

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

**MINUTES OF MAP PLAN PUBLIC HEARING
ST. LOUIS COUNTY, CITY OF DES PERES, CITY OF FENTON,
CITY OF KIRKWOOD & CITY OF VALLEY PARK**

November 15, 2000

COMMISSION ATTENDANCE:

Commissioners	Present (P)/Absent (A)
MATT ARMSTRONG	A
TED ARMSTRONG	P
JANE ARNOLD	A
BOB FORD	P
AGNES GARINO	P
TOM HAYEK	P
DEE JOYNER	A
GREG KLOEPEL	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 November 15, 2000. The meeting took place at the Edward Jones' Administrative Offices, 12555 Manchester Road, Des Peres, Missouri. The purpose of the meeting was to conduct a public hearing on the map plan submissions of St. Louis County, the City of Des Peres, the City of Fenton, the City of Kirkwood and the City of Valley Park.

- 1. Opening Remarks by Chairman*

Mr. Wojtkowski introduced himself and the other Commission members who were present: Agnes Garino, Ilene Ordower, Bob Ford, Ted Armstrong, Tom Hayek and Johnnie Spears. He said the Commission was established by House bill 1967, which was passed into law on June 27, 2000. Part of that law required municipalities interested in pursuing annexation proposals anytime between 2001 and 2006 to submit map plans by July 1, 2000. Map plans designated areas in which municipalities might pursue annexation. Beginning April 15, 2001 municipalities could proceed with annexation proposals within the map plan boundaries. The purpose of the hearing was not to hear annexation proposals, but to hear descriptions of the map plans. Mr. Wojtkowski said there would be an opportunity for citizens to comment on the map plans after the presentations. Those representing groups were allowed five minutes to speak while those speaking for themselves were allowed three minutes to speak.

2. *Presentation of St. Louis County*

The Director of Planning, Mr. Glenn Powers, presented St. Louis County's map plan. He noted areas of the map in red and green were unincorporated. Areas in green had more than 2,500 residents. The County placed all areas of unincorporated St. Louis County with more than 2,500 residents in its map plan. The green areas totaled 37.1 square miles. The northeast area contained 5.6 square miles and a population of slightly more than 9,600. The southwest area had 31.5 square miles and a population of over 19,000. The County was the provider of local services in unincorporated areas.

The County had no phasing plan. Phasing was complicated because so many unincorporated areas were identified. The County's response would be influenced by the activities of municipalities and public comment. Mr. Powers said there was no timetable for the submission of proposals.

As the provider of services to unincorporated portions of West County it was important for the County to implement its map plan. The County placed a premium on meeting residents' needs as long as residents desired to have the County provide services.

Mr. Powers discussed why the County was the best jurisdiction to provide services and what arguments it would make to residents. The County had a large staff and sound financial management, one of only eighteen counties in the country with a AAA bond rating. Taxes had not been changed since 1989, when taxes were lowered. He said the County Police Department was the finest in the State, the standard bearer among local jurisdictions. The West County precinct had over 100 officers working in incorporated and unincorporated areas. The West County precinct was supported by a department with more than 700 officers. Besides local services, there were special services available to all of St. Louis County, including: the detective service, SWAT team, bomb and arson squad and helicopter patrol.

Mr. Powers said County's Public Works Department had a large, professionally trained staff that offered many inspections and permitting services. The County had a Comprehensive Pro-Active Code Enforcement Program in which all properties in unincorporated St. Louis County were

inspected on a yearly basis for external code violations, in an effort to keep older neighborhoods healthy. The Sewer Lateral Repair Program was staffed full-time with \$300,000 having been expended on the program in West County.

The County Highway Department was very large and had three garages. The largest was the West County garage, off Ruck Road. There were nearly 100 maintenance personnel in the Department. Snow removal was much improved in recent years--on a par with many municipal service providers. The Parks Department managed a regional system with nearly 2,300 acres of land in West County, in eleven parks. That included specialty parks, such as the Museum of Transportation and Lone Elk Park.

