

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

**MINUTES OF PUBLIC HEARING-BC0101
August 28, 2001**

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 KLOEPEL	P
ILENE ORDOWER	P
JOHNNIE SPEARS	P
DON WOJTKOWSKI	P

OTHERS PRESENT:

Daniel Krasnoff - Executive Director

David Hamilton - Legal Counsel

CALL TO ORDER

Chairman Wojtkowski called to order the meeting of the Boundary Commission at 7:00 p.m. on August 28, 2001. The meeting took place at Lawson School, 1830 Charbonier Road, St. Louis County, Missouri. The purpose of the meeting was to conduct a public hearing on the proposal submitted by the City of Florissant to annex the Crest Aire subdivision (BC0101).

PUBLIC HEARING-BC0101-FLORISSANT, CREST AIRE ANNEXATION

A. Introductory Remarks by Chairman

Mr. Wojtkowski introduced the Boundary Commission members. Mr. Wojtkowski instructed members of the public who desired to address the Commission to fill out speaker cards. Speaker cards were accepted until the conclusion of St. Louis County's presentation. Individuals were given three minutes to speak.

Mr. Wojtkowski explained the purpose of the Boundary Commission: to conduct an organized process to consider boundary changes within St. Louis County. He explained the two phases of the Commission's process: the first, the map plan phase, was completed. The map plan process required jurisdictions to submit maps identifying areas in which they might propose boundary changes through 2005. Areas not included on map plans could not be included within annexation proposals. The Commission conducted public hearings on each submitted map plan.

The second phase is the proposal phase. Beginning April 16, 2001, formal Plans of Intent for boundary changes could be submitted to the Commission. The Boundary Commission approves or disapproves whether boundary changes should be voted on by residents of areas affected by proposals. The Commission determines if the proposed annexation is in the best interest of the area being annexed, the annexing municipality, and of the remaining unincorporated County.

Mr. Wojtkowski stated the Boundary Commission is rarely the final authority over the approval of an annexation. The final authority belongs to the registered voters within the proposed annexation area and the annexing municipality. He said the State statute had been changed since the last time annexation in Crest Aire was considered. In Crest Aire's case, the annexation must be approved by a majority of the voters, both within the Crest Aire area and within the annexing municipality. The Crest Aire annexation area is not an unincorporated pocket.

B. Presentation by Proposing Agent - City of Florissant

Mayor Robert G. Lowery, Sr., of Florissant, referenced that members of the City Council, department heads and Mr. John Hessel, Florissant's City Attorney, were in attendance.

Mr. Hessel said he would compare the annexation proposals of Florissant and Hazelwood. He said Crest Aire is adjacent to Florissant on three sides. Crest Aire is adjacent to Hazelwood on one side. He described the color coding on the Power Point presentation and maps.

Mr. Hessel stated Florissant is the largest municipality in St. Louis County with a population of approximately 50,000 people. It operates as a Home Rule Charter, is governed by a full-time mayor, and has nine city council members who are elected by wards. The citizens of any area annexed into the city would be assimilated into those wards through redistricting.

Mr. Hessel said five streets provide logical access between Florissant and Crest Aire, with seven

different access points. Hazelwood provides one access point which dead-ends and does not actually extend into the boundaries of Hazelwood. He said Crest Aire is an isolated pocket from St. Louis County, and is isolated from Hazelwood by fences or dead-end streets.

Mr. Hessel said the merger of Crest Aire and Florissant is natural and logical. The design of houses in Crest Aire and the bordering areas of Florissant is consistent, with no visible distinction between them. Homes in the Riverwood Trails subdivision are significantly different in design and are cut-off from Crest Aire.

Mr. Hessel stated the proposed annexation is logical from a service provision standpoint. Police already patrol the area. Services such as snow removal and mosquito fogging could easily be extended to Crest Aire because of the natural street connections.

