

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

**MINUTES OF MAP PLAN PUBLIC HEARING
CITY OF CLAYTON AND CITY OF UNIVERSITY CITY
September 26, 2000**

COMMISSION ATTENDANCE:

Commissioners	Present (P)/Absent (A)
MATT ARMSTRONG	P
TED ARMSTRONG	P
JANE ARNOLD	P
BOB FORD	P
AGNES GARINO	P
TOM HAYEK	P
DEE JOYNER	P
GREG KLOEPPPEL	P
ILENE ORDOWER	P
JOHNNIE SPEARS	P
DON WOJTKOWSKI	P

OTHERS PRESENT:

Daniel Krasnoff - Executive Director
David Hamilton - Legal Counsel

CALL TO ORDER

Mr. Wojtkowski called to order the meeting of the Boundary Commission at 7:00 p.m. on September 26, 2000. The meeting took place at the St. Louis County Counsel Chamber, 41 S. Central Avenue, Clayton, Missouri. The purpose of the meeting was to conduct a public hearing regarding the following map plan submissions: The City of Clayton and the City of University

City.

1. Opening Remarks by Chairman

Mr. Wojtkowski began the hearing by instructing members of the public who desired to address the Commission to fill out speaker cards and return them to Mr. Krasnoff. Mr. Wojtkowski said speaker cards would be accepted through the presentation of St. Louis County. Individuals were given three minutes to speak while those representing organizations were given five minutes to speak.

Mr. Wojtkowski noted there was a hand out that listed the questions the Commission had asked the submitting entities to address in their presentations. The Commission was established by House bill 1967, which was passed into law on June 27, 2000. Part of that law required municipalities to submit map plans by July 1, 2000. Map plans designated areas where municipalities reserved the right to pursue annexations in the future. The law provided that the Commission hold hearings on the map plans after which the Commission could comment on the map plans or encourage negotiation among the submitting entities. Beginning on April 15, 2001, municipalities could proceed with annexation proposals within the map plan boundaries. If proposals were submitted on or after that date, the Commission would conduct a separate review of those plans and hold new public hearings about the proposal(s). He said the Commission was allowed nine months to consider annexation proposals. The purpose the map plan hearing, therefore, was not to hear actual annexation proposals, but instead to hear descriptions of the map plans submitted to the Commission.

2. Presentation of Clayton

The City Manager, Mr. Scott Randall, presented Clayton's map plan. Mr. Randall said he would have to leave after making his presentation, but other staff members would remain to answer any questions from the Commission. The Clayton map plan was bounded by Big Bend Boulevard on the west, Forsyth Boulevard on the south, the St. Louis City limits on the east and Millbrook Boulevard on the north. The area, referred to as the Washington University Hilltop Campus, had the following characteristics: it was owned by Washington University, had two lots, containing 104 acres and a residential population of approximately 650 people. This area comprised the only unincorporated land adjacent to Clayton. The City felt it had a vested interest in the future of the area.

Mr. Randall said there were many reasons why Clayton was the best community to serve the area. Because the "south forty" residential campus was already in Clayton there was a community of interest. Clayton also provided municipal services for the University facilities along the south side of Forsyth Boulevard. Also, the "west campus" was in Clayton's central business district. Clayton had a commitment to provide services in the area. Since 1972 Clayton provided fire, fire inspection and ambulance service to the Hilltop campus. In the past year Clayton had responded to eleven fire alarms and thirty EMS calls and conducted more than

thirty fire inspections. Although this was done on a contract basis, it showed commonality between Clayton and the University. Mr. Randall said Clayton's ability to serve the area was demonstrated by the three-minute response time for fire and EMS services. Clayton was the only municipality to construct and maintain local roads, sidewalks, and street lights on or immediately adjacent to the Hilltop campus, specifically along Forsyth Boulevard.

He said Clayton had no timetable for submitting a proposal. The Board of Aldermen had decided they would only pursue annexation with the University's concurrence and support. For the five years the map plans would be valid Clayton would have the greatest experience in providing public services to the area and the greatest financial capacity to continue to provide services.