The Planning Department was the largest in the area, with twenty staff people and others in the Community Development Division. The Department believed in citizen participation. That commitment was demonstrated by distribution of the County Direct newsletter which was used to publicize the Boundary Commission's meetings. Mr. Powers said residents expressed some support for remaining unincorporated at the meeting the night before. The County would hold meetings with neighborhoods after Christmas, regarding its map plan.

Questions from the Commission

Mr. Kloeppe said those who attended the previous evening's hearing thought they only could choose annexation. How would the County inform citizens that their neighborhood could remain unincorporated? Mr. Powers said the County would hold meetings after Christmas to provide details of the Established Unincorporated Area procedures. Mr. Powers agreed that many residents did not understand they had the option to remain unincorporated. The County wanted to remain neutral, although that was difficult when other jurisdictions did not provide better services.

Mr. Hayek asked if the County would merely gauge what citizens wanted, or, if the County would be active in keeping areas unincorporated. Mr. Powers said if residents wanted annexation the County would not stand in their way. If citizens desired to remain unincorporated the County would help them. Mr. Hayek asked if the County would merely submit proposals when asked by citizens, or, would it actively contact citizens to "sell" the County's ability to provide services. Mr. Powers said there was a minimum population requirement. If, for example, a small subdivision contacted the County with a desire to remain unincorporated, the County would tell them they needed to include a larger area. The County would not expend time and resources to submit proposals that would lose by large margins.

Mr. Ted Armstrong said some municipalities had complained about lax code enforcement by the County. Also, residents had expressed a fear of vigorous code enforcement by annexing cities. Mr. Powers said the County was not lax in code enforcement. In the past, tax-rich areas were annexed with other areas left to the County. Castlewood was a permanent resident community of independently minded people who desired to live in a semi-rural setting. Their fear was that \$500,000 houses were a vision of annexing municipalities. There was more to the matter than just a semi-rural area and expensive development. The County enjoyed an ISO rating that was

higher than any other jurisdiction in the area.

Mr. Ted Armstrong was puzzled by the County's decision to remain neutral. An example was the Manchester/I-270 area--a large tax generating area. Did not the County have to protect its tax base. Mr. Powers said the County was concerned about the loss of the commercial tax base. The purpose of the Boundary Commission was to help deal with those situations. Some of the map plans that would be discussed later in the hearing were thinly disguised efforts to annex areas generating much revenue. The County would submit specific comments about the proposals after the hearings were over. Mr. Ted Armstrong said that at a previous hearing, a resident of North County said he would rather be annexed because the County would cease to have the ability to properly serve unincorporated areas. Mr. Powers noted that person had also said the Established Unincorporated tool made remaining unincorporated a more viable option. Mr. Ford asked what taxes were generated by the Manchester/I-270 commercial area. Mr. Powers said he did not have specific figures, but the area was highly developed, with seven office buildings and another under construction. Anytime an area such as that was annexed it would hurt County revenues. Mr. Ford asked what services St. Louis County provided to the area. Mr. Powers said police, code enforcement and planning/zoning were day-to-day services the County provided. If property owners desired to remain unincorporated the County was happy to help support them.

Ms. Ordower asked if the County provided curbside recycling services to residents. Mr. Powers said the County did not contract out those types of services, unlike the area's municipalities. A study was under way that would consolidate trash services, establishing zones.

Ms. Garino said in other places she lived in the Midwest, counties did not provide local services. She asked Mr. Powers if the County's long-term thinking was to continue providing local services. Mr. Powers said it was the County's goal to be a provider of local services.

Ms. Garino said the Commission needed information about how local services were provided and funded. Were the unincorporated areas subsidizing the incorporated areas or was it the other way around. Mr. Powers said it was important for there to be agreement as to what was a local government service and what was a county government service.

Mr. Wojtkowski asked if any of the municipalities appearing before the Commission contracted for services with St. Louis County. Mr. Powers said, Valley Park, Wildwood and Fenton contracted for police services. Valley Park contracted for a majority of inspection services. Des Peres only contracted for commercial inspections.

