

BOUNDARY COMMISSION
ST. LOUIS COUNTY, MISSOURI
MEETING MINUTES

January 23, 2001

ROLL CALL

Commissioners Present: Matt Armstrong, Ted Armstrong, Bob Ford, Agnes Garino, Thomas Hayek, Greg Kloeppe, Ilene Ordower, Johnnie Spears, and Don Wojtkowski.
Commissioners Absent: Jane Arnold and Dee Joyner

COMMISSION STAFF PRESENT:

Dan Krasnoff, Boundary Commission Executive Director
Rodney Washburn, Boundary Commission Legal Counsel

OTHERS PRESENT:

Matt Conley, City of Crestwood
Lori Fiegel, St. Louis County Planning Department

Call TO ORDER

The meeting was called to order by Mr. Wojtkowski at 6:30 p.m. on January 23, 2001. The meeting was held at the offices of the Boundary Commission, 1516 S. Brentwood Boulevard, Brentwood, Missouri.

ROLL IS CALLED – QUORUM DECLARED

The roll was called and a quorum declared by Mr. Wojtkowski.

APPROVE AGENDA

Mr. T. Armstrong made a motion to approve the agenda. Mr. Spears seconded the motion. Voice vote: Ayes: All. Nays, None. *The motion passed.*

APPROVE MINUTES

Ms. Garino made a motion to approve the minutes from November 28, 2000. Mr. T. Armstrong seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

Mr. Spears made a motion to approve the minutes of December 5, 2000. Mr. T. Armstrong seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

PUBLIC COMMENT

There was no public comment.

ANNOUNCEMENTS AND COMMUNICATIONS

Mr. Krasnoff said the Commission received a letter from Maryland Heights in response to the general map plan comment the Commission generated at the December 5, 2000 meeting. Maryland Heights said it was prepared to discuss their overlapping map plan boundary if the County so desired.

STAFF REPORT

Mr. Krasnoff met with John Pound who is a commercial real estate broker regarding future office space needs of the Commission. Mr. Krasnoff and Mr. Pound discussed office space in the Clayton business district or in the general vicinity of the current office. Mr. Pound said that the large office buildings along Brentwood were full. There were two smaller buildings along Brentwood. The building at Brentwood and the I-170 overpass was not thought to be a good fit because of traffic issues, particularly in crossing Brentwood in the early evenings. Mr. Pound also mentioned the Mills building west of the current office. The available office space in the building was comparable in size to the Commission's current space. Mr. Pound had only begun to look in Clayton but anticipated making a report to Mr. Krasnoff within the next week or so.

Mr. T. Armstrong suggested the Commission look into the possibility of using County space.

Ms. Garino said she was concerned about parking if the Commission moved to the Clayton business district.

Mr. Wojtkowski reiterated his interest in finding an office with common meeting space.

Ms. Garino said she thought it would be difficult to find a set-up that would have common meeting space at a cost the Commission could afford. She also said it was important for the Commission to be located at a place with good access considering the Commission meets during rush hour.

Mr. Krasnoff said the Commission was bonded for the Director's and Officers insurance back to the final week in November. He said the insurance had either been paid or was at the County to be paid.

Mr. Krasnoff said he was still working with Rejis on the database connection and web site. Mr. Krasnoff said he had no firm target date when the web site would be complete but that it certainly should be up and running by April 15, 2001.

Mr. Wojtkowski asked Mr. Krasnoff if an outline of a web site could be created in time to show the Commission for the February meeting. Mr. Krasnoff said he would have such a mock up at the February meeting.

NEW BUSINESS

Mr. M. Armstrong and Mr. Ford said they had been reappointed to the Commission.

OLD BUSINESS

A. Map Plan Comment

Mr. Wojtkowski noted the correspondence to all submitting entities was sent. The letter encouraged municipalities to meet to deal with overlapping boundaries where possible.

Mr. Wojtkowski then described the narrative and spread sheet documents received in the packet.

Ms. Garino had e-mailed Mr. Wojtkowski her ideas regarding comment and created a hand out to review. The document was produced with the April 15, 2001 proposal submission date in mind. The document advised potential applicants considering the submission of proposals.

Mr. Wojtkowski said the points were a summary of the Commission's concerns expressed at the map plan public hearings. Mr. Wojtkowski said every item was addressed in the rules. He suggested amending the rules to include a preface based on Ms. Garino's document.

Mr. Hayek said he was concerned that there already were rules in place and it would be risky to issue a second group of rules. He also felt it would be a mistake to imply that the Commission as a whole would consider one issue over others. There were no "Commission" concerns, only comments and questions from individual commissioners.