Questions from the Commission

Ms. Arnold asked how many of the 650 residents were voters. Mr. Randall replied that he did not know.

Ms. Ordower asked how large the campus was in acres. Mr. Randall replied that the Hilltop campus contained 104 acres.

Ms. Garino asked if Clayton was the primary EMS provider or the backup service. Mr. Randall responded that Clayton was the primary service provider. Mr. Randall said the contracts between Washington University and Clayton were for fire, fire inspection, EMS and for permit parking and on-street parking.

Ms. Garino asked about the Forsyth Boulevard boundary. Mr. Randall replied that the boundary extended about twenty feet north of the curb line.

Ms. Garino asked if the City of St. Louis boundary was a line across the campus and not a street. Mr. Randall replied that was correct.

Mr. Ted Armstrong asked what advantages were there for the residents of the map plan area that they did not enjoy under the current arrangement. Mr. Randall declined to give a definitive answer before a proposal was prepared. By April 1, 2001, a cost/benefit analysis would be complete. The purpose of the study was to clarify what services the City would provide and what financial benefits would accrue to Clayton if an annexation were to occur. Mr. Randall said Millbrook and Big Bend boulevards were both under County control. He also said Washington University owned and maintained all other streets in connection with the campus. He said Clayton has studied police protection, which would necessarily increase on the Hilltop campus if Clayton were to move forward with annexation. He said, however, that the University maintained an exemplary public safety force.

Mr. Ted Armstrong asked for clarification whether Clayton would only move forward with the support of Washington University. Mr. Randall replied that this has been the position of the Clayton Board of Aldermen for the three years Mr. Randall has been City Manager.

Mr. Ted Armstrong asked what Mr. Randall meant when he said the annexation presented an “opportunity.” Mr. Randall answered that for Clayton there was stature to host a prestigious institution. Also, greater efficiency would be achieved if the University were in three jurisdictions, instead of four.

Mr. Hayek asked if Washington University had expressed any desire to be annexed. Mr. Randall responded there had been dialogue on issue. Most recently Clayton had heard from the University chancellor that they had no interest in being annexed by any entity, Clayton, however, went ahead with its map plan because it did not want to lose the annexation opportunity should it present itself.

Mr. Ford asked to what codes Clayton performed fire inspection. Mr. Randall said Clayton used the BOCA and NFPA.

Mr. Matt Armstrong asked if any Clayton sales tax would that be extended to the Washington University campus should an annexation occur. Mr. Randall responded that the issue was not discussed, but that after April 1, 2001 the city would be in a better position to answer that question.

Mr. Wojtkowski asked Mr. Randall to characterize Clayton’s building and zoning code enforcement, as opposed to St. Louis County’s enforcement. Mr. Randall said he was only familiar with the County’s electrical code enforcement. The County served as Clayton’s electrical code administrator. Mr. Randall said he did not know if one code was more or less restrictive.

3. Presentation of University City

The City Manager, Mr. Frank Ollendorff, presented University City’s map plan. Mr. Ollendorff began by noting that written answers to the Commission’s questions were provided. He described the historical relationship between Washington University and University City. At the first meeting of the Board of Aldermen, the City seal, that included a book to signify learning, was adopted. Since that time, the area and citizens had shared in a variety of ways: they were adjacent geographically, culturally, spiritually, and emotionally. Millbrook, the street that bound Washington University and University City together was named for Mayor Millar of the City and Richard S. Brookings, of Washington University. Many people connected with the University had been closely connected to University City for years.

By annexing the campus, Washington University would be tied to the closest residential and commercial center. People connected with the university lived, played, and shopped in University City. Mr. Ollendorff said the annexation proposal would not be phased. The City anticipated bringing forth a proposal at the appropriate time in the late spring. Increased development on the campus in proximity to the City contributed greatly to the decision to seek annexation. Development on the Hilltop campus had a greater impact on University City than

on more distant jurisdictions. The University's physical presence in the City had grown to more than seventy buildings. Annexing the main part of the campus would bring it back into University City, as it had been many years before. The City would offer a wide range of recreational and leisure activities that were both publicly and privately owned. Also, included would be cost-efficient ambulance and emergency services. University City could provide a high level of services, higher than was currently available. The City already patrolled the boundary streets and boundary neighborhoods. University City had stringent property maintenance codes. The municipal golf course would also be available for use as would be recreation facilities. Registered voters on the campus would have a voice in municipal decision making. Implementing the annexation would allow current Washington University residents a voice in mutually important issues.

