

BOUNDARY COMMISSION
ST. LOUIS COUNTY, MISSOURI
MEETING MINUTES

October 23, 2001

ROLL CALL

Commissioners Present: Matt Armstrong, Ted Armstrong, Jane Arnold, Bob Ford, Agnes Garino, Thomas Hayek, Dee Joyner, Greg Kloeppel, Johnnie Spears and Don Wojtkowski

Commissioners Absent: Ilene Ordower

COMMISSION STAFF PRESENT:

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

OTHERS PRESENT:

Louis Jearls, City of Florissant, Director of Public Works
Edwin G. Carlstrom, City of Hazelwood, City Manager
Donnie Bryant, City of Hazelwood, Finance Director
Steven Anderson, City of Hazelwood, Economic Developer
Carl Wolf, City of Hazelwood, Police Chief
Tom Manning, City of Hazelwood, Director of Public Works
Lori Fiegel, St. Louis County, Comprehensive Planning Manager

CALL TO ORDER

Mr. Spears called the meeting to order at 6:30 p.m. on October 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. Spears.

APPROVE AGENDA

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

APPROVE MINUTES

Mr. Ford made a motion to approve the minutes of September 25, 2001. Ms. Joyner seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

Ms. Garino made a motion to approve the public hearing minutes of November 28, 2000. Ms. Joyner seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

Mr. Spears made a motion to amend the public hearing minutes of November 29, 2000. The word *had* was removed from the second sentence in the second full paragraph on page nine and other typographical errors were to be corrected. Voice vote: Ayes, All. Nays, None. *The motion passed.*

PUBLIC COMMENT

There was no public comment.

THIRD QUARTER FINANCIAL REPORT

Mr. Krasnoff reported the Commission had a substantial surplus. He said Commission spending will total approximately \$115,000, of an approximately \$190,000 budget. Budget transfers might be necessary in three categories.

ANNOUNCEMENTS AND COMMUNICATIONS

Mr. Krasnoff said State Representative Michael Reid had inquired about the Crest Aire annexation. Mr. Krasnoff told a member of Mr. Reid's staff that the Commission held a public hearing in September and was in the process of deliberating on the proposal. He encouraged Mr. Reid's office to forward any correspondence from citizens so that the Commission could respond to their concerns.

STAFF REPORT

A reporter contacted Mr. Krasnoff about the future of Kinlock. The reporter said representatives of Berkeley attended a Kinlock Council meeting and expressed a desire for the cities to merge. The reporter informed Mr. Krasnoff that the Berkeley City Counselor said a consolidation election could be arranged as early as January. Mr. Krasnoff told the reporter that any consolidation would have to be approved by the Boundary Commission before such an election could occur. The Commission instructed Mr. Krasnoff to clarify the process in writing to the reporter and send a copy of the letter to the Berkeley City Counselor.

NEW BUSINESS

A. Procedure for Collecting Signatures for Simplified Boundary Changes— Annexation

Mr. Krasnoff distributed correspondence to the Commission from John Hessel, the City Attorney for Florissant.

Mr. Hamilton said, section 72.420.4 of the Boundary Commission statute called for all consolidation petitions to include the names and address of those signing the petitions. A Notary Public was to witness the circulator's certification of the petition's authenticity. He said Mr. Hessel had documented statutes outside that of the Boundary Commission to support his contention that notarization was required of the circulator, not of each signer of the petition.

Jane Arnold moved that, in the case of submission of a verified petition, it shall be sufficient for the person submitting the petition to comply with the 72.420.4 that specifies how a verified petition is circulated and signed. Ted Armstrong seconded the motion. Roll call vote. Ayes: Ted Armstrong, Matt Armstrong, Arnold, Ford, Hayek, Garino, Joyner, Kloeppe, Spears and Wojtkowski. Nays: None. *The motion passed.*

OLD BUSINESS

A. BC0101 & BC0102 Review of Florissant and Hazelwood, Crest Aire Proposals
The Commission discussed the *Best Interest Worksheet*.

Planning

1. Legal Description

No Comment.

2. Creation of Logical and Reasonable Municipal Boundaries in the County— Access

Ms. Arnold noted that the Timberwood Crossing subdivision, in Hazelwood, is accessed from Croftdale, as is the Crest Aire subdivision. Mr. Ford said access to Crest Aire from either city is not a concern. He noted Yaqui and Tahoe streets are not easily accessed from Florissant, but those streets are part of Florissant.

Ms. Joyner said there is greater access from Florissant to Crest Aire. She said it looked as though streets in the adjoining part of Florissant were planned to connect with streets in Crest Aire. Mr. Hayek said cross streets in Hazelwood do not connect to Crest Aire.

3. Creation of Logical and Reasonable Municipal Boundaries in the County— Additional Area/Population/Compactness

Ms. Garino noted the County's statistics regarding acreage and population in Crest Aire differed from those of Hazelwood and Florissant. Mr. Matt Armstrong said he does not want to see a small pocket left because of a disagreement over the size of the unincorporated area.

4. Creation of Logical and Reasonable Municipal Boundaries in the County— % Adjacency of City to Annexation Area/Compactness

Mr. Wojtkowski said both cities had substantial adjacency to the annexation area.