Mr. Wojtkowski asked if the County government was considering submitting proposals. Mr. Powers said the County would submit proposals where it was clear residents desired to remain unincorporated. He was unsure how many proposals might be submitted in West County. There would be proposals submitted for South County.

Mr. Wojtkowski asked if Queeny Park was annexed, would it affect the park's status. Mr. Powers said the park would remain open to all County residents and the County would continue

to provide the same services to the park.

Mr. Hayek asked if the Planning Department could demonstrate on a map the tax revenue derived from a particular area. Mr. Powers said the County could provide that information.

3. *Presentation of Des Peres*

The City Administrator, Mr. Douglas Harms, presented Des Peres' map plan. The map plan represented the City maximum growth. The map plan was the start of a process to provide more information to the City, property owners, the Commission and to the voters. The Commission's review would help the City determine future actions. The City needed to engage in more study to determine whether to move forward with annexation proposals.

Mr. Harms said there was no timeline for submitting proposals. The City was quite busy with improvements to Manchester Road, West County redevelopment and building a recreation center. Elected officials were not concentrating on annexation. He estimated that discussions regarding annexation would not take place until the middle of 2001. The map plan boundaries represented the area to which the City felt it could effectively provide services in a cost-efficient manner--in relationship to its major public facilities. The map plan area had a strong community of interest with Des Peres. Many assumed the office district at Manchester/I-270 was already in Des Peres. Also, the City wanted to create easily identified boundaries. Although areas A through F were identified on the map plan, the City really saw these as two proposals, area A, at Manchester/I-270 and areas B through F, the Barrett Station corridor. Des Peres would submit one proposal, but the law did not allow that. Commercial areas provided more revenue than residential areas. Previous residential annexations were based on communities of interest. By submitting a single proposal, the increased cost of services in the Barrett Station corridor would have been off-set by the revenue gained from the Manchester/I-270 area. Des Peres would submit a single proposal based on the input of residents. At minimum, however, it made sense for Manchester to increase its boundaries to Barrett Station Road.

Mr. Harms said, Area A, Manchester/I-270, was an eighty-acre tract with all parcels either fully developed or nearing construction. Ultimately, there would be nearly 1 million square feet of office space and a business class hotel. There were no residents. If there were residents, the area would have been considered a "pocket." He said area A was the kind area envisioned in making annexation easier. The area was remote from unincorporated St. Louis County. Des Peres would provide more efficient services. Though that was not meant to denigrate St. Louis County, which had an excellent Police and Public Works departments. All technical inspection would be handled by St. Louis County. He said the City could not do a better job than West County Fire and EMS, although he felt Des Peres could do as good a job. The primary tenant of the building under construction was Edward Jones, whose corporate headquarters was in Des Peres.

Mr. Harms said the RCGA attracted Amdocs to Corporate Hill. The local match for the State tax incentive came from Des Peres, not St. Louis County or Town and Country. Kelly Management consulted Des Peres regarding changes to West County Mall, and incorporated that material in their marketing strategy, in order to lease their building.

The Barrett Station Road portion of the map plan was not a major expansion of the City. Residents along the road had expressed interest in annexation. Previously, residents west of Barrett Station Road asked if they could circulate a petition to be annexed, just as subdivisions east of Barrett Station had done. At the time, the City told them it did not want to extend itself west of Barrett Station Road.

Areas E and F were included for consistency. Area F was bounded by Barrett Station, Dougherty Ferry, and the Des Peres city limits. Des Peres knew residents of that area did not want to be annexed. Des Peres would not attempt to annex areas that were opposed to annexation. Area E was a commercial area at Manchester and the west side of Barrett Station. It was included because the rest of the map plan extended west of Barrett Station Road. Des Peres was the best City to serve the area. At Manchester and I-270 there was a strong mutual aid agreement with the fire district, even though the City was not compensated. He said bigger was not always better. Des Peres' Police and Public Works vehicles already operated on Barrett Station Road. The City's response time for calls was better than the County's in that area. For residential areas there were better services, lower taxes and local representation. The Alderman were citizens' neighbors. Each one represented approximately 3,000 people, as opposed to 145,000 people in unincorporated St. Louis County.