Mr. Ollendorff said University City was a longstanding provider of fire and ambulance service to the campus. He said there was support from many connected to the University, although many people assumed that the Hilltop campus was already part of University City. Mr. Ollendorff concluded by noting Mayor Joe Adams, Director of Planning and Economic Development Lehman Walker, City Attorney John Mulligan and City Councilman Bob Wagner were in attendance.

Questions from the Commission

Mr. Matt Armstrong asked if the City had a sales tax, and if so, did it intend to levy that tax on the campus. Mr. Ollendorff responded that the City did have a sales tax but that the only revenue would come from the book store and that sales there might be tax exempt. He also said University City would benefit from the increased population by obtaining more funds from the county-wide pool.

Mr. Matt Armstrong asked what building controls the City might place on the campus. Mr. Ollendorff answered that University City's building, electrical, plumbing, and new construction codes were the same as the County's. Despite a few local amendments they all used the BOCA code. The City did have its own enforcement and a strict code enforcement reputation. Aesthetically, the City reviewed all plans for new construction. The most recent proposal for a residential facility at Millbrook and Big Bend was reviewed as if it was in University City. The City recommended approval of the project.

Mr. Kloeppe reiterated the services and benefits Mr. Ollendorff outlined in his presentation, noting that the University was well established with its own library. He asked why the University would need to be part of University City. Mr. Ollendorff responded that many members of the university family already use the City's facilities. He noted that Howard Nemorov used the library, though it was not a research library. Many recreation facilities, such as the Ruth Park golf course would be available at a lower fee. There were cooperative relations with the University and the City's police. He said University City desired a voice in the activities of the University. The University, therefore, would have a voice in the life of the City. Mr. Ford asked if Washington University already had an opportunity to come to the University

City legislative meetings. Mr. Ollendorff said there was a long-standing relationship that each asked the other for advice and received respect in decision making. The City desired to cement the relationship. Mr. Ford said there would be nothing new. Mr. Ollendorff said there would be marginally. Students on the campus could come to the City as voting citizens.

Mr. Hayek asked who “the father of the bride” was? Mr. Ollendorff responded that he was referring to Chancellor Wrighton.

Mr. Hayek asked what it would take to expand the police force to service Washington University. Mr. Ollendorff said University City was studying the issue and that knew a little from working with the University police. They expected to have a better idea of the details by April 15, 2001, although they were certain they could provide efficient, quality services.

Ms. Joyner asked if University City intended to pursue annexation as soon as possible after April 15, 2001. Mr. Ollendorff responded that they would finish the detailed studies, and, assuming there were no surprises, they would go ahead with a proposal soon after April 15, 2001.

Mr. Ted Armstrong asked why University City would pursue annexation if Washington University was opposed. Mr. Ollendorff said moving forward would “cement” the relationship. Mr. Ted Armstrong replied that he found this hard to understand. Mr. Ollendorff responded that many people associated with the University felt as though they were part of the City. Also, many of the residents of University City felt a strong bond with the University.

Mr. Ted Armstrong asked who was providing fire coverage. Mr. Ollendorff said Clayton had a contract for many years with the University for fire inspection, fire protection and EMS service. A few years ago, the University asked University City to submit a bid for fire protection services. When University City replied that they would charge more than Clayton, the University asked that the bid not be submitted. University City had been a responder to fire calls on the campus for years, if 911 was used for dispatch services. In recent years, the City of St. Louis had increased the number of responses to fire calls on the campus. University City was part of the mutual aid agreement and a responder to calls to the campus.

