

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

MINUTES OF PUBLIC HEARING-BC0401

April 27, 2004

COMMISSION ATTENDANCE:

Commissioners	Present (P)/Absent (A)
MATT ARMSTRONG	A
TED ARMSTRONG	P
BOB FORD	P
MARVIN GELBER	P
TOM HAYEK	P
GREG KLOEPEL	P
BETTY MARVER	P
MARY SCHUMAN	P
JOHNNIE SPEARS	P
DON WOJTKOWSKI	A

OTHERS PRESENT:

David Hamilton – Legal Counsel

CALL TO ORDER

Chair: Call the meeting of the St. Louis County Boundary Commission for the Public Hearing, the City of Florissant’s proposal, which has been designated BC0401, I believe.

Hamilton: We have a quorum of eight members.

Chair: Wonderful. Ladies and gentlemen, good evening. My name is Tom Hayek. I’m the chairman of the St. Louis Boundary Commission. I’d like to welcome you to the Public Hearing tonight of a proposal by the City of Florissant to annex a certain area of property which is currently in unincorporated St. Louis County. That area is displayed up here on the projector screen in kind of the colored areas, and it’s over here on map. It’s hard to see. It’s one of the blue areas which has the number nine in it.

This Public Hearing tonight concerns a proposal by the City of Florissant to annex this area. In other words, this area is currently under the jurisdiction of ... for services of St. Louis County and it will then become within the City of Florissant if this proposal is approved. The St. Louis County Boundary Commission is charged under Missouri law to examine these proposals and I’m going to talk a little bit about that procedure.

The property is generally bounded by the City of Blackjack to the east, the City of Florissant’s golf course to the north, the City of Florissant to the west, Parker Road to the south.

A few housekeeping things before we get started and some of the substance of what's going to go on tonight. There is a portion of the Public Hearing tonight which is set for public comment. Anyone in this crowd is welcome to speak and we encourage, we welcome, we ... we love to hear your own comments of what you think about this proposal because that's as much as anything why we're here tonight. We have a very detailed, hard-worked-on proposal by the City of Florissant as to why they think this is a good idea, and we've had a chance to look at that in detail, and we're going to have some questions for them tonight. What we haven't been able to hear yet is comments by the citizens who live in the area, who live adjacent to the area, and that's what your opportunity is tonight. If, however, you want to speak tonight, and I know many of you have, you need to fill out a Public Hearing Speaker Form. These are on the table in the back of the room. We will accept these up until the time where the public comment portion starts. If you have not handed one in by that time, you will not be allowed to speak. If you have handed one in, however, we will call you up individually. You'll have three minutes to speak to the Commission unless you are here speaking on behalf of a group. If you are ... speaking on behalf of a group, such as a neighborhood association, you'll be allowed five minutes to address the Commission. So that's going to be just about last warning about the Speaker Forms.

The public comment portion of the meeting, I guess I want to explain a little bit. It is your chance to talk to us. It is not so much a question and answer session between us and whoever comes up to the microphone. We simply want to hear your thoughts about it. We want to hear the good. We want to hear the bad. It is not ... what I do want to emphasize though ... the last chance for anyone to give their comments to the Commission about this proposal. For 21 days after this hearing, up until approximately, I believe it's May, the 18th, we will accept written comments by anyone so if you would rather write to us about your comments. If you know a neighbor, a friend, anyone who couldn't make it tonight and would like to comment about it, they are free to write to us and we will certainly take a look at those comments in evaluating the proposal. The address of the Boundary Commission is on those forms in the back of the room and so you can get that and mail it in to us, deliver it to us, whatever you want to do. It does, however, have to be in written form.

I want to talk a little bit about the Boundary Commission. As I said this is a group that was formed by the County Council pursuant to a law passed by the Missouri Legislature in June of 1999. It is a law which permeates [sounds like] the creation of this Commission and it's a law which is premised on two principles. One, that there needs to be a thoughtful mechanism to ensure that boundary changes within St. Louis County are guided by sound public policy and planning principles. In other words, we want to make sure that the boundaries make some sense in the County and that the people who are doing the annexing can do a good job of taking over the areas that they want to if that's the proposal. It is also designed to ensure maximum citizen participation. That's why we're having these public hearings. That's why there are certain guidelines set forth for when things need to be voted on by citizens. Our function is to review these proposals and then either approve them or disapprove them. There are eleven members of the Commission. Eight of them are here tonight. We are appointed by representatives of large cities, of small cities, of the County Executive ... we come from all areas of the County. We come incorporated areas and unincorporated areas. Hopefully, we provide a pretty good cross-section of the County residents.