Questions from the Commission

Ms. Garino wanted to know about the relationship between areas annexed under the last Boundary Commission and areas in the map plan. Mr. Harms said the following subdivisions petitioned for voluntary annexation: Dougherty Meadows, Dougherty Oaks and Barrett Heights. The areas not annexed that had single family houses were marked as B. In one small subdivision virtually, the same number supported and opposed annexation. The other area had condominiums for which the City had no zoning classification, a controversial issue. The residents of the condominiums had not requested annexation. Ms. Garino asked if any of the areas east of Barrett Station Road were split subdivisions. Mr. Harms said none were split. The west boundary of the map plan, in general, was the center line of a Grand Glaze Creek. The area south of Dougherty Ferry was the Ozarks subdivision. The map plan, called for the City to control both sides of Barrett Station Road. Des Peres needed to hear more from the residents of the area and develop more data about the cost of services. Most development in areas B-F had occurred since 1990. The City needed new census data to better understand annexation costs.

Mr. Ford asked what kind of support was needed for Des Peres to submit a proposal. Mr. Harms said that previously the City had only submitted voluntary proposals. The City would provide support to those who desired annexation, however, residents would need to get petitions signed. Mr. Ford asked if that applied to area A. Mr. Harms said that would be true but there were no voters in area A. Also, those property owners opposed annexation.

Mr. Ted Armstrong asked if it made sense to pursue annexation in an adversarial situation. Mr. Harms said more information should be exchanged. From a public policy perspective, it made no sense for a pocket to be left unincorporated. Also, not all in the area had fire protection,

including public streets. For years the quarry operated with no fire protection. A construction landfill was operating in the area with no fire protection.

Mr. Wojtkowski asked if Des Peres would modify its map plan in the area west of Barrett Station Road that overlapped with Town and Country's map plan. Mr. Harms said if Town and Country moved forward, Des Peres would back-off. Des Peres and Town and Country had already talked some about their map plans and had a good relationship. Des Peres had no recent discussions with Manchester, though they talked years before. The City was willing to meet to discuss annexation.

Mr. Kloeppe asked how Des Peres decided which areas to include in the map plan. Mr. Harms said the City decided not to cross Grand Glaze Creek, therefore not increasing the population from 10,000 people to 15,000-20,000 people. South of Dougherty Ferry residents did not want to be annexed. Their community of interest was different from the new subdivisions along Barrett Station, which included many young families. The same was true for area E, north of Manchester Road. It was included because the City was already on Manchester Road with police and other services.

4. *Presentation of Fenton*

The Planning and Zoning Director, Mr. Franz Kraintz, presented Fenton's map plan. The First Ward Alderman, Mr. Larry Steelman was in attendance. Mr. Kraintz said Fenton had a population of 4,500. Most were familiar with the I-44 corridor, a regional employment center. The City also had established residential areas. At highways Thirty and 141, approximately 2 million new square feet of retail space was being developed.

The City included three areas in the map plan. Phase one was Peerless Park, and an area bridging the former city and Fenton. Prior to the moratorium Fenton had a proposal, requested by residents, to annex the area. The phase two area extended to the middle of the Meramec River and included the Anheuser- Busch Soccer Park. The third area was west of highways 141 and Thirty.

There were two criteria for including areas of the map plan, natural boundaries and the financial ability to provide quality services. There had been many requests for annexation. Although Fenton only had approximately 4,000 residents, the community of interest, the 63026 area code, had more than 100,000 residents.

The City would move forward quickly with phases one and two and thought it could implement its map plan within five years. It was important to the City to respond to resident requests for annexation. Also, the City desired to have more control over development activity. Fenton was the best to serve the areas because of quality services, beginning with quality elected officials. There was a full-service professional staff, with a City Administrator, and the Fenton "detail" of the St. Louis County Police Department. The Parks and Recreation Department oversaw a large city park along the Meramec River. The City had recently purchased the Fabic Estate--124 acres of open space. The River Chase facility would cost \$70 million, with two pools and a gym.