Mr. Hessel stated other reasons for the annexation. Streets require repair. Florissant has allocated \$149,500 for street repairs, \$10,800 for installation of ADA ramps and \$210,000 for installation of street lights. Many services and recreational amenities are within walking distance of Crest Aire residents' homes, and the residents of Crest Aire are within the Florissant zip code. The annexation of Crest Aire involves approximately 616 people and is primarily residential, like Florissant. The tax base would be compatible and mutually beneficial. If annexation occurred, estimated revenues of \$170,000 would provide necessary city services.

Mr. Hessel said follow-through after a previous annexation was approved showed Florissant's commitment to implementing the proposal. He summarized a previous Florissant/Crest Aire annexation and identified differences from the current proposal. Mr. Hessel said Florissant and St. Louis County have similar Housing Codes. The only distinction was in code enforcement. He said Florissant's enforcement was balanced, fair and designed to preserve property values.

Mr. Hessel discussed the financial impact of annexation upon the residents of Crest Aire and differences in taxation. Mr. Hessel said, for example, taxes of the residents of Crest Aire would be reduced by approximately \$40.00--the difference between Florissant's 3% utility tax rate and St. Louis County's 5% utility tax rate. He concluded by stating he would be happy to address additional questions regarding real estate taxes or other issues.

Questions from the Boundary Commission

Ms. Garino asked if the specific estimated costs of street repairs, street lights and other improvements were based on an actual assessment. Mr. Hessel replied that Mr. Jearls, Director of Public Works, assessed the cost of street lights and street repairs. Ms. Garino asked if the Commission could receive further information on these costs, if necessary. Mr. Hessel said yes.

Ms. Garino asked if the area is totally developed. Mr. Hessel indicated it is fully developed.

Ms. Garino asked for clarification of fire protection district taxation. Mr. Hessel confirmed with, Finance Director, Mr. McDaniel, that the tax is currently \$.83 per \$100 of valuation.

Hazelwood projected that next year it may increase to \$.97 per \$100 of valuation, to be paid to the Florissant Valley Fire Protection District.

Ms. Garino asked for clarification of the five streets with seven access points. Mr. Hessel defined the specific streets.

Mr. Matt Armstrong asked for a summary of the home equity insurance program. Mr. Hessel said any resident in Florissant who lived in their home for five years could submit an appraisal. The home would not be sold for less than the appraisal price. If there are buyers who offer fair market value that is less than the appraisal, Florissant will buy the home or make-up the difference. This guarantees the equity of the house. Mr. Matt Armstrong asked if either St. Louis County or Hazelwood had this program. Mr. Hessel said no.

Mr. Hayek asked if the park system in Florissant is available to non-residents for an increased fee. Mr. Hessel said yes. Mr. Hayek asked what the cost difference is for non-residents versus residents. Mr. Hessel said the difference in cost is approximately 25% and the actual dollar amount would vary depending on the facility.

Mr. Hayek asked what street improvements would be done. Mr. Hessel deferred to Mr. Jearls, the Public Works Director, but said that concrete would be replaced with concrete, where needed.

Mr. Ted Armstrong asked what the financial impact of annexation on Florissant would be, excluding capital improvements. Mr. Hessel said Florissant would break even. Florissant's interest is not financial gain, but to maintain a quality lifestyle, property values and to unify the area.

Ms. Arnold asked how and when residents would be assigned to a ward. Mr. Hessel believed they would be in Ward Three, with wards one and two being adjusted. Ms. Arnold asked if redistricting could occur in a context other than the decennial census. Mr. Hessel said yes.

Mr. Ford asked if more police officers would be hired if the annexation occurred. Mr. Hessel indicated no because police officers currently patrol the area. Mr. Ford asked for an explanation of the \$50,000 expense for police protection if annexation took place. Mr. Hessel said the money was for additional responsibilities and overtime--not for an additional officer. Mayor Lowery said Florissant could guarantee two-to-three minute emergency vehicle response times.

Mr. Spears asked for clarification of refuse hauling in Florissant. Mayor Lowery replied that currently each resident hires their own refuse hauler and that 70% of residents want to choose their own refuse carrier. He added that in the next month or so this issue would be revisited.

Mr. Kloeppe asked if there are mutual aid agreements between the Florissant and the St. Louis County police departments. Mr. Lowery said yes.