I'm going to take this opportunity to introduce the various members of the Boundary Commission, starting off on my left. Our newest member, who is attending her first meeting tonight, Betty ... if you want to introduce yourself to everyone.

Marver: Hi. I'm Betty Marver and I live in University City.

Chair: Mary.

Schuman: My name is Mary Schuman. I also live in University City.

Spears: Johnnie Spears. I live in unincorporated St. Louis County.

T. Armstrong: I'm Ted Armstrong. I live in Frontenac.

Hayek: I'm Tom Hayek. I live in the City of Ferguson.

Gelber: Marvin Gelber. Creve Coeur.

Ford: I'm Bob Ford. I live in unincorporated St. Louis County.

Kloeppe: And I'm Greg Kloeppe. I also live in unincorporated St. Louis County.

Chair: David's our attorney. We don't let him talk very much.

Hamilton: Ouch!

Chair: All right. We're here to review a proposal tonight by the City of Florissant. We're asked to approve or disapprove this proposal. The Missouri Legislature gave us some guidelines by which we have to review these proposals and we've incorporated them into our rules. We have what is called "The Best Interest Test." We look to see if this proposal is in the best interest of the municipality, the City of Florissant. Is it in the best interest of St. Louis County also? And is it in the best interest of the area of the County adjacent to this proposed area? There are 11 different factors which we evaluate in doing the Best Interest Test. I'm not going to go into each one of those, but in essence it is, again, with these planning principles in mind of does it make good sense, the boundaries? Can the municipality that wants to do the annexation do a good job? What does St. Louis County feel about it? So we evaluate all these factors and it's part of the proposal that was submitted by Florissant.

Tonight's proposal is what we call a simplified boundary change, and what's important for everyone to be aware of is that in this type of proposal, the City has provided us with a certification by the St. Louis County Board of Election that 75 percent of the registered voters in the area have signed a petition for this annexation. Because that is the mechanism by which this proposal has been submitted, we have three options in essence. We may disapprove it, which would mean the end of it for this cycle of the planning process. We may approve it as a simplified boundary change, which means there will be no more votes, it'll be a done deal, we'll issue our findings and establish a date by which the jurisdiction will transfer. Our third option is that we may approve this as simply a boundary change in which there will then be a vote

required, a vote by the City of Florissant and a vote by the area to be annexed. There needs to be majority votes in both areas for the proposal to be approved. The vote ... the decision on that will occur at our next monthly meeting, which I believe is May, the 24th. At that time we will discuss the proposal and we will reach a decision on it based upon the proposal and the information we receive tonight.

As far as the agenda for tonight, the City of Florissant will make its proposal, and I believe they have 15 minutes to do so. A representative of St. Louis County Planning Department will then have their change to make a proposal or presentation. They will have 15 minutes to do so. We will then take the public comment portion. I will agree to give you one more warning to get those speaker cards in. I believe with that being said and talking way too long, it is time for the proposal by the City of Florissant. Mayor Lowery.

Lowery: Thank you very much, Mr. Chairman, and the other members of the Commission. I again welcome you to the City of Florissant and hope that you are very comfortable for this evening. And I don't want to take up a lot of your time. There's other members that I'd like to stand up, that are members of the City Council and are Directors in the City of Florissant of various departments. But most especially, I want to move on, so that we don't eat up too much of our time to Mr. John Hessel, our City Attorney, who make a presentation, and I want to assure each and everyone of you that we did, in fact, supply you with the necessary information that should convince you that this is a good annexation. It's an annexation that will show you that actually the City of Florissant actually runs through the subdivision in certain parts because we have the golf course and that runs through part of this subdivision in that area. So I call your attention to the Plan of Intent that we have submitted. I think it's very detailed. I think it gives you a full explanation of why it should be in the City of Florissant, and I think it's a great benefit not only to the City of Florissant, but it's a great benefit to the residents of that area most especially. We welcome them into the City of Florissant. I hope that will be the decision of the Commission, and I assure you that we're doing everything that we possibly can to satisfy the people in St. Louis County like, for example, Parker and New Halls Ferry Road. We promised the people in the other areas that were annexed that we would have new development there where the tattoo parlors are, the girlie bars, and the pawn shops, and I assure you that as of last night, the City Council accepted a developer, the Sansones, so there will be a complete renovation of the area of Parker and New Halls Ferry. So with that, I'd like to introduce our attorney, Mr. John Hessel, for a presentation.

