

BOUNDARY COMMISSION
ST. LOUIS COUNTY, MISSOURI
MEETING MINUTES

November 27, 2001

ROLL CALL

Commissioners Present: Matt Armstrong, Ted Armstrong, Jane Arnold, Bob Ford, Agnes Garino, Dee Joyner, Ilene Ordower, Johnnie Spears and Don Wojtkowski

Commissioners Absent: Thomas Hayek, Greg Kloeppe

COMMISSION STAFF PRESENT:

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

OTHERS PRESENT:

Edwin 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. Wojtkowski called the meeting to order at 6:30 p.m. on November 27, 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. Ted Armstrong made a motion to approve the agenda. Mr. Spears seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

APPROVE MINUTES

Mr. Ford made a motion to approve the minutes of October 23, 2001. Mr. Spears seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

Ms. Garino made a motion to amend the public hearing minutes of November 16, 2000. The last sentence of the first full paragraph was to be “softened” so that it was not so deterministic. Ms. Joyner seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

PUBLIC COMMENT

There was no public comment.

ANNOUNCEMENTS AND COMMUNICATIONS

Mr. Krasnoff announced the collection of signatures by a group of citizens working with Florissant, for a simplified annexation proposal in area 12 of the Florissant map plan.

Mr. Krasnoff announced that the mailing notifying cities and the County of the new rule regarding valid petitions was ready. The rule will take effect by January 1, 2002.

Mr. Krasnoff announced that the County Council had not set a hearing date for consideration of the Boundary Commission's budget.

STAFF REPORT

Mr. Krasnoff said the Commission's new fax machine would be delivered in the coming days.

Mr. Matt Armstrong asked if Mr. Krasnoff was satisfied with the performance of the secretarial staff person. Mr. Krasnoff said Ms. Miller's performance is fine.

NEW BUSINESS

A. Report on Traffic Generation Assessment Areas

Dennis Bice, a representative from the St. Louis County Highway Department, said that Traffic Generation Assessments began as a way to create a more "level playing field" for developers. TGAs give developers information to gauge roadway frontage improvement costs for particular developments, which can be included in financing packages.

Mr. Brice said TGAs are implemented when conditional re-zoning is required. Developers are responsible for the traffic that will be generated by the new development. TGA provides a scale to evaluate the costs to improve roadways when new development occurs. The TGA assessment calculation is based on: the number of parking spaces, lots, and/or loading docks that are required, in relationship with applicable zoning ordinances. Each of these factors has a coinciding dollar amount. The dollar amount is adjusted annually.

Mr. Bice said there are approximately twenty-five trust funds, however some have a \$0 balance. Balances are reconciled annually. When a developer is required to do road improvements, he also receives a credit against whatever the TGA contribution would be.

Mr. Ted Armstrong asked how the geographic areas of each trust fund are determined. Mr. Bice said they were determined prior to his involvement, but he believed the County Highway Department devised a scheme that subdivided the total unincorporated area into the trust funds. The highway system and arterial roads were a determining factor. He said the arterial roads are the County Highway Department's highest priority.

Mr. Ted Armstrong asked for clarification of what Mr. Bice meant by “leveling the playing field.” Mr. Bice said it was a leveling of the financial burden of roadway improvements upon developers. He gave the example of a smaller development with substantial roadway frontage versus a larger development with little roadway frontage. Before TGAs, the smaller development would have had a greater financial burden/responsibility for roadway frontage improvements than the larger development.

Mr. Bice said virtually all of unincorporated St. Louis County is located within trust funds. When annexations occur, the County tries to insist that trust fund requirements be included in the annexation. This makes a developer accountable for the traffic generated by the development. He said it is a tool that municipalities can take advantage of, but they must pass an ordinance accepting the County’s criteria. The ordinance can be customized to fit cities’ special needs. He said most municipalities do not participate in the trust funds. Chesterfield has participated in the program. Florissant and Sunset Hills have participated on a limited basis.

Mr. Ted Armstrong asked why a city might not wish to participate in the trust funds. Mr. Bice said cities might think the County has a hidden agenda—a perception the County is actively trying to dispel. In addition, city attorneys may feel that the trust funds are an intrusion on city affairs.

Mr. Ted Armstrong asked what happened to funds generated in an area in which a city does not participate. Mr. Bice said the funds are used exclusively to improve arterial roads.

Mr. Wojtkowski asked how roads are upgraded when there is new development in an area that is entirely incorporated. Mr. Bice said arterial roads are the responsibility of St. Louis County. The County attempts to make the developers responsible for traffic generated on arterial roads. If a development is in a city, but a curb-cut is needed, the County will require the road to be improved where the development is constructed, although no excess funds are devoted to the trust fund. Mr. Bice said that pattern explained “saw-tooth” road improvements along arterial roads in incorporated areas of St. Louis County. If a city participated in the trust fund, funds would be dedicated to arterial roads initially. Any unspent balance is deposited in the trust fund. Cities that pass ordinances creating the partnership with the County take part in determining how to spend the unspent balance in the trust fund. Mr. Bice said the trust fund was a one-time fee. Unspent funds draw interest. Balances in the trust funds range from \$0-\$500,000.