The Public Works Department was the best with snow removal and had excellent street and park maintenance. Fenton stopped contracting for inspections. The Planning and Zoning Department engaged in the usual planning oversight. Also, the City was active in redeveloping its historic core.

Residents in annexation areas would receive services with no cost in real or personal property taxes. Fenton provided free trash and recycling services, \$10.00 per month towards the sewer bill, street lighting paid by the City and twice a year bulk-trash pick-up. Fenton had the resources to solve local problems and improve the quality of life for map plan area residents.

Questions from the Commission

Mr. Kloeppel asked if map plan residents expressed a desire for annexation. Mr. Kraintz said he routinely received calls asking when annexation would occur, although there was little written support. No meetings occurred in map plan areas to discuss annexation since the moratorium.

Mr. Spears asked if additional police services would be required to implement the map plan. Mr. Kraintz said he thought more police would be required but did not know how much. The City hired a new officer specifically to deal with new commercial area.

Mr. Hayek asked about Fenton's building code, and how it compared with St. Louis County's. Mr. Kraintz said Fenton had only an exterior code and used the BOCA code, as did St. Louis County. He said Fenton enforced codes more stringently than St. Louis County, which led to "dropping" the County inspection contract. The County and Fenton's zoning classifications were similar, although Fenton's land uses were not as broad. Mr. Hayek asked how many inspectors were employed by Fenton. Mr. Kraintz said the City had one full-time property maintenance officer, one building official, one building inspector, two electrical inspectors and a plumbing inspector.

Mr. Ted Armstrong asked why Fenton wanted to move the city limits to the center of the Meramec River, and how would that affect the east half of the river. Mr. Kraintz said, the City wanted to assist in replacing the Gravois bridge across Highway Thirty. Fenton did not have the influence to convince Sunset Hills and Kirkwood to also move their borders to the center of the river. He said Sunset Hills would work with Fenton to fix the Gravois bridge. Mr. Ted Armstrong said Fenton needed to work with its neighbors so the County would not be left with jurisdiction over half a river.

Ms. Ordower asked how many residents were in Fenton's map plan. Mr. Kraintz said the Peerless Park area had forty-six households, or approximately 100 residents. The area to the east had approximately fourteen households, or, approximately fifty residents. The southwest area had approximately 600+ houses, or, at build out, approximately 2,500 residents. Mr. Kraintz said implementation of the map plan would add approximately 3,000 residents to Fenton.

Ms. Garino asked Mr. Kraintz how heavily developed the phase three area was. Mr. Kraintz said

the Summit Heights subdivision derived access off Country Home Drive. Access for other low-density subdivisions in the area was from Highway 141.

Ms. Garino noted an area to the west of Fenton's map plan was also omitted from Valley Park's map plan. Mr. Kraintz said there had been no discussion with Valley Park. Ms. Garino asked for a further explanation of the western boundary of phase three. Mr. Kraintz said that was the boundary between the Lindbergh and Rockwood school districts. The boundary extended behind lots and split no subdivisions. Mr. Kraintz said Fenton had considered extending the western boundary of phase three to Bowles Avenue.

Ms. Garino asked what land was between Peerless Park and Fenton. Mr. Kraintz said the area included the Lakewood Golf Course, some residential properties along Fenway Drive, the Maritz campus and Buder Park. The only part of Maritz in Fenton was a parking lot.

5. *Presentation of Kirkwood*

The Assistant Chief Administrative Officer, Ms. Georgia Ragland, presented Kirkwood's map plan. The boundaries of the map plan were, the Meramec River, other municipal boundaries and Manchester Road. These boundaries fulfilled criteria for the map plan: leaving no pockets and using logical boundaries.

The City Council had not discussed phasing. The map plan was revised, moving the northern boundary to Manchester Road. The map plan encompassed 4.34 square miles, including 5,224 residents. Phasing would be considered if desired by residents.

Kirkwood had no timetable for submitting a proposal. Implementing the map plan allowed for the natural extension of the City. Kirkwood already provided water for homes off Barrett Station Road, a few homes on Big Bend and to the Tree Court industrial area. Some areas of the map plan were undeveloped. The City could assist those areas in development through its zoning code. The City could assist developed areas through its Building Department, particularly through occupancy permits and code enforcement. The City could also assist in traffic regulation.