Hessel: Thank you, Mayor. Good evening. As you may recall, my name is John Hessel, and I serve as the City Attorney for the City of Florissant. Mr. Hayek, as you mentioned, we're here this evening because the residents in the area, which are identified as Area 9, signed a petitions seeking to be annexed into the City as a simplified annexation proposal. As you mentioned, we have provided the residents as well as the Commission with the map, again the Area 9 as identified on that map. We suggest to you that Area 9 is the logical extension of the City boundaries. It is consistent with the other annexation proposals that we've presented to you in adjacent areas recently including what we refer as Areas 10 and 12. Those areas obviously lie immediately to the southeast of Area 9 and, as you mentioned, Old Florissant Golf Course lies immediately to the north of Area 9 and, as you also mentioned, the detailed map of Area 9 is

presented on the PowerPoint presentation. Area 9 consists of St. Ferdinand Commons, Paddock Estates, Marietta, Cindy, St. Ferdinand Commons, _____ Estates, Bancrest Lane, Rubin Massick [sounds like] Estate, and Eagle Crest lots. Again, we tried to set forth all of those various areas in the color-coded slide that's presented there on the screen. As you mentioned, the common boundaries of this area are Parker Road on the south, New Halls Ferry on the west, the golf course on the north, Blackjack bordering on the east, and unincorporated St. Louis County to the south as well.

Access to this area occurs clearly from Parker Road on the south, southwest, New Halls Ferry on the west, and Balmora to the north. As you mentioned and as the Mayor mentioned, the City is seeking the annexation of this area because 75 percent of the registered voters in this area signed petitions expressing their interest in coming into the City of Florissant.

The City and I are aware of some of the rumors and statements made concerning the manner in which these petitions were gathered. In fact, this afternoon I was presented with a copy of a message sent out by Mr. Meyer suggesting that pressure was used to gather signatures. I'm prepared to discuss those statements and rumors in more detail if they are presented this evening; however, I want to emphasize to the Commission that most of the signatures, a clear super majority of those signatures on the petitions seeking annexation were gathered by residents in the area. It's my understanding that many of those residents are here this evening. They include Lauie Mogelnicki, Betty Landgraf, Lawrence Sylvester, Robert Chamberlain, Rosemary Kochner, Joan Keating, Rick McMahon, Sharon and Fred Bucholz. Those are all residents in the area who spent considerable time gathering petitions. Other residents who may not be here but did participate in the signature gather process include Maryann Pock, Margo McNeil, Gaylen Archer, and Barry Dirks.

In an effort to dispel some of these rumors, I do want to assure the Commission that no elected official or employee of the City of Florissant tried to exert any pressure on any resident in the signing of petition. Also, no uniformed police officers participated in the signature gathering process at all. I can represent to you that Mayor Lowery did take his time to visit with residents and speak with them about the benefits of being annexed into the City of Florissant. His assistant, Jeff Overether, who is a Florissant police officer, also spoke with residents. He was not in uniform. He did not identify himself as a police officer. Pat O'Fallon, who is a member of the police department, also visited with residents. Again, he was not in uniform. He did not identify himself as a police officer unless, of course, he was asked if he worked for the City of Florissant. Jeff and Pat would honestly say that they worked for the City of Florissant. They did not identify that they worked within the police department unless they were specifically asked that question as well. And, of course, when they were asked that question, they would honestly identify that they did work within the police department. If they ... again, I think it's significant to note that the majority of the work in gathering the signatures on this petition was done by the residents in the area, most of whom are here this evening, can obviously speak for themselves. My only comment ... in our opinion they deserve to be congratulated for their hard work as we've discussed on other annexation proposals, this is a very time-consuming process to go door to door to speak with people about a change of this nature. On behalf of the City of Florissant, we applaud their efforts.

More particularly with respect to the merits of the proposal, we believe that the logic of this proposal is self-evident. It is a natural extension of the boundaries of the City of Florissant. As we've already identified, this area is intricately intertwined to the north with our golf course. It's intricately intertwined to the west with similar residential subdivisions. There's a common boundary to the south, southeast as well. The area's predominately residential and it's zoned R-3 within St. Louis County with commercial properties being zoned C-8 and C-2. If annexed into the City of Florissant, the residential property would remain R-3, the commercial properties, which are identified as C-8 would be rezoned to B-5. Again, this is very comparable if not identical to the C-8 process within St. Louis County. Properties zoned C-2 would be rezoned B-2.