Mr. Matt Armstrong said it is unfair that some municipalities participate in the trust fund program while others do not. He also thought it was bad that a city could cause a development that negatively affected an arterial road, but it was the County’s responsibility to improve the arterial road. Mr. Bice said Mr. Armstrong’s description was accurate. Ms. Garino said it is a city’s prerogative to determine whether or not to assist in funding improvements to arterial roads, when development within that city creates more congestion.

Mr. Bice said the County had the capacity to maintain the arterials. The County's main concern was the cost of improving the road to accommodate new development.

Ms. Garino asked how State roads are affected by the existence of a trust fund. Mr. Bice said funds can be partnered to improve a state road. The way in which the funds are co-mingled is delineated in the ordinance dealing with that development.

Ms. Garino asked how boundaries of trust fund areas were determined. Mr. Bice said that was done by ordinance. Of particular concern was the inclusion of arterial roads in trust fund areas.

B. Nominations of Officers for the Year 2002

Mr. Wojtkowski said elections for officers would occur at the December meeting. Nominations could also take place at the December meeting.

Nominations for Chairperson

Mr. Ted Armstrong nominated Mr. Wojtkowski. Mr. Spears seconded the nomination.

Mr. Wojtkowski nominated Mr. Hayek. Ms. Garino seconded the nomination.

Nominations for 1st Vice-Chairperson

Ms. Ordower nominated Mr. Spears. Mr. Ford seconded the nomination.

Nominations for 2nd Vice-Chairperson

Ms. Ordower nominated Ms. Arnold. Mr. Ted Armstrong seconded the nomination.

Mr. Wojtkowski nominated Mr. Ford. Ms. Arnold seconded the nomination.

OLD BUSINESS

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

Services

Mr. Wojtkowski said the Commission should apply the best interest test to a number of issues identified on the *Worksheet*:

- Continuity of Services
- Level/Quality of Services
- Value Added in Services
- When the boundary change would become effective

Commission members must determine their own thinking regarding each issue.

Ms. Garino asked Mr. Krasnoff what was meant by, "Value added in services." Mr. Krasnoff said the question was to determine if there were, services provided by either city that were not provided by the County or the opposing city.

Mr. Wojtkowski said both municipalities could easily absorb Crest Aire. Both cities provided a great deal of value. He did not think there was any particular aspect of services that favored one city versus the other. Ms. Garino agreed with Mr. Wojtkowski. Both cities are quality service providers and can easily absorb the residential subdivision.

Mr. Wojtkowski said the *Worksheet* allowed the Commission to do the due diligence required in reviewing proposals to the Commission.

Mr. Ted Armstrong said his primary concern was the effect of the annexation on St. Louis County. Because of Crest Aire's size and isolation, the County should not be the entity that provides services. He said there was no difference in services, although he thinks there is a greater affinity between Crest Aire and Florissant.

Ms. Arnold said the most important factor was geography.

Mr. Ford said it is unfortunate that there had been so little public comment to the Commission. Mr. Ford asked if there was a way to allow for an election of the Commission's second choice if the city chosen by the Commission to go first, fails at the polls. Mr. Wojtkowski said the Commission had to approve only one proposal, if any.

Mr. Matt Armstrong asked Mr. Krasnoff how much Hazelwood charged for sidewalk repairs. Tom Manning, Hazelwood's Director of Public Works said the city pays 100% for sidewalk maintenance. For infill of sidewalks the City pays 50% of the cost.

Mr. Matt Armstrong asked what kind of fee is paid for municipal court in Hazelwood. Mr. Krasnoff said he would investigate that issue.

Mr. Matt Armstrong said he agreed with Mr. Ted Armstrong about the strength of the two proposals.

Mr. Ford asked Mr. Krasnoff to explain fees related to trash and bulk trash pick-up in Hazelwood. Mr. Tom Manning, Hazelwood's Director of Public Works, said residents in one and two family dwellings pay fees to the trash hauler with whom the city contract's.

Mr. Wojtkowski asked Hazelwood representatives how soon after annexation would streetlights be installed in Crest Aire. A Hazelwood representative said the City would meet with residents after the annexation was approved to discuss the location of streetlights. Another consideration is easement requirements by Ameren/UE that take about six months to satisfy.

Ms. Garino asked if streetlights were provided by petition of residents, or, because it is a citywide service. Mr. Mr. Krasnoff was instructed to obtain answers from the cities about the process and timetable for the installation of streetlights.

Mr. Wojtkowski asked how the Commission wanted to handle to Traffic Generation Assessments. Ms. Garino said the previous Boundary Commission required cities to agree to continue to participate in Traffic Generation Assessment trust funds.

Ms. Arnold made a motion that cities must demonstrate to the Boundary Commission that they will require developers to participate in Traffic Generation Assessment Trust Fund areas within which boundary changes are proposed. Ms. Joyner seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

It was agreed that the Commission would vote on the proposals on December 11, 2001. The Commission could defer the date of its election on the proposals, if necessary.

Mr. Wojtkowski asked Ms. Arnold and Ms. Ordowner to send him a message with their ideas about the Crest Aire proposals.

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

Approved: December 11, 2001