Mr. Ted Armstrong asked if any decisions regarding construction had been made on the campus that were particularly offensive to University City. Mr. Ollendorff responded that in the previous five to six years there had been some minor concerns about a few projects but nothing major. The City would not have denied any major building projects, though there were certain aspects of the projects they would have liked to have been handled differently. As an example, Mr. Ollendorff said the Field House should not have been built so close to Big Bend Boulevard. The other difference in codes was in property maintenance. The University City code was much more stringent than the County’s. There would be some stricter codes in place. He said he was not sure how this would affect the University because they performed a high level of maintenance already.

Ms. Garino asked if an annexation were to take place would the University have to gain approval for new construction, major expansion, or changes in land use activities from the City Council. Mr. Ollendorff said that was true.

Ms. Garino asked what kinds of buildings were owned by Washington University in University City. Mr. Ollendorff responded that the University owned: the Department of Fine Arts adjacent to City Hall, several dozen apartment buildings with four to sixty units, the parking lot/basement on the West Campus, commercial buildings just to the east of the parking lot, the ROTC building and a couple of other buildings on the north side of Millbrook.

Ms. Garino asked for clarification of the Millbrook boundary. Mr. Ollendorff replied that Millbrook and Big Bend were in University City. Big Bend and Forsyth were County arterial roads.

Ms. Jane Arnold asked what services besides mutual aid responsibilities the University performed on the Washington University campus. Mr. Ollendorff said the only county-wide mutual aid agreements were for fire and EMS services. The University provided financial support for additional police services where they had students within University City. There was also a sculpture project through the University's Fine Arts' department.

Mr. Wojtkowski asked how many residents lived on the Hilltop Campus. Mr. Ollendorff responded that there were many fraternities with 150-200 students. The married student population had several hundred residents. The new residential facility at Millbrook and Big Bend would have about 500 students. He said the University would be able to correct his estimates. The number in the next couple of years could be as high as 1000.

Mr. Wojtkowski asked what revenues would be associated with the annexation, should it be successful, assuming that as a nonprofit organization, there would be no property tax revenue. Mr. Ollendorff said University City would receive utility taxes and per capita taxes: sales, gas, and motor vehicles. The County collected and redistributed the per capita taxes. University City assumed revenues would be in the hundreds of thousands of dollars.

Mr. Wojtkowski asked if University City annexed the Hilltop campus, would fire services be provided to the campus for no cost to the University. Mr. Ollendorff responded that was true except, there was a cost for ambulance service on a pure "run" basis. There would be some inspection fees, slightly cheaper than the County's, but no charge for fire inspection services.

Mr. Bob Ford asked if University City had occupancy permit requirements and if the University would be exempt from those requirements. Mr. Ollendorff said they would not be exempted from the requirements. The landlord had to call for an inspection before the tenant moved in and the inspection was paid for by the landlord. The landlord paid a thirty-dollar inspection fee while the tenant paid a ten-dollar occupancy fee.

Mr. Matt Armstrong asked if the students would be expected to pay the fee at City Hall. Mr.

Ollendorff explained that for group homes there would be a single inspection and a single occupancy permit provided. Mr. Matt Armstrong asked if the cost would be passed on from the University to the student. Mr. Ollendorff replied that University City would not charge ten dollars per student.

Mr. Matt Armstrong asked if a student who suffered an overdose would be charged for ambulance services. Mr. Ollendorff said the charge would be to the person being served. Typically, that sort of cost was covered by insurance or Medicare. Mr. Matt Armstrong asked how the cost would be affected by mutual aid agreements. Mr. Ollendorff said under 911 if Clayton could not provide an ambulance and University City were transferred the call, they would charge the person needing assistance.

Mr. Matt Armstrong asked what University City's revenues were on a per capita basis. Mr. Ollendorff responded that total revenues are about \$8 million for 40,000 residents, making the total per resident about two hundred dollars. Commissioner Matt Armstrong said the per capita revenue would be the major revenue stream, but this revenue was not a significant portion of University City's total revenue. Mr. Ollendorff replied that the revenue would pay for most of the cost of the service extensions.