Residents in this area indicated their interest in pursuing this annexation because the residential area is so strikingly similar to the neighbors in the City of Florissant. There's logical reason ... there's no logical reason to distinguish Area 9 from the City of Florissant. The residents expressed an interest in increased police patrol and responsiveness to police calls. In addition, the city's residents, excuse me, the citizens mentioned the City's amenities as one of the reasons why they wanted to come into the city, the most obvious one being the golf course and their close proximity to the golf course. The James J. Eagen Center, where we are here this evening, is located within a half mile from Area 9 and Dunegan Park is likewise within one mile of Area 9. Residents also mentioned snow removal, street maintenance and street lighting, which is presently lacking in Area 9. Again, as the Mayor mentioned, we have installed street lights within Area 9 ... my operator there who's chief _____ as a terrific police chief, but I think he's a little ahead of me with respect to the slides ... the slide presentation which I anticipated being up there would show that we have installed street lights in Area 10 as we promised and we also would provide street lights within Area 9 if it is annexed into the area.

We suggest that Area 9 would be a benefit for economic redevelopment that is taking place within the City of Florissant. As we have mentioned in the past, the City is successfully redeveloping the New Halls Ferry corridor starting with Cross Keys and we're in the process, as the Mayor said, of reviewing development proposals submitted by a developer for the New Halls Ferry/Parker Road area. We would likewise look to improve the commercial property which is presently located within Area 9. According to the latest census, there are 1,048 people who would be annexed into the City of Florissant and, as we've discussed previously with this Commission, if annexed, the tax rate will actually decrease because of the 2 percent difference in the utility tax rate between the City of Florissant and St. Louis County, and that is the slide that the Chief has presented there. At the same time, I think it's fair to mention that the City of Florissant does have a higher sales tax because of its capital improvements sales tax and it's park improvement sales tax. There's a three/quarters percent difference in the sales tax between St. Louis County and the City of Florissant; however, unless the residents within Area 9 are going to change their shopping habits, this really ... this annexation will really have no impact upon them. As I said, the revenue comparison is set forth on the slide. You can see it. We've talked about it before. In addition, again for the benefit of the Commission and the residents, Chief, if you could present the next slide, that identifies the City of Florissant revenue sources ... maybe it won't ... I thought it would. That information is set forth within the Plan of Intent. Again, it's merely to identify the revenue sources that the City of Florissant utilizes. From these revenue sources, we

anticipate the revenues received by the Area will be approximately \$281,400. This increase in revenue is the result of an incremental increase from the pooled funds within St. Louis County. These increased revenues will be offset by the cost of providing additional services which again, as we've set forth in the Plan of Intent, would be approximately \$265,500. We suggest that the impact upon St. Louis County is negligible because the revenues and expenses are relatively equal.

I would also like to again mention, as we have in the past, Florissant's home equity assurance program. Through this program if a property owner within the City of Florissant obtains an appraisal of their property, submits it to the City, to the Community Development Director, continues to live in their home for five years, then the City of Florissant guarantees that when they go to sell their home that they will sell their home for more the appraisal. If they do not sell it to equal to or more than the appraisal, then the City of Florissant will pay that appraisal price. That is again the City of Florissant's guarantee and commitment to its residents in the maintenance of property values.

We believe, as I mentioned at the outset, that this is a logical extension of the boundaries of the City of Florissant. We think it is much in keeping with the proposals that we sent to you and identified as Areas 10 and 12. We ask this Boundary Commission to approve this proposal as a simplified annexation.

Thank you for your time.

Chair: Thank you, Mr. Hessel. All right. At this time I'll open it to questions from members of the Commission. Start with me. All right. I've got a couple of questions, I guess. You commented about the, and I'm sure there may be more about this, the method in which the signatures were obtained, and I greatly appreciate all the efforts that were gone through by the all the residents, and while I do not presume to speak for all the Commission, our interest has been that we are exactly at 75 percent. By my reading of the numbers, one, two less, then we're not at 75 percent anymore, and that's where I think our real interest lies is that we do have some question ... ah, now ... we've started doing this earlier, and I'm going to remind the crowd. Here's the deal. We have speaker cards, and we are most welcome to hear everything you have to say, but we're going to hear it in an orderly manner, okay? So if you want to say something to us, fill a speaker card out, and we'll do that, but as these gentlemen are talking and we're asking them questions, I ask for your consideration in letting us have a discussion here. All right.