Mr. Kloeppe asked what other governmental entities receive funding from taxes. Mr. Hessel listed the State of Missouri, the Metropolitan Sewer District, Sheltered Workshop, County Library, Zoo, Park, and Museum District, St. Louis Community College, St. Louis County, Special School District, Fire Protection District and School District.

Mr. Kloeppe asked if any studies or research had been conducted that indicated maintenance of proper lifestyle and community standards helped maintain property values. Mr. Hessel replied that surveys within Florissant identified important lifestyle issues to citizens, but he was unaware of any specific study that examined lifestyle in relation to property values. Mr. Kloeppe asked if Crest Aire residents were not maintaining their homes. Mr. Hessel said the homes were well cared for.

Mr. Ted Armstrong asked what actions Florissant had taken to secure the approval of Crest Aire residents. Mr. Hessel could not recite them all but said they had tried to contact the residents both on a one-on-one basis and through a variety of social events at various Florissant facilities. Mayor Lowery added that there is no arrogance on the part of the City toward Crest Aire; he is seeking a greater feeling of community.

Mr. Wojkowski requested Florissant provide more detail on projections of revenues and expenditures. Mr. Wojkowski stated the Plan of Intent reflects about \$170,000 of tax revenue and \$140,000 of expenses--approximately a 20% margin. Mr. Wojkowski asked which expenses were incremental increases in Florissant's direct costs and which were prorated costs of services, city-wide.

Mayor Lowery said he would provide those financial details and an accurate budget to the Commission and residents. He said it would be as accurate a budget as possible.

C. Comments from Hazelwood

There were no comments from Hazelwood.

Questions from the Commission

There were no questions from the Commission.

D. Comments from St. Louis County

Mr. Glenn Powers, Director of the St. Louis County Planning Department, stated that Crest Aire is difficult for the County to serve because it is isolated--surrounded by incorporated areas. He said the County is willing to continue serving Crest Aire if that is what the residents want. The County is glad there will not be a blended vote.

With regard to the Housing Code, Mr. Powers said the County hired fourteen additional inspectors about two years ago and revamped the Housing Code enforcement program, making it similar to Florissant's. Mr. Powers said he has received comments stating that Code

enforcement is too harsh and comments stating that Code enforcement is too lenient.

Mr. Powers stated the public streets in Crest Aire were in worse condition than those of the surrounding municipalities. Mr. Powers said Florissant had recently performed street repairs. In the case of the Riverwood, it is a newer subdivision.

Mr. Powers said the County Highway Department agreed to a \$2.3 million contract with M and H Concrete for street improvements in parts of North County. Approximately 10% of the bid, or \$250,000, is for street improvements in Crest Aire, including: replacement of two hundred twenty-seven concrete street slabs at six inches in depth, twenty-two additional street slabs at seven inches in depth for intersections, replacement of seven driveway approaches, sixteen sidewalk segments at six-inch depth, ninety-seven segments of sidewalk replacement at four inch depth and the installation of thirty ADA ramps. This work will begin in August, whether or not annexation is approved.

Questions from the Commission

Ms. Ordower asked where the County Police come from to patrol Crest Aire and what is the response time. Mr. Powers said he did not have a specific answer, but in general the County Police entered Crest Aire from unincorporated areas to the north. He said substantial portions of North County are unincorporated, however, annexations have taken much of the land immediately around Crest Aire.

Ms. Garino asked if the County would provide an estimate of the cost to provide basic municipal services to Crest Aire. Mr. Powers said it would be difficult to determine specific costs, but he will supply general numbers.

Mr. Hayek asked who was paying the cost for street repairs outlined in Mr. Powers presentation. Mr. Powers said St. Louis County will pay those costs.

Mr. Wojkowski asked if St. Louis County's Planning Department would provide a report regarding the annexation proposals. Mr. Powers replied yes. Mr. Wojkowski asked if the Commission would receive the County's analysis related to budget and other issues soon. Mr. Powers said yes, in the usual time frame.

E. Public Comment

Roy Hooser, 1802 Croftdale Drive
He opposes annexation. Previously residents opposed annexation even though Crest Aire borders Florissant on three sides. He said Tahoe and Yaqui streets do not connect to Florissant.