5. How the Municipalities Propose to Zone Any Area Not Presently Incorporated

Commission members' questions related to the relationship of existing structures/uses with the zoning codes of Hazelwood and Florissant. Mr. Wojtkowski asked if residential lot sizes in the County code were consistent with Hazelwood's, C/Single Family, and Florissant's, R3 Single Family. In addition, the cities needed to better explain the similarities/differences between their commercial zoning categories, and those of St. Louis County.

6. Potential Future Zoning/Land Use Changes

Mr. Wojtkowski said more information is needed to understand different commercial land uses allowed by the cities' zoning codes.

7. Design Compatibility—Relationship of Structures in Annexation Area to Adjacent Municipality

Mr. Wojtkowski said design compatibility issues were explored at the public hearings.

Mr. Matt Armstrong said he is concerned that Crest Aire will become the “step child” of the adjacent, more highly valued subdivision, in Hazelwood. He said the stark differences in house values are not in the best interest of Crest Aire residents.

Tax Revenue Issues

1. Impact on Crest Aire Residents

Ms. Joyner said the main reason why Crest Aire residents received a tax cut if there was a Hazelwood annexation, was that Hazelwood would pay the fire district taxes for Crest Aire residents. Ms. Garino said the statute requires Hazelwood to pay those taxes because it has a fire department. Florissant does not have a municipally operated fire department.

Mr. Ford asked how Hazelwood could gain revenue from the annexation if it was required to pay a tax St. Louis County is not currently required to pay. Ms. Garino said Florissant, which would not have to pay fire taxes, would expend approximately \$30,000 more than would Hazelwood, despite the fact that Hazelwood has to pay the extra fire district taxes for Crest Aire residents. Ms. Bryant, from Hazelwood, said the city's cost to service Crest Aire was approximately \$149,000. The *Worksheet* figures separated operating and capital costs. Ms. Garino said Hazelwood will spend \$109,502 to service Crest Aire, including payments to the fire district, substantially less than the \$141,100 Florissant will spend to service Crest Aire.

Mr. Wojtkowski asked if the \$109,000 figure reflected an incremental increase in costs to Hazelwood, or, would it reflect costs to hire new personnel and purchase new equipment. He said more information regarding costs to service the area might be needed. Ms. Joyner and Mr. Matt Armstrong said it was difficult to compare expenditures for services.

Mr. Wojtkowski said the Crest Aire annexation area is small. The city that annexes it will probably gain a small increase in revenue, and the County will lose a small amount of revenue.

Mr. Ford desired to see more information regarding expenditures for Crest Aire residents. As an example, Florissant was to spend approximately \$50,000 for police

protection, despite the fact that they would hire no new officers and purchase no new equipment.

2. Tax Impact on Cities

Mr. Wojtkowski asked Ms. Fiegel if the County had completed street repairs in Crest Aire. Ms. Fiegel said approximately half of the repairs were completed. Ms. Arnold noted that the cities' estimated capital costs will decrease because the street repairs in Crest Aire are complete. Ms. Joyner noted that the Florissant proposal called for \$149,500 to repair streets in Crest Aire. Mr. Jearls said Florissant's cost for street lamps and ADA ramps was \$220,800.

3. Tax Impact on Adjoining Areas

No comment.

4. Extraordinary Tax Impact on the Entire Area of the County

No comment.

5. Potential Changes in Tax Rates

Mr. Ted Armstrong suggested combining numbers one and five in the Tax/Revenue Issue section of the *Worksheet*.

6. Non-Property Tax Impacts on Cities

Mr. Krasnoff said that Florissant had no property tax. When property taxes were removed from the total taxes collected by Hazelwood, the City will have \$155,570 in non-property tax revenue in year one and \$160,000 in year three.

7. Impact on Traffic Generation Assessments (TGA)

Mr. Wojtkowski said TGA is a fee developers pay to the County (or, in some cases municipalities) to alleviate road costs that increase because of development. Mr. Krasnoff said he would have a representative from the County speak to the Commission at the next meeting about TGA. Mr. Wojtkowski said the previous Commission had required cities to continue to contribute to TGA funds in annexation areas.

Public Input

1. Attitude of the Public to Annexation Area

Mr. Ted Armstrong and Ms. Garino said it was difficult to ascertain the true feelings of residents without actually having an election. Ms. Garino said a city that obtains approval from the Commission to hold an annexation election has the opportunity to convince voters of the advantages of annexation. Mr. Ford said the Commission should take into consideration what the public expresses regarding annexation.

Mr. Ted Armstrong said it was important to consider the attitude of a proposing city towards an area it would annex. If a city does not treat those in an annexation area well before the annexation, they probably will not treat them well after an annexation. Mr. Wojtkowski said that issue should be added to the *Worksheet*.

Mr. Ford said most people at the public hearing looked as though they wanted to hear about the proposals, and did not have set opinions about the issues.

The Commission changed the date of the December meeting from December 25, 2001 to December 11, 2001.

It was agreed that the Commission had to render a decision at or before the February meeting. The consensus of the Commission was that it would discuss service provision at the December meeting and vote on the proposals at the January meeting.

Mr. Wojtkowski said Commission members should consider the election of officers and that nominations should be made at the November meeting.

ADJOURNMENT

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

The meeting was adjourned.

Respectfully submitted,

Dan Krasnoff
Executive Director
Approved: November 27, 2001