Here's my, I guess, one question. The note we have here in the book was that it was the police department who signed off on the ... that we've done this ... obtained the signatures ... a Captain John Foster, I believe. Where the ... it appears to me that there's a pretty good relationship between the residents of various areas. Were the residents aware that officers were coming up and talking to them about this and did any of them express to those officers any level of discomfort?

Lowery: I wanted to tell you, first of all, when we reached ... for your first question ... when we reached 277, I believe it was, when we reached the maximum, I was called by the Board of Election Commissioners and said "You have a sufficient number of signatures to present to the

St. Louis Boundary Commission.” It was ... I made the determination that if we had it, there was no sense in going any further, let’s make the presentation. So that was my decision. My decision if we’re there, let’s just present it. There’s no need to go any further.

The second thing is did people realize that there were uniformed police that were involved? Candidly, I don’t know. I suppose maybe they did, but I don’t see anything that would be harmful in that procedure. St. Louis County certainly is out, you know, and talking about not annexing, not favoring annexation in uniform, and so I find nothing wrong with that ... even if they were in uniform, they would not be there in a threatening or harassing manner. And I would not tolerate that under any circumstances. And I want to tell you something about the two men that did work this area, and I mean this from my heart and from God. These are two of the finest men, not just police officers, these are two of the finest men that I’ve ever met in my life and they would not do any of those things.

???: Did the City either through the administrative offices or the police department receive ... and I don’t want to ... doesn’t have to be a complaint ... any information from a resident questioning in any way that an officer was asking them about this petition?

Lowery: No, sir.

???: Okay. Let me ask this? Were any resident’s homes visited more than one time after they denied the ... after they weren’t willing to sign the petition?

Lowery: I can tell you that ... here’s what happened in some of them that I visited. There were a few occasions, and it happened with the officers, and it happened with the residents that were seeking the signatures, they would say, “We’re not going to sign it this time. I have to talk to my wife.” “I have to talk to my husband.” And we would go back and when both of them were there and speak to them jointly. And at that time, yes, there were returns. There was no question about that. Or they would seek additional information so we would come back and give them the additional information. I instructed all of the solicitors, “Please do not answer a question that you don’t know the answer to. That we will give you the answer to the question and you can ... may return.” There was no ... under no circumstances harassment of people or, I assure you, that I would notified by the St. Louis County Police Department.

???: Was there any times where officers or representatives were going back more than twice, three or four times?

Lowery: It could be. It could be in that case. Yes, absolutely, and under the circumstances under which I have alluded to. That the people say, “Well, you know, at this particular point, I’d like to think about it.” That’s happened to me, you know, a dozen times. “I’d like to think about, Mayor. Give me some chance to think about it. Give me a chance to talk to my wife. Give me a chance to talk to the kids that live in the house that are adults and can sign.” So, yes, that has happened, “So give us some time to think about it.” And they’re also asking about restrictions, you know. Is our codes any different? They always wanted ... that was a basic question. “I would like you to explain that to my wife or my husband about the codes.” The codes in the City of Florissant are the same as they are in St. Louis County. The only problem is, quite candidly, is

we enforce them. And we don't enforce them without sympathy toward the people, and I want to explain that in such a way is if someone cannot afford to fix their home, the Chief of Police and the City Hall people have gotten together on their own time and they've gone out, not just one house, but at least 50 houses and fixed them up in the City of Florissant on donations from the Lowes Company to do that.

???: Let me ask ... I'm sorry, Mayor ... 'cause we've got a lot of people ask questions. I want to get on with a couple of ones about the signature thing. My last question about that is were any of the residents who weren't willing to sign at the first or second time simply like given information and saying "Look, if you want to sign it, sign this and send it back in." Or was it always a return visit by someone.

Lowery: I don't ... I think that, you know, there's obviously some people that are definite no's and there's no sense of going back, you know. I mean if ... I never got, quite frankly, a definite no to the houses I went to. I generally, and I'm not bragging about it, but I generally got a yes.

???: Let me ask just one question about something other than that. The ... we've had several proposals by the City of Florissant, which generally as I think all have been approved by the Commission, and in all those proposals there's been information about expenses in that taking over this area, we're going to incur additional expenses whether it be street lights ...