4. Presentation of St. Louis County

The Director of Planning, Mr. Glenn Powers, spoke for St. Louis County. He said the County was neutral regarding the proposals. The County would base its judgement on the desires of the University. He said the County would be happy to continue to provide services. The County provided the university with building and zoning code enforcement, a complex activity because of the mix of building types and the historic nature of some of the buildings. The County could not include this area in its map plan because population was less than 2,500.

Questions from the Commission

Ms. Garino asked what other services besides building and zoning code enforcement the County provided the University. Mr. Powers responded that those were the major services, but that the County was responsible for maintenance of Millbrook and Big Bend. Ms. Garino asked if all streets on the campus were maintained by the University. Mr. Powers said that they were.

Ms. Garino asked if the County currently reviewed all major building on the campus. Mr. Powers said this was true. Mr. Powers said the site plan reviews and permits were done at the staff level and not presented to the County Counsel for approval. Mr. Powers said there was no Council review because a University was a permitted use on the Hilltop campus and therefore most activities and construction on the campus are in accordance with the code. The County did final inspections for electrical and plumbing.

Mr. Ted Armstrong asked if the County had any trouble recently in providing services to the University. Mr. Powers said there were no problems, the County had a larger highway

department, building department and public works department than the surrounding municipalities.

Mr. Hayek asked if specific individuals within the County Planning Department or code enforcement area maintain ongoing knowledge of campus development. Mr. Powers could only speak for the Planning Department but said there were individuals who worked on the campus on an ongoing basis. Mr. Garry Earls, from the County Public Works Department said several individuals conducted reviews on the campus, with specific people in both architectural review and plumbing/electrical.

Mr. Hayek asked if the County would lose any income streams if the campus were annexed. Mr. Powers said that sales taxes, utility taxes and some permitting fees would be lost, but that these would not be significant revenue losses for the County.

Mr. Kloeppe said how many other areas of the County had a university as a permitted use. Mr. Powers replied that in unincorporated St. Louis County all property is zoned. For example, child care centers were conditional uses in residential areas, even though many people liked to have these facilities in residential areas. So, child care centers were considered on a case-by-case basis.

Mr. Kloeppe asked if the County and the University had discussed the potential annexation. Mr. Powers replied that those conversations had taken place with various people at the University.

5. Presentation of Washington University

The Chancellor, Mr. Mark Wrighton, represented Washington University. Mr. Wrighton said Washington University's strong preference was to have the portion of the Hilltop Campus in unincorporated St. Louis County remain in unincorporated St. Louis County. The overriding reason to remain in unincorporated St. Louis County was the University's status as a regional asset.

Mr. Wrighton said that the University was founded in 1853 and that its growth mirrored the growth of the St. Louis region. The Regional Chamber and Growth Association estimated the annual economic impact of the university at \$1.4 billion per year. There were 30,000 applications to all the University's undergraduate and graduate programs and 2,000 matriculants in all programs with 11,000 full time students. Because of constant construction activity and the volume of construction projects, high levels of governmental expertise were required for appropriate code enforcement. Washington University did consider the views of surrounding jurisdictions. There was a professional level of management of projects, however, that contributed to making it one of the most attractive research universities in the country. For nearly 100 years the University had its administrative offices on the portion of the Hilltop Campus in unincorporated St. Louis County, including the Chancellor's office and the office of the Dean of the College of Arts and Sciences in Brookings Hall. Mr. Wrighton said six of the

eight schools of the University were partially or completely located in unincorporated St. Louis County. The only exceptions were the schools of Art and Medicine, located in the City of St. Louis.

He said the Hilltop campus was surrounded by three municipalities: Clayton, University City, and the City of St. Louis. The University was committed to being a good neighbor and working with adjacent municipalities to minimize less-than-positive impacts. By remaining in unincorporated St. Louis County, the university was in the best position to deal equally with all surrounding municipalities. St. Louis County provided a forum for the concerns of all interested entities in and around the University.