Kirkwood was the best city to serve the area because it was a full-service City: providing parks, recreation, police, sanitation, electrical, water, street maintenance and snow removal. The City had provided municipal service for nearly 150 years. Interest in annexation was expressed by map plan residents in the past and the City was prepared to talk with them again.

Ms. Ragland said Kirkwood had some of the lowest municipal tax rates in the county. In 1999, of the \$.42 per \$100.00 of assessed valuation, \$.13 was spent on park maintenance, \$.11 was for debt service for general obligation bonds and \$.18 was for fire and police pensions. Proposition F had been passed and would add \$.15 for debt service on general obligation bonds used to refurbish three fire stations and fire equipment. Kirkwood had excellent snow removal. More than 50% of those using the Kirkwood recycling Center were from outside the City. Curbside garbage collection occurred twice per week and cost \$8.75 per month.

The City had fifty-six commissioned police officers, with one officer per 1,000 residents--a better ratio than the County's. The City offered personalized police service while utilizing specialized services of the County police. The Building Department offered same day permitting. Residents did not have to travel to Clayton for permitting services. Kirkwood offered local interaction with officials, particularly at meetings of local civic organizations. Kirkwood wanted to hear the concerns of map plan residents before formulating proposals. There was interest in annexation proposals in the early 1990's. No calls or letters had been received recently regarding annexation.

Questions from the Commission

Ms. Ordower said the plan extended far north of Kirkwood. Was the area north of the City more logically served by Des Peres or Manchester. Ms. Ragland said that could be true. The Kirkwood City Council had directed the north boundary to Manchester Road.

Ms. Garino asked what other development was in the area between Dougherty Ferry and the Meramec River besides Osage, Tree Court Industrial Park and the Barrett Brae subdivision. Ms. Ragland said the Museum of Transportation was located there.

Mr. Wojtkowski said the map plan designated the area to which Kirkwood could expand. He asked if Kirkwood had really assessed the reasonableness of annexing the north area of the map plan. Ms. Ragland said the City had not considered financial and other logistical concerns.

Mr. Hayek said Kirkwood was an identifiable community, particularly in regard to the train station and the business district. He asked if the administration had considered if it really wanted to annex the area around Manchester Road. Ms. Ragland said there had not been a great deal of consideration of political issues. Other parts of Manchester Road were already in Kirkwood.

6. *Presentation of Valley Park*

The City Attorney, Mr. Eric Martin, presented Valley Park's map plan. He said the City was incorporated in 1917 at the confluence of two railroad lines still in existence. Valley Park was in the flood basin of the Meramec River. There had been several major floods in the area since 1980. The Army Corps of Engineers was building a \$38 million levy to protect the City. In 1981 the City became part of the national flood insurance program. The City had seen little new construction or increase in assessed value because building in the flood plain was complex.

Mr. Martin said the per capita assessed valuation in Valley Park was \$10,000.00, based on a population of 7,500. He said it was not the Commission's responsibility to provide equitable assessed value for each community, but he thought it deserved consideration by the Boundary Commission. Mr. Martin said Valley Park was concentrating on phases one and two of its map plan. The City would submit proposals in April 2001 for those areas. Under the previous Boundary Commission, the City proposed the annexation Peerless Park-- a voluntary

annexation supported by 66% of the property owners.

The phase one portion of the Valley Park map plan contained fewer than 100 residents. Both parts of phase one were approximately one square mile, with approximately 600-700 acres. Land uses in phase one areas were primarily office and light industrial. Land uses in Peerless Park were light retail and heavy commercial. The City was prepared to move forward with phase one. Phase two was approximately three years away. Areas three through five would be proposed far in the future and were dependent on successful efforts in phase one.

Mr. Martin said Valley Park was a more desirable jurisdiction than St. Louis County because it offered better services and local control. The City contracted for service with the St. Louis County Police Department.