Lowery: Street lighting. We're going to provide street lighting ... and the street [inaudible]

???: Well, the question is has in adopting ... in getting all of these proposals approved ... has there been any increase, I guess, question really in the, say the police force that's had to be ...

Lowery: Yes, sir, there has.

???: Okay.

Lowery: There has been ... there's a sufficient ... we have the same amount of police officers on the Florissant police that they on the entire North County Precinct.

???: My question is has the size of the Florissant Police Department ...

Lowery: Yes, it has increased.

???: ... had to increase because of these areas.

Lowery: Yes, sir. It's increased by four.

???: By four?

Lowery: Yes, sir.

???: Okay.

Lowery: There are some in the Academy now. And I also ...

???: I've talked to ...

Lowery: [inaudible] another question or ...?

Chair: I'll go down to the end. Gregory.

Kloeppe: Just a follow-up, Mr. Mayor, on those police officers. Is there any works in the process right now to hire additional police officers for this additional 417 unit?

Lowery: I have talked to the Chief about it and his staff. And there's ... undoubtedly, we will hire additional staff.

Kloeppe: Is there a certain percentage that you have, residents per police officers?

Lowery: We have a ... we have more than the national norm and that's one per 3,000 people. We right now probably have 52,000-53,000 people, and we have 85 commissioned police officers. So you see that we've ... far beyond the expectations of the national norm ...

Kloeppe: Thank you.

Lowery: ... recommended by the international police chiefs.

Kloeppe: That's all I have at this time.

Lowery: Thank you, sir.

Chair: Robert.

Ford: Yes. We received from a concerned citizen regarding the petition drive ...

Lowery: Yes, sir.

Ford: ... and there appears to be signatures ... I'm no handwriting expert, but there appears to be signatures of two different people with the same handwriting. Do you know if someone signed for everyone in the house or did each individual person or voter sign the petition?

Lowery: Each individual has to sign for herself or himself. It cannot be anyone in that household pursuant to law and pursuant to your rules. And then it is examined, not by us, but the members of the St. Louis County Board of Election Commissioners. So if they make the certification based on pulling out your card, if it were your card and your signature, and they would look at that signature to see if it's the same as they do each election when we all go to the polls. They examine our signatures.

Ford: Nothing else, Mr. Chairman.

Chair: Mr. Armstrong.

T. Armstrong: Point of clarification, Mr. Hessel. I heard you say that the County was going to lose revenue of \$281,400. Is that correct?

Hessel: That is what we have calculated based upon ...

T. Armstrong: And then you had some offset that I didn't quite understand. Explain that to me please.

Hessel: I think all I was trying to do was set forth as we did in the Plan of Intent, Mr. Armstrong, that the revenues that we anticipate receiving are \$281,400. We have allocated expenditures of \$265,500 that we will incur in this area. That's what I was trying to set forth.

T. Armstrong: Thank you.

Hessel: And you can find that on page 6 ...

T. Armstrong: Six.

Hessel: ... in the plan.

T. Armstrong: Thank you.

???: I have no questions at this time, Mr. Chairman.

Chair: Betty?

Marver: I have no question at this time.

Chair: Well, being the chairman, I get the ... I'm going to take the liberty of asking one more or a couple more. In the income portion of this, it seems to be ... correct me if I'm wrong ... the anticipated income from this annexation is based upon number of citizens, pool tax revenue, that thing, right?

Lowery: Yes, sir.

Chair: Is any ... is there any consideration in this area for income from the commercial areas that are being annexed? As I understand it, there are some commercial portion of this area, right?

Lowery: Yes, sir, there is, but that's very minimal as to what we actually collect from the business as it is from the residents so it's very minimal, and I think it should be in there as far as the miscellaneous commercial ... I think this is it here, is it not, John?

Hessel: \$600.

Lowery: \$600.

???: The rest of it is the sales tax?

Lowery: It's a sales tax. We're just going to collect a fee for a business license so you see only about \$600 that we're actually going to collect from the businesses in this area.

Chair: Otherwise, the taxes generated from that go into the pool and then get divided up by the cities?

Lowery: Yes, sir, by St. Louis County.

Chair: Okay.

Lowery: So we're in a pool in a pool and there's A cities and B cities. We're in a B city.

Chair: Okay. Last one. Did you say there's already a developer you've all have set up for that area?