Mr. Kloeppe said he also thought it would appear that the Commission was changing the rules in the middle of the process.

Mr. T. Armstrong suggested issuing the list in some other form.

Mr. M. Armstrong suggested sending a letter to the submitting entities that stated the items, which were in the rules, concerned the Commission at the public hearings and remained concerns of the Commission.

Mr. Hayek said terms such as: "incorporated in the rules" or, "associated with the rules" or, "affiliated with the rules" or "an addendum to the rules" should be avoided.

Mr. M. Armstrong said these were a list of concerns the Commission had, based on the ten public hearings, and allow the submitting entities to draw their own conclusions.

Mr. Wojtkowski said it would be easier to evaluate the submitting parties proposals if the items on Ms. Garino's list were carefully considered when preparing proposals.

Mr. Wojtkowski suggested a letter saying: These are the kind of questions the Commission considered at the public hearing and as you prepare plans of intent it may be appropriate for you to make sure these items are considered.

Mr. Ford said he thought that could be seen as encouraging entities to submit proposals.

Mr. T. Armstrong suggested the letter specifically say the items were not to be seen as prevaricating the rules in any way.

Mr. Hayek said it should be reiterated that the submitting parties must follow the rules and respond to all questions in the rules.

Ms. Ordower said care should be taken in the wording, that “requesting” almost implied that the submitting parties must act a certain way. What the Commission was trying to do was help submitting parties, not add requirements.

Mr. T. Armstrong asked if the letter would be reviewed by all commissioners.

Mr. Wojtkowski said Mr. Krasnoff should send an initial draft to all members and work with Mr. Hayek on a final draft to be shown to the commissioners at the next meeting.

Public Hearing #1

Mr. Krasnoff began by reviewing the unincorporated areas designated in map plan boundaries by: Bel-Nor, Bel-Ridge, Charlack and Normandy.

Mr. Ford pointed out that the largest single land use in the area was cemeteries.

Mr. M. Armstrong noted that Charlack had not drawn a boundary around the “foot” at the southeastern portion of the larger unincorporated area.

Mr. Krasnoff said that Normandy had said they would bring a proposal for the nursing home in their municipality in the spring.

Mr. Ford said Charlack had a strong interest in the western area of the map plan because they responded to most police calls in that area. He also recalled that Charlack wanted to annex the cemeteries because it would increase state highway grant funds they would receive.

Mr. Wojtkowski said the map plans helped in seeing what may be coming, but beyond that there was not much to say.

Mr. Ford asked how soon Bel-Ridge could propose an annexation?

Mr. Krasnoff said he thought it unlikely such a proposal would be submitted based on the cost of making such an application and the fact that the vote in August, 2000 was not close. Mr. Krasnoff said he would research the question of when, after a vote was lost, a submitting party could return to the commission with another plan of intent.

Mr. Wojtkowski said this was a matter he would like Mr. Hamilton to look into as well.

Public Hearing #2

Mr. Krasnoff said the final box at the bottom of the spreadsheet should be switched.

Mr. Wojtkowski said he felt there was little the Commission could influence about this area based on map plan comment. He felt all parties were strong in their opinions and strategies.

Ms. Garino asked if University City did bring a proposal, would Clayton re-evaluate its position?

Mr. T. Armstrong asked who would vote?

Mr. Wojtkowski asked if the area was an unincorporated pocket. He said Mr. Hamilton should look into this matter.

Mr. Krasnoff said the area would have to be below the population ceiling and the campus would have to meet the residential density requirement.

Mr. M. Armstrong said most of the housing was on the “south forty”.

Mr. M. Armstrong, Ms. Garino and Ms. Ordower remembered that the unincorporated area of the campus had 400-600 residents.

Mr. M. Armstrong asked what happened if both Clayton and University City brought proposals to the commission simultaneously?

Mr. Wojtkowski said the commission could consider only one proposal at a time. He said it would be a strong message to the Commission if the University said we don't like University City but we like Clayton. A heavy part of the Commission's rules consider the feelings and impact on the property owners and residents of an area.

Mr. M. Armstrong said the actual residents of the unincorporated area expressed no opinion so far.

Public Hearing #3

Mr. Wojtkowski noted that Bella Villa and Crestwood had both said they would likely bring proposals soon after April 15th. St. Louis County indicated that it identified this area or portions of the area for unincorporated zone proposals.

Mr. Krasnoff noted that Crestwood was more interested in submitting proposals in the south area of their map plan than in the north portion, which they included because it could have been considered a pocket.

