not want an increase in taxes and wants to maintain police and fire protection.

Ms. Frances Byatte, 7913 Colonel Dent Dr., St. Louis, MO 63123, spoke in opposition to the annexation. She is happy with the county services. The county police are closer than Crestwood. She is happy with snow removal and the fire protection district's ambulance service.

Ms. Genevieve & Robert Webelhuth, 7401 Whitehaven Dr., St. Louis, MO 63123, submitted a speaker form, but did not speak.

Mr. Jim Booher 10516 Wisteria, St. Louis, MO, spoke in opposition to the annexation. He stated that he believes the Crestwood proposal to be illegal. He submitted to Steve Martin, as the Commission's legal representative, a copy of his analysis. Commissioner Bruer expressed his appreciation to Mr. Booher for his zeal and tenacity, but questioned whether his response was on point.

Ms. June McAllister Fowler, Director of Planning, St. Louis County Planning, 41 S. Central, Clayton, MO 63105, reported to the Commission that St. Louis County had submitted a preliminary analysis of the proposal. She expressed that the county has several concerns regarding the proposal:

- the area proposed for annexation has an irregular boundary.
- there is a philosophical concern that the impact on the residents needs to be taken into account.
- there will be a loss in gross revenue to the county of approximately \$300,000.
- there is no statutory mandate to incorporate the county.
- the County remains a willing provider of local government services.

Considering the annexation of Pardee Road, Ms. McAllister Fowler said that although Pardee Road today looks like an arterial road, in the long run it will probably be changed to a county road. It is the policy of the county that upon annexation all county roads become the responsibility of the annexing community. Ms. McAllister Fowler stated that the county would be submitting a more detailed report to the Commission within the twenty-one (21) day period for additional comment.

Mr. Forrest Miller, 9100 Appomattox, St. Louis, MO, spoke in favor of the annexation proposal. He compared the quality of services provided to the area by the county and city. He felt annexation would benefit the area in the long run by protecting its property values. He also stated that many cities are served by two fire districts without a problem. It should not be a problem in this case.

Mr. Thomas Pollard, 9830 Affton Pl., St. Louis, MO, submitted a speaker form, but did not speak.

Mr. Charles Gessner, 140 Blackthorn Drive, St. Louis, MO, indicated his opposition to the proposal.

Mr. Joe Cloughley, 8946 Pardee, St. Louis, MO 63123, spoke in opposition to the annexation proposal. He indicated his satisfaction with the services provided by the County. He questioned whether Crestwood is interested in Section 8, subsidized housing.

Ms. Kathy Prochko, 7971 Royal Arms, St. Louis, MO, stated she is an owner of a unit in an 80 unit condominium complex. She stated the condominium board of directors voted unanimously to be annexed by the City of Crestwood. She did question the status of their private streets in the complex, would they become public.

Ms. Jill O'Bright, Ulysses S. Grant NHS, 7400 Grant Road, St. Louis, MO 63123, stated she was the manager of the national historic site sought to be annexed under this proposal. She stated

they are neither in favor of nor opposed to the annexation. She expressed concern that because they are under Federal jurisdiction such things as the one mile private road within the site would not meet city standards. Also, she does not feel the proposal adequately addressed the zoning of this area.

Mr. Bill Mitchell, 8860 Burntoak, St. Louis, MO 63123, stated he has a bias towards the City of Crestwood. He indicated in the past he has had a problem with the lack of responsiveness by the County Police Department, unable to obtain routine patrols to deal with a vandalism problem. He stated, as a former resident of Crestwood, he has confidence in the government and favors annexation to the City of Crestwood.

Mr. Bob Swanger, 45 Blackthorn, St. Louis, MO 63123, referred to the city's proposal and questioned the growth of revenue as stated in Factor 8. Where is the additional revenue coming from as outlined in the proposal?

Ms. Lynne Whitney, 7659 Sunray Lane, St. Louis, MO, spoke in favor of the annexation. She stated she was a former Crestwood resident and was happy with the services provided by the city, particularly police and ambulance. Also, she would be able to use the recreational facility which is very near to her home on a residential rather than non-residential fee basis.

Mr. Bob Zagar, 7736 Missy Ct., St. Louis, MO, stated he was a former resident of Crestwood. He agreed with the comments of Crestwood's Mayor that a sense of community would be built. He felt the services of the city were excellent, particularly snow removal and multiple trash services. He said he currently pays more for single pick-up of trash

Mr. Chris Daugherty, 73 Blackthorn Dr., St. Louis, MO, spoke in favor of the annexation. He felt the city's charter would help address problems and allow residents greater input. Also, the Capital Improvements Tax would help maintain the streets. With a single trash system there would be less damage to the streets than the current system of multiple haulers.

Mr. Roland Van Heest, 133 Blackthorn, St. Louis, MO, questioned the difference in voting procedures for incorporation and annexation. He asked if the area subject to this annexation were to become a part of an incorporation proposal and their area voted in opposition to the incorporation, yet a majority in the entire area (including theirs) is in favor, would they then become incorporated? Commission Wingron indicated their vote would be counted with the whole area. He also asked, if a majority in this area voted against the annexation, would it defeat the proposal. Ms. Wingron indicated it would.

Ms. Wilma Kennedy, 8920 Chasebury Terrace, St. Louis, MO 63123, submitted a Speaker Form, but did not speak.

Further Questions by the Commission

Commissioner Bruer asked the City of Crestwood for a response to the question raised during the Public Comments portion of the hearing regarding the city's financial projections under Factor 8. Mayor Brasfield reviewed the various sources of revenue. The major categories of revenue which are different before and after annexation are the 1/4¢ sales tax and the 1/2¢ capital improvements sales tax. These are revenues generated from sales collected by businesses currently not required to do so. Mr. Brasfield also indicated there is a slight difference in the amount of revenue collected by the Gross Receipts Tax on Utilities.

Mr. Bruer also asked whether the private roads, such as Whitehaven become public upon annexation. Mayor Brasfield stated they would not, nor would the roads in apartment/condominium complexes become public. Mr. Brasfield stated he is unsure whether there are any other private roads in the area. He defined a private road in commonly accepted terms as a road with residential property(ies) abutting it. This is found throughout St. Louis County. Mr. Bruer asked if there are any private roads, could the residents deed those over to the city and make them public. Mayor Brasfield stated they have done this a couple of times over the years, but the road would have to meet the standards of the city.

Mr. Bruer also asked whether there would be any change in the ambulance service after annexation, or for that matter, any additional cost. Mayor Brasfield stated there is none and would be none.

Mr. Bruer questioned what role Eddie and Park Road has to do with the proposed boundary change. Mayor Brasfield indicated the road does not cross this proposal in any other manner.

E. ADJOURNMENT

There being no further members of the public desiring to comment, the public hearing was declared closed by Chairperson Wingron at 9:10 p.m.

Respectfully submitted,
Carl E. Ramey
Administrator

Approved September 17, 1996