

BOUNDARY COMMISSION
ST. LOUIS COUNTY, MISSOURI
MEETING MINUTES

April 24, 2001

ROLL CALL

Commissioners Present: Agnes Garino, Thomas Hayek, Dee Joyner, Ilene Ordower, Johnnie Spears and Don Wojtkowski.

Commissioners Absent: Matt Armstrong, Ted Armstrong, Jane Arnold, Bob Ford and Greg Kloeppel

COMMISSION STAFF PRESENT:

Dan Krasnoff, Boundary Commission Executive Director
David Hamilton, Boundary Commission Legal Counsel

OTHERS PRESENT:

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 April 24, 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

Ms. Joyner made a motion to approve the agenda. Ms. Garino seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

APPROVE MINUTES

Mr. Krasnoff noted three minor changes to the minutes. The last sentence of page six was to be removed. The portion of the second to last sentence of the fifth full paragraph on page eight, that was written as "...city of village..." was amended to, "...city or village..." The last sentence of the second paragraph on page nine included an awkward construction. The word "that" was removed... "certification was required with an annexation proposal from **that** the submitting authority..."

Ms. Garino made a motion to approve the minutes from March 27, 2001 with the amendments Mr. Krasnoff suggested. Ms. Ordower seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

FINANCIAL REPORT – 1ST QUARTER

Mr. Krasnoff provided the following information about the Commission's spending and budget:

- Nearly \$22,000 of the nearly \$192,000 budget was spent
- \$5,000 of the \$22,000 spent was from encumbered funds from FY 2000
- Approximately \$11,500 of the \$22,000 spent was for the Executive Director's salary & benefits
- Approximately \$3,000 was for legal counsel
- Slightly more than \$2,000 was for rent of the office
- Nearly \$1,000 had been spent for Commission insurance

In the discussion that ensued Mr. Krasnoff said no funds were expended for temporary clerical or secretarial support because he felt there was not sufficient work to be done. When a question arose as to the meaning of encumbered funds, Ms. Joyner said those funds were "set aside" at the beginning of the year because it was known they would be spent on certain items and the goal was to ensure those funds were available.

Mr. Wojtkowski asked Mr. Krasnoff to prepare a projected budget through the rest of the year so the commissioners could see if there might be any financial problems in the future. Mr. Krasnoff said he would prepare such a report.

PUBLIC COMMENT

Carl V. Kersting , 7301 General Sherman Lane

Mr. Kersting asked if the Commission could provide copies of correspondence from the City of Sunset Hills and the City of Crestwood. Mr. Krasnoff said he had those documents and would provide Mr. Kersting copies.

Mr. Kersting asked if the Commission would provide copies of the draft minutes before they were approved. After a brief discussion the Commission decided not to release those minutes until approved.

Mr. Kersting asked if the Commission would remain at its current location. Mr. Wojtkowski said the Commission would be at its current location for the foreseeable future.

ANNOUNCEMENTS AND COMMUNICATIONS

Mr. Krasnoff said he was going to meet with a councilman from the City of Valley Park on April 25, 2001. He wanted to find out the result of the Commission's consideration of the City's amended map plan.

Mr. Krasnoff announced that the trial between the Boundary Commission and the City of Florissant was set to begin June 1, 2001.

STAFF REPORT

A. Web Site Development

Mr. Krasnoff said that the Commission's web site was operational and encouraged Commission members to look at the site and provide feedback. The site had two addresses: stlboundarycommission.com and stlouisboundary.com. Mr. Krasnoff said the Commission had two addresses to increase the likelihood of finding a match if a person sought to find the site through a search engine. Mr. Krasnoff agreed with Ms. Joyner that the Commission would only promote the stlboundarycommission.com name.

The consensus of commission members was to change the address to stlcoboundarycommission.com. Mr. Krasnoff said he would investigate changing the name.

B. Office Space

Mr. Krasnoff said he had not received terms for renewing the lease. He had spoken with Mr. Rothman and been assured this was an oversight and a letter would soon be forthcoming. The only alterations to the lease would be an increase in the rent of less than \$100.00 per month and a provision related to the potential sale of the building.

OLD BUSINESS

A. Map Plan Revisions

The Commission reviewed the following map plan revisions:

The City of Creve Coeur responded to a Boundary Commission recommendation and added approximately twenty lots on the east side of Warson Road to its map plan, in accordance with the "minor, technical" provision of RSMo 72.423.3

A motion was made by Ms. Joyner to accept the amended map plan. Ms. Ordower seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

The City of Ferguson responded to a Boundary Commission recommendation and deleted a portion of the City of Bellefontaine Neighbors it had included within its map plan.

A motion was made by Ms. Joyner to accept the amended map plan. Mr. Spears seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

The City of Kirkwood amended its map plan, making the north boundary Dougherty Ferry Road instead of Manchester Road.

A motion was made by Mr. Hayek to accept the amended map plan. Ms. Garino seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

The City of Overland amended its map plan relocating the north boundary to the centerline of Midland Boulevard. There was a brief discussion regarding the logic of placing the boundary in the center of the Midland Boulevard right-of-way.