Mr. Ford said he thought the municipalities thought the whole area was to be divided and each entity wanted to get their piece.

Mr. T. Armstrong agreed with Mr. Ford.

Ms. Garino said they all wanted to play a role if there were boundary change considerations in the area.

Mr. Ford said most public comment come from the areas proposed within the map plans.

Ms. Garino said the mayor of Shrewsbury said he wanted to submit a map plan in case issues that related to the municipality came to the fore.

Mr. Krasnoff said Shrewsbury was the least interested in making proposals in the near term.

Mr. Ford said once Crestwood submitted a plan then Shrewsbury would as well.

Ms. Garino said the area where Crestwood and Shrewsbury overlap is an area Crestwood only added because they did not want to leave a pocket. She said if Crestwood were interested in annexation they would look to the south portion of their map plan. She said the major point of contention would be between Crestwood and Sunset Hills.

Mr. Krasnoff also pointed out that Shrewsbury would be required to make an awkward proposal in order to annex the area that overlaps with Crestwood.

Mr. Wojtkowski said the most vocal public comment related to Bella Villa. Bella Villa said any proposal they would make would be in the form of a simplified annexation. So, there should be little conflict if all sides act as they said they would.

Ms. Garino said Bella Villa's last annexation was in the form of a simplified annexation. She said it was not cost effective to attempt an annexation if it was not a simplified annexation.

Mr. Wojtkowski asked if there was a protocol in the statute regarding the Commissions order of consideration when the County and a municipality submit proposals at the same time?

Mr. Hayek said he did not think so. He didn't think the statute required what proposal the Commission considered first.

Mr. Krasnoff said that if a proposal comes in after another proposal, the Commission could consider the second proposal first if it has a larger percentage of the area's population within it.

Mr. T. Armstrong said guidance should be obtained from legal counsel regarding matching proposals.

Mr. Wojtkowski said in the previous statute Unincorporated Zone Proposals took precedence, but the protocol under the current statute required explanation.

Mr. Krasnoff said the number of proposals could be limited because the submitting party that went first was put in an inferior position to any entity that went next.

Mr. Wojtkowski said Lemay Unincorporated Zone proposal was dead.

Mr. Ford asked what he meant.

Mr. Krasnoff said the statute did not define what is meant by “suspended”.

Mr. Wojtkowski asked Ms. Fiegel what the County’s intentions were regarding the Lemay proposal.

Ms. Fiegel said they would submit a Lemay Unincorporated Area proposal.

Public Hearing #4

Mr. Krasnoff reminded the commission about the boundaries of the various map plans in the area.

Mr. Wojtkowski said St. Ann would move their map plan boundary north.

Mr. Krasnoff said that was also his recollection but he had heard nothing from St. Ann since the hearing.

Ms. Garino said a problem with the map plan process was it led to a large area between Maryland Heights’ and Creve Coeur’s proposals without any entity proposing annexation except St. Louis County.

Mr. Hayek brought up the issue of the Charlack map plan and the fact that they left an area at the very southeast part of their plan off the map. Mr. Hayek said he thought they should be given to opportunity to include that area under the “technical, minor correction” portion of the statute.

Mr. Wojtkowski said the Commission would have to exercise judgment on the matter. The commission would have to establish criteria so as not to be arbitrary and capricious. The commission should have standards.

Mr. Krasnoff said after April 15, 2001 all map plans were final and any corrections needed to be made before that date.

Mr. Hayek asked if a letter should be sent to the submitting parties to allow them to make “minor” corrections where the Commission deems allowable?

Mr. T. Armstrong said the commission would seem to be encouraging a proposal if it recommended minor changes in a map plan.

Mr. Hayek said that until April 15, 2001 the Commission could comment about map plans based on planning and public policy considerations. Mr. Hayek considered this a planning and public policy consideration.

Mr. M. Armstrong said he worried about the appearance of favoritism by commenting on some map plans and not on others.

Ms. Garino said she thought by commenting the Commission was merely following the statute.

Mr. Krasnoff offered to look at all potential “technical” issues from the hearings and report back to the commission at the next meeting.

Ms. Ordower said she thought the key was to define the meaning of “minor technical amendment.”

Mr. Wojtkowski said this discussion could be considered further at the next meeting. Mr. Krasnoff was asked to review the map plans in consideration of minor technical amendments.

Mr. T. Armstrong made a motion to adjourn. Mr. Mr. Armstrong seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

The meeting was adjourned.

Respectfully submitted,
Dan Krasnoff
Approved: February 27, 2001