Because Washington University was a unique institution, it provided for its own services in many ways. The University spent \$1.3 million annually, for police, fire, ambulance, sanitation, and other services. Should a municipality annex the campus, providing those services would fall to that jurisdiction's taxpayers.

Under the current law, parties subject to annexation were allowed to express their views. Mr. Wrighton said a great weight should be placed on the University's opinion. It was the obligation of any jurisdiction to demonstrate that annexation would not only benefit itself, but the area to be annexed as well. Annexation of the Hilltop campus would not advance the long-term mission of Washington University. He said the matter should not be treated as a real estate transaction and the institution's view should be given dominant weight in the matter.

The University was fundamentally part of the St. Louis region. It belonged to no particular jurisdiction. For it to be seen as anything other than a regional asset would be a mistake for both the University and the region. The interests of the University were that of the region, whether in the areas of health care, cultural development, economic development or attracting new talent. Governmental decisions regarding the University should be made on a regional basis. St. Louis County was the appropriate jurisdiction for future decisions regarding the regional asset.

Questions from the Commission

Ms. Garino asked if Washington University was the only major university or college on the Missouri side of the river that is not in a municipality. Mr. Wrighton replied that he did not know. Ms. Garino said she thought that was the case.

Ms. Garino asked what the University's relationship with Clayton and University City was like aside from the service agreements that were in place. Mr. Wrighton said there were great relationships with the surrounding municipalities. There were many people affiliated with the University who lived in Clayton and University City. The quality of these communities was a major asset when talking with prospective faculty members. New development plans were shared with the surrounding areas, as Mr. Ollendorff said.

Ms. Garino said no matter what took place in the future, the University would be split between St. Louis City and at least one other jurisdiction, be it a municipality or St. Louis County. She asked how Mr. Wrighton felt about that. Mr. Wrighton said removing the University from Unincorporated St. Louis County would add an additional layer of complexity, that relations with St. Louis City would not change.

Ms. Garino said her map showed only a couple of parcels on the south side of Forsyth were owned by the University. She asked if most of the parcels on the south side of Forsyth were not owned by the University. Mr. Wrighton stated that the University owned several properties, the Chancellor's residence, the Whittemore House, the Stix International House, and another residence.

Mr. Ted Armstrong thanked Mr. Wrighton for appearing and said the Commission did take seriously the concerns of the University. He said he understood the University's position that the status quo worked well and there was no desire to disturb that. He asked Mr. Wrighton to explain the relationship between the University's claim that says it cost \$1.3 million to provide municipal type services to the University, although Mr. Ollendorff said the revenues generated by the University, would be in the hundreds of thousands of dollars. Who would pay for what and how would that be decided? Mr. Wrighton said these were the elements of complexity of which he spoke. Over time he thought there would be negotiation to determine such details. He added that universities were unique. In some cases, they might choose to support such services themselves.

Mr. Hayek asked if Mr. Wrighton could foresee circumstances where the University would change its position and support annexation. Mr. Wrighton said the institution would continue evolving. It had become a rather intense research institution. Aside from the large investment in facilities the amount of land available would not allow the current development pattern to continue forever.

Mr. Ford said University City said there would be opportunities for students on campus to take advantage of University City's facilities. Did Mr. Wrighton see this as a strong asset. Mr. Wrighton said the University City leadership was responsive to all in the area, whether voting in University City or not. There were ample networks of communication with the University City leadership and Washington University.

Mr. Kloepfel asked for whom Mr. Wrighton was speaking when he said the University's position was to remain in unincorporated St. Louis County. Mr. Wrighton said he was representing the Board of Trustees. He had consulted with the Chairman of the Board, John McDonnell, regarding the matter under discussion. Mr. Wrighton pointed out that before the meeting he sent copies of his prepared remarks to members of the Board.

Mr. Wojtkowski thanked Mr. Wrighton for speaking to the Commission and said the University would be useful if in the future annexation proposals were submitted to the Commission.

6. *Public Comment*

There was no public comment.

7. *Adjournment*

At that point, the meeting was adjourned.

Respectfully Submitted
Daniel Krasnoff
Executive Director

Approved: June 26, 2001