Joe Eagan, 155 Paul

He said the nearest St. Louis County Police “beat car” is two miles away. Also, annexation by Hazelwood or Florissant is beneficial and essential for the wellbeing of his family and his neighbors. Mr. Eagan received an anti-annexation flier on his door called, *Annexation, the Rest of the Story*, with no name indicating its author.

Mr. Eagan expressed dissatisfaction with the County’s failure to deal with a house he described as an eyesore. He desires better enforcement of housing ordinances to protect property values. Also, he is unhappy with St. Louis County’s snow removal and lack of street repairs. The streets were designated for repair, but no actual repairs have occurred. Mr. Eagan wants better access to parks, social and recreation facilities provided by either Florissant or Hazelwood.

Eric Larson, 1425 Flordawn Drive

He works as a building commissioner for a municipality. He said from his work experience, St. Louis County does not provide code enforcement or inspections for “pocket subdivisions.” Mr. Larson urged the Commission to take that under consideration. The lack of code enforcement and stagnant property values create a negative stigma for North County.

Mr. Larson expressed dissatisfaction with St. Louis County services, including police and mosquito control. He said Florissant provides these services. Mr. Larson noted the apparent lack of interest shown by Hazelwood, providing no presentation. He was informed Hazelwood would make a presentation in the next hearing.

Mr. Ford asked on what street did speeding take place. Mr. Larson said Flordawn. Mr. Ford asked if the Florissant police was apprehending speeders. Mr. Larson did not know.

Janice Ramsey, 1770 Keeven Lane

She stated that Crest Aire residents had not petitioned for annexation. She said previous proposals were an expression of municipalities’ planning and development desires. Municipalities benefitted more from annexation than did Crest Aire residents.

Ms. Ramsey said postal service in the 63031 zip code is deplorable. She said Crest Aire residents would be better served by switching to the 63042 zip code.

Ms. Ramsey referred to a discussion with Mayor Lowery on August 3, regarding the potential annexation of twenty-one areas by Florissant in the next five years. She was told the three areas the City was focusing on were off of Halls Ferry. Crest Aire is nowhere near Halls Ferry.

Ms. Ramsey said she had difficulty getting a reply from Councilwoman McKay regarding the benefit to the City of annexing Crest Aire. Ms. McKay finally answered that the City would benefit from a population increase that would lead to larger State and Federal revenues. Ms. Ramsey said this was misinformation. She is tired of getting confusing information.

Ms. Ramsey asked why Florissant’s representatives were speaking to the residents as if a vote was already scheduled. Ms. Ramsey said there are many issues to consider.

Chris Roth, 1875 Keeven

She favors annexation by Florissant. Ms. Roth believes Florissant police patrol is logical because of location and the "two-minute police response." Ms. Roth would like better services, such as snow removal, access to the aquatic center and parks, better housing code enforcement, health department, and animal control services. She said the streets are in terrible condition and the County takes too long to make repairs.

Ms. Roth is troubled by Hazelwood's request for a sales tax increase to cover its budget deficit for 2002. Florissant has no deficit. Ms. Roth said the benefits of Florissant outweigh those of Hazelwood.

Jean M. Haase, 2503 Soundview Court,

She said she was from the West Annexation Area, that is now part of Florissant. Ms. Haase is receiving better police, street light maintenance, snow removal, ADA ramps, stop sign, housing, and property code enforcement services than when her neighborhood was unincorporated.

Terry Robinson, 135 Albert Drive

He said St. Louis County said it would spend \$250,000 for road improvements while Florissant said it would spend \$149,000. Mr. Robinson urged residents to wait until St. Louis County finished the improvements before placing Florissant on the ballot.

Maggie Loyet, 1810 Keeven Lane

She supports annexation by Florissant in order to take advantage of services without paying nonresident fees. Ms. Loyet said it is ludicrous to be annexed by Hazelwood when surrounded by Florissant.

F. Adjournment

At that point the meeting was adjourned.

Respectfully Submitted
Daniel Krasnoff
Executive Director

Approved: September 25, 2001