Lowery: Yes, sir.

Chair: The Parker Road ...

Lowery: Yes, sir. There's ...

Chair: ... Halls Ferry area?

Lowery: Last night I had ... across the street and that includes, it's an old National Food Store that was there, and down the street from there and across the street, Parker Spur is going to be closed.

Chair: Is that that Madrid Plaza?

Lowery: Yes, sir.

Chair: Okay.

Lowery: We're going to completely redevelop that area. That's all coming down, and across the way where the tattoo parlor shops are located, the cigarette, the liquor place, that's all coming down, and the residents will enjoy a beautiful and wonderful complex as they enjoy now the complex that we have at 67 and News Hall Ferry or Lindbergh and News Hall Ferry.

Chair: Since I took the opportunity, anybody else?

Ford: One more question.

Chair: Yes, Robert.

Ford: Is that redevelopment that you just approved, what areas of revenue will Florissant ... besides sales tax ... what other kinds of things is that redevelopment ...

Lowery: Gasoline and cigarette, but, you know, the cigarette tax is going down, and I'm glad to see it to be frank with you. I'm glad to see that seven cigarette revenues are dropping drastically.

Ford: Building permits or occupancy ...?

Lowery: There's some building permits, but they're not substantial. They're not substantial at all and no more costly than St. Louis County.

Ford: Okay. Thank you.

Chair: That you, Mr. Mayor.

Lowery: Thank you, Mr. Chairman. Thank you, gentlemen, ladies and gentlemen. Thank you, ladies.

Chair: This is the chance for the St. Louis County, if they'd to make a presentation. Good evening, Mr. Powers. Glenn, before you get started, folks, this will be the last call for the speaker cards. Anybody wants to fill one out, you need to fill it out and get it to Mr. Hamilton at the end there. Sorry.

Powers: Good evening. I'm Glenn Powers. I'm the Director of Planning for St. Louis County. Think I'll get closer. Typically, when a simplified annexation has been proposed by petition and it meets the 75 percent criteria, I am before you essentially saying that St. Louis is happy to continue to serve any unincorporated area; however, the people have spoken and we're willing to abide by whatever the Boundary Commission will decide on these matters. However, this is the third petition and annexation where residents have commented on the propriety of the tactics used to collect signatures and for this reason, it's St. Louis County's position on Area 9 that it ought to go to a ballot vote.

The concerns expressed by residents that we have heard include the use of Florissant police officers to collect signatures. Approximately one-third of the signatures were collected by Florissant police officers. Repeated visits to the same home. Giving away community center passes while collecting signatures. Petition collectors maligning County services, particularly police services. And some people wanted to remove their names from the petition, but after learning additional information feeling intimidated to do so.

I personally am more comfortable with a petitioned annexation proposal that is grass roots and is not coordinated out of an office in city hall. I'm not saying that residents in the area didn't participate, but there are these other issues. St. Louis County has received a handful of complaints, not a large number of complaints, I'll give you that. But we understand that calls have also been made to other departments of St. Louis County, the police, the Councilmen's

office, the County Executive's Office, even some to the Boundary Commission. In situations where there is a perception of a mistrust and intimidation, it's difficult to gauge the extent of the problem. If someone feels intimidated, they may be reluctant to come forward with their concerns. At least one resident has indicated to us that his neighbors are fearful of speaking out against annexation.

As we already discussed, the petition that we're talking about tonight just meets the 75 percent criteria by a person or two and also, I might add, on the very last possible day of collection. Even if one of those signers felt harassed, it calls into question the validity of the petition. So again, St. Louis County's position is that the air should be cleared and the best way to do that really is to send this matter to a ballot vote. In doing so ... in making that recommendation, I should say it's not the intent of St. Louis County to deprive the residents of this area of determining their own fate. If they decide that they want to be in Florissant by that method, we will more than happily agree to that and support that decision. The intent here really is to put the debate out in the open, to take it off the doorsteps, to make it more balanced where both sides of an issue can be discussed, and it also allows the voting to be private so it removes that possibility of intimidation. If there are any questions, I'll be happy to answer them.

Chair: I'll start. I started last time. Mr. Powers, you said that you had received, I guess the Planning Department had received a handful of complaints, but there had been others in various parts of the County government, as I understand. Fair statement?

Powers: Fair statement, yes.

Chair: Has there been some form of a tabulation of that? In other words has somebody at least collected the phone messages or notes from the various areas and put it into some form of a tabulation that would be available for review by the Commission?