Peerless Park residents showed interest in annexation, as did those in the Tree Court industrial area, particularly a small subdivision off Westerman Road. Valley Park initiated conversations with Fenton that were not fruitful.

Questions from the Commission

Mr. Ted Armstrong asked Mr. Martin to identify the City's phasing areas. Mr. Martin identified two parts of area one--Peerless Park and Tree Court Industrial Park. Area two was on the west side of the City, extending to Sulphur Springs Road. Area three was along Big Bend Road, at Sulphur Springs. Area four was near the Museum of Transportation and overlapped with Des Peres' map plan. Area five extended south of the Meramec River to the Jefferson County line.

Mr. Ted Armstrong asked Mr. Martin to describe the small unincorporated area within Valley Park. Mr. Martin said the area was an unincorporated pocket containing an old Catholic cemetery, "pauper" cemetery and a couple of residences. Mr. Ted Armstrong asked why it was not included in the map plan. Mr. Martin said it was an oversight, but Valley Park desired to annex the area.

Ms. Garino asked what the northeast boundary of the Tree Court portion of phase one was. Mr. Martin said it was the west side of the lots along Barrett Station Road.

Ms. Garino asked what was the west boundary of area five. Mr. Martin said it was bounded by large State and County parks--Castlewood and Lone Elk State parks. The Tyson Research Center also bordered the map plan.

Ms. Garino said an unclaimed area separated Eureka's and Valley Park's map plans. Had any discussion between the two cities occurred. Mr. Martin said no discussions occurred between the cities. He was unaware the area was omitted from both plans.

Ms. Ordower asked how much Valley Park would grow in land area if it implemented the map plan. Mr. Martin did not know the answer. Valley Park was concentrating on areas one and two,

each of which was one square mile. He said area one had no more than 250 residents and area two had no more than 500.

Mr. Ford asked if residents of the map plan wanted to be annexed, or, if the City was aggressively seeking annexation. Mr. Martin said, under the previous Boundary Commission two-thirds of Peerless Park residents wanted annexation. The City anticipated having a poll completed by a sampling firm or having town hall meetings to get feedback from residents. Kirkwood and Valley Park attempted annexations in Tree Court six or seven years before. Residents there had expressed interest in annexation by Valley Park. Mr. Martin said Valley Park would not pursue annexation if a majority of residents were opposed.

Mr. Wojtkowski asked if Valley Park would file separate proposals for area one. Mr. Martin said the City would file separate proposals. The City would pursue a simplified boundary change in Peerless Park.

Mr. Wojtkowski asked why Valley Park was better suited to serve the north portion of part one than Kirkwood. Mr. Martin said Valley Park and the north portion of area one were both in the flood plain while Kirkwood was not. The Valley Park Fire Protection District served Valley Park and the Tree Court area. Part of the area in question was in the Valley Park zip code. Valley Park's facilities were closer to the unincorporated area than were Kirkwood's.

7. Public Comment

Mr. Daniel Engle, One First Plaza

He represented Manchester/270 Development Inc., an owner of twenty-six acres near Manchester/I-270. His client had approval from St. Louis County to build a hotel, two office buildings and a free-standing restaurant. There were different objections to Des Peres' map plan as opposed to Town and Country's.

There were problems related to fire protection. Des Peres was a low-rise city, the Edward Jones Building was the only high-rise structure in the City. The hotel to be built would be seven stories tall, while the office buildings would also be high-rises. Des Peres had no ladder truck to reach the upper floors of the buildings, as opposed to West County Fire and EMS, which had a truck that reached a height of eighty feet. West County Fire and EMS also had pumper trucks. Despite a mutual aid agreement, the lack of the proper equipment would negatively affect his client's insurance rates. The ISA rating for West County Fire and EMS made it the preferred provider.

Des Peres historically did not support hotel development. Such development had been rejected by the City at different times on the other three corners of the intersection, during the previous fifteen years. His client feared that opposition to hotels in Des Peres, and the lack of an appropriate zoning category would lead to it being a "step-child" in the municipality.