A motion was made by Mr. Spears to accept the amended map plan. Ms. Joyner seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

The City of Valley Park and the City of Fenton negotiated an agreement to amend their map plans. The City of Fenton removed the former City of Peerless Park and the City of Valley Park removed the area south of the Meramec River, except for the former City of Peerless Park. Commission members debated the validity of approving the City of Valley Park map plan revision because the letter stating the change was received on the morning of April 17, 2001. Mr. Krasnoff made clear to the Commission that he had received a phone call from Mr. Eric Martin, the City Attorney for the City of Valley Park, on April 16, 2001, before the deadline for the submission of revised map plans.

A motion was made by Ms. Garino to accept the revised map plans of the City of Fenton and the City of Valley Park. The motion was made with the understanding that the City of Valley Park had written the letter amending its map plan before the deadline to accept amended map plans. The City of Valley Park indicated its intent to amend the map plan in a phone conversation with Mr. Krasnoff that same day. Mr. Hayek seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

The City of Shrewsbury amended its map plan by changing the southern boundary from Gravois Road to: Rock Hill Road, to Laclede Station Road, to Gardenville Avenue, to Langley Avenue, to McKenzie Road, to Heege Road and a small portion of Gravois Road.

A motion was made by Ms. Joyner to accept the amended map plan. Mr. Hayek seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

The City of Florissant amended its map plan by adding two areas: “Area 18” included: Douglas Road, on the north; Shackelford Road, on the southeast and New Halls Ferry Road, on the southwest; and “Area 9A”, that included: Lindbergh Boulevard, on the north, Old Halls Ferry Road, on the east and Cold Water Creek, on the south and west. The Commission decided to review areas 18 and 9A individually.

A motion was made by Ms. Joyner to reject the amendment, Area 18. Mr. Spears seconded the motion. Voice Vote: Ayes, All. Nays, None. *The motion passed.*

There was a lengthy discussion regarding the enlargement of the map plan to include Area 9-A. Mr. Hamilton said he was been more comfortable defending a decision to reject a map plan amendment as not qualifying as a “minor, technical” change than to have to justify that a enlargement was a “minor, technical” change. He said that a court of law would review such a decision based on the common dictionary definition of the words minor and technical. He read those definitions at the meeting. Ms. Garino said Area 9-A could be considered a “minor, technical” change because it was small in relation to the whole of the City of Florissant’s map plan. Mr. Wojtkowski and Ms. Joyner said Area 9-A could not reasonably be considered a “minor, technical” change and it was inappropriate amend a map plan because there was an “oversight” in the initial submittal or because some commissioners had asked about the area at the public hearing. A motion was made by Mr. Spears to reject the amendment of the map plan to include, Area 9-A. Ms. Joyner seconded the motion. Roll Call Vote: Ayes: Ms. Joyner,

Mr. Spears, Mr. Wojtkowski. Nays: Ms. Garino, Mr. Hayek. Abstentions: Ms. Ordower.
The motion passed.

B. Boundary Commission Public Notice Practice

Mr. Krasnoff distributed a document that showed the Commission could afford to provide a notice by mail to each resident of a proposed annexation area based on the \$1.00 per resident fee described in RSMo 72. 412.3. Mr. Krasnoff said for all but the largest proposals, however, the cost to amplify and record the public hearing would have to come from the Boundary Commission budget. He also said that there would likely be large surpluses if the Commission received annexation proposals with 2,000 residents or more. Mr. Hamilton noted that the statute did not require the \$1.00 per resident fee to fund the processing of the specific proposal. Those funds could be used to fund the processing of proposals, in general.

A motion was made by Ms. Ordower that the Boundary Commission would be responsible for notifying households of annexation proposals and that the \$1.00 per resident fee required by the statute would fund that activity. Mr. Spears seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

Mr. Krasnoff said he received an opinion written by the County Counselor's office that said the Boundary Commission could either arrange for an account with a private financial institution or have a discreet location for funds in the County accounting system. The general sense of the Commission was to "hold" those funds within a discreet location within the St. Louis County government accounting system.

NEW BUSINESS

Ms. Garino said the Boundary Commission minutes from monthly meetings should be changed. Instead of nearly, literal minutes, the Commission's minutes should summarize the discussion. The minutes were to reflect the general discussion and the outcome only, not most comments made by individual commissioners. The commissioners instructed Mr. Krasnoff to create only summary minutes from the regular meetings.

Mr. Wojtkowski said the one-year anniversary of hiring Mr. Krasnoff was upcoming. The Personnel Committee, organized by Mr. Matt Armstrong, would meet to evaluate his performance and consider any salary increase. Mr. Wojtkowski desired input from all commissioners regarding the performance of Mr. Krasnoff.

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

The meeting was adjourned.

Respectfully submitted,
Dan Krasnoff
Executive Director
Approved: May 22, 2001