Powers: I don't know that we have, and I doubt we could do that because we haven't recorded those things. But we've been in constant with a number of residents who have called us about these issues.

Chair: All right. Did ... you said that it was your thoughts that approximately one-third of the collected signatures were collected by police officers?

Powers: Lori's whispering to me. Approximately one-third, correct, Lori? Okay, give or take.

Chair: By city employees, not necessarily police officers. Okay. Okay. Did any of the res ... I'm sorry ... what the response was by Ms. [inaudible] was that it wasn't simply just police officers, it was other city employees.

Powers: Fair enough.

Chair: We'll have the public comment section in just a little bit. Last question I have, I guess, is you mentioned something about giving community passes. What information ... I ... could you be a little more detailed about that?

Powers: We know that's been going on in a number of areas.

Schuman: I was just contacted that community center passes were made available to residents of potential annexation areas, not just this area, but there are other subdivisions outside of this area that have received communications saying that they will have a temporary annexation pass for this community center, I believe.

Chair: For signing the petition or once they get in the city?

Schuman: That I don't know.

Chair: Okay. I guess that's my question. Was there any type ... the information ... is there any indication that there was an overt indication that by signing this you get a community pass or was it just this is going to be part of your benefits of being in the city?

Powers: It's hard to really say unless you're there.

Chair: Okay.

Powers: And that's the problem, of course.

Chair: Okay. Mr. Kloeppe?

Kloeppe: I think you touched upon the issue of the City had obtained the required signatures on the very last day. Is that your assertion?

Powers: Yes. Pretty much. Yes.

Kloeppe: That's all I have.

???: In Florissant's presentation, they indicated that if an annexation took place that there would be better police service. My question is has the Planning Department or anyone in City government received complaints that ... of lack of police coverage or slow response time to police calls?

Powers: Not that I know of. I don't have data at hand on that. You know, I'd be reluctant to say that we haven't. Everybody receives calls like that from time to time.

???: But you've not received an overwhelming response to look into something like that because of on-going problems?

Powers: No, and as I've said a number of times before you, the St. Louis County Police Department, I consider to be the very best. They are the measure of all other police departments in the area.

???: Okay. Thank you. No other questions.

???: What about the fire district? Will the fire district change or ... what's the fire district?

Powers: No.

???: It won't change?

Powers: There would be no change.

???: No change in the fire district.

???: No questions.

END TAPE 1

START TAPE 2

Powers: We don't quibble with our figures as far as how much the County loses. It's very hard for me to say because we don't budget that way. How much budget we dedicate to this area if that's the nature of the question.

???: That's sort of the nature. I mean, it was basically what effect is this going to have financially on St. Louis County?

Powers: Every annexation has some effect, and with generally tightening budgets as we read about every day in the paper, both those small, what we consider to be small effects in the past, are becoming more significant.

???: I have a couple of follow-ups that struck me. We've been going through, you know, several of these proposals and it's sort of chipping away at things, and I guess the question we've sort of had at times is is there a point where this is going to get to be sort of a critical mass, that we've given up a lot of income and a lot more, and more, and more. Does there come a time where the County's got to say, at least up in this area, you know this is really starting to have an effect on us and we're starting to have to lay people off. Does the Planning Department foresee that ... that point in time coming?

Powers: Yes, we do. But it's not a fixed point in time. We're basically there even without annexations, and we're not in an unusual boat here. If you look around at other municipal budgets in St. Louis County, probably St. Louis County is better off than most because we

accumulated reserves through the 1990s, but with the decreases in sales taxes generally related to the downturn in the economy, it's put a stress on everybody, so it's brought that point ... it's brought that point back to us, and these annexations matter. They do have an impact.

???: Do you know ... and I'm not sure you do have access to this information ... whether or not the County has had to reassign and or layoff any other officers who were part of the, you know, up here in the north district?

Powers: Not yet.

???: Okay.

Powers: We've avoided a lot of police layoffs in the past, but that might have occurred otherwise as a result of annexations by gaining a lot of municipal contracts. Our police department has taken on a number of significant municipal contracts, Wildwood, Fenton, big cities, not just little ones, and that is ... that says for the St. Louis County Police on one hand.

Chair: That's it. Anyone else?

Chair: Not seeing any, thank you Mr. Powers.

Powers: Thank you.

Chair: All right. We are going to move into the public comment portion of this evening.