Mr. Ted Armstrong said Mr. Harms said the area could be without fire service. Mr. Engle said that would not happen. St. Louis County required fire protection be in place before approving

permits to construct the facilities. West County Fire and EMS had submitted a proposal to provide fire service to both the development itself, and the surrounding roads.

Mr. Kloeppel asked if the County required high-rise buildings to have functioning sprinklers. Mr. Engle said that was correct.

Mr. Joseph Kelly, Jr.

He represented Eckelcamp Manchester/270 L.L.C. and Eckelcamp Manchester/270 South L.L.C. He said there were three concerns with the map plans of Town and Country and Des Peres. Those concerns were: fire protection, negative revenue for cities and a loss of property rights regarding signs and telecommunications. The development began in 1987. Des Peres and Town and Country sued to prevent the development from occurring. Although he had respect for the cities, their efforts were misguided. According to ISO Commercial Risk Services, the Des Peres Fire Department did not have the ability to fight fires in high rise buildings. He had a letter from the West County EMS Fire Marshal who made clear his agency served the Manchester/I-270 development. The West County EMS had four ambulances; Des Peres only had one. Building three for Edward Jones was seven stories tall. West County Fire and EMS had both an eighty-foot ladder. It would also own a 100-foot ladder after the first of the year.

Mr. Kelly said tax revenue would be insufficient to service the area. Also, the businesses needed appropriate signs and telecommunications equipment for e-commerce.

Ms. Garino said there were serious issues between the businesses and the cities. She suggested serious discussions were needed between the cities and the business owners. Mr. Kelly said he was willing to discuss the issues with the cities.

Mr. Hayek asked what was meant by telecommunications. Mr. Kelly said he meant antennas, satellites “dishes” and other forms of wireless communications. Mr. Hayek asked if municipalities had legitimate concerns about the effects of telecommunications equipment on buildings. Mr. Kelly said he understood their interest, but that the Unity Health sign, in Town and Country, was more difficult to read than the Charter Communications sign. By amending sign ordinances municipalities could resolve the issue.

Mr. Thomas Smyka, 717 Cedar Bluff Court

He lived in the Westbrook subdivision, which was included in: Ballwin, Manchester and Valley Park’s map plans. He asked Mr. Powers if an area needed 2,500 residents or registered voters to be included in the County’s map plan. Mr. Powers said it was residents. How many people needed to sign a petition? Mr. Powers said no petition was required, that the County would file proposals for citizens. He asked Mr. Wojtkowski if the Boundary Commission could override a proposal by St. Louis County. Mr. Wojtkowski said the Commission’s role was to determine whether the proposal should be placed on the ballot to be voted on by the citizens.

Mr. Smyka asked how the Commission would deal with overlapping proposals. Mr. Wojtkowski asked Mr. Hamilton if established unincorporated area proposals had priority over annexation proposals. Mr. Hamilton said it was hard to answer without checking, but he thought annexation

and established unincorporated proposals had the same status. Mr. Wojtkowski said the Commission would apply the best interest test. Was the proposal in the interest of the residents of the area, the annexing municipality and in the best interest of the adjacent unincorporated areas. Eventually, the Commission would have detailed proposals to review. Additional public hearings would take place regarding proposals. Ultimately, there would be elections if proposals were approved.

Mr. Smyka asked if annexations effected school district boundaries. Mr. Wojtkowski said annexations did not affect school district boundaries.

Mr. Charles Van Dyke, 3400 Tree Court Industrial Boulevard
He was a Tree Court trustee. He said there were pervious annexation efforts in the area. Mr. Van Dyke was concerned it would cost more to do business after annexation with no real benefit to property owners and businesses. Because businesses were not voters in an annexation area, they would have no voice in decisions. Mr. Wojtkowski said the businesses could argue their position to the Boundary Commission.

Mr. Ted Armstrong asked for an explanation of negative aspects of annexation. Mr. Van Dyke said there would be higher taxes and with no improvement in services. Mr. Ted Armstrong said the owners and businesses should educate the Commission and voters.

8. *Adjournment*

At that point the meeting was adjourned.

Respectfully submitted,
Daniel Krasnoff
Approved: August 28, 2002