

BOUNDARY COMMISSION
ST. LOUIS COUNTY, MISSOURI
MEETING MINUTES
February 22, 2005

ROLL CALL

Commissioners Present: Matt Armstrong, Ted Armstrong, Bob Ford, Marvin Gelber, Greg Kloeppe, Edward Thibeault. Commissioners Absent: Christine Bredenkoetter, Betty Marver, Mary Schuman, Johnnie Spears, Don Wojtkowski.

Commission Staff Present: David Hamilton, Boundary Commission Legal Counsel, Courtney Irwin, Executive Director. Others Present: Lori Fiegel, St. Louis County Planning.

CALL TO ORDER

Mr. M. Armstrong called the meeting to order at 6:35 p.m., February 22, 2005. The meeting was held at the World Trade Center 10th Floor Conference Room at 121 S. Meramec Ave., Clayton, MO, 63105.

ROLL IS CALLED – QUORUM DECLARED

Roll was called and a quorum declared by Mr. Hamilton.

APPROVE AGENDA

Mr. T. Armstrong moved to approve the Agenda. Mr. Gelber seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

APPROVE MINUTES

Mr. Gelber made a motion to approve the January 25, 2005 minutes. Mr. T. Armstrong seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

FINANCIAL REPORT

There was no financial report.

PUBLIC COMMENT

1. Wayne Weaver of 315 Glyn Cagny Rd. spoke against the Manchester annexation proposal. He and his wife have lived in the area Manchester wants to annex for the past 32-years. Mr. Weaver had previously submitted 396 petitions opposing this annexation. He pointed out to the audience that the Commissioners serve without compensation and thanked them for their time.
2. Michael Caramanna of 1704 Highview Circle Court represented the Ridgeview Place Condominium Association. Several months ago, he provided Ms. Irwin with an additional 200 petitions against the Manchester annexation. All 193 unit owners of his upscale complex do not want to be apart of Manchester. He said County Executive Dooley ran on

a platform of no tax increases, but if Manchester takes his area over there will be a tax increase and fewer services provided.

3. John Hanpeter of 1827 Dougherty Estate Drive was strongly against the Manchester proposal. He has lived in unincorporated St. Louis County for 21-years and believes that St. Louis County does a good job for his subdivision. He asked the Commission not to let the proposal go to a vote of the people.

4. John Lancaster of 1732 Highview Circle Ct. offered some points against the Manchester annexation proposal. He claimed that the Mayor of Manchester and representatives lied about the following statements at the September 7, 2004 public hearing: St. Louis County would turn over Love Park to Manchester; economies of scale would allow Manchester to leverage its purchasing power and provide better levels of service than St. Louis County; the annexation would allow Manchester to pursue additional grant monies; the police chief was unaware of how his department rated amongst other municipalities, in terms of starting salaries and that they would staff eight additional officers as a result of the annexation. Mr. Lancaster also said that in a 2000 annexation, Manchester promised to install sidewalks in Chadwick estates. To date, not one sidewalk has been installed. The Mayor informed property owners that they would have to petition the city to do it and it would be taken care of if there was enough money. Secondly, residents of Seven Oaks subdivision were promised that erosion problems would be fixed. Manchester hired two consulting engineers, totaling \$120,000 in fees, but no work was ever done. Residents were told by Manchester that the engineers were not qualified and that the city was studying the problem. Third, Manchester promoted their annexation to residents by saying they would have two trash pick-ups per week. Since then pick-ups have been reduced to one a week. Mr. Lancaster described Manchester's fulfillment of promises as abysmal and urged the Commission to not put the proposal to a vote.

5. Jeff Khoury, Mayor of Ellisville, stated that Ellisville submitted a positive and reasonable annexation proposal and asked for the Commission's support.

6. Kevin Cummins of 460 Sovereign Ct. spoke against the Manchester proposal. His business, Advantage Leasing, is located in unincorporated St. Louis County which provides him with a substantial tax advantage. That would be eroded if Manchester took over. Also, because it is a business, he would be unable to cast a vote if the proposal were put on the ballot. Mr. Cummins described St. Louis County as having excellent police service and sited the County police officers' constant patrolling of the area where his business is located.

7. Paul Gyurkikiss of 260 Glandore Drive has lived in the area Manchester is trying to annex for the past 15-years. He is opposed to Manchester because he does not want to give up the excellent St. Louis County police for an unaccredited, small town police force. Smaller is not necessarily better, however, competence is very important. He said Manchester wants this annexation because it will bring in more money, but gobbling up adjacent neighborhoods is not the way to do it.

8. David Robinson of 15927 Forest Valley Drive spoke in regards to the Ballwin-Ellisville annexation proposal. His neighborhood, Forest Ridge Trails, is the subject of both of the proposals. He wanted to remind the Commission of the sentiments of the people who attended the public hearings, in that there was not a strong consensus that any of the people in the affected areas wanted to be annexed. Also, for those who did express a desire to be annexed it was, overwhelmingly, in favor of the Ballwin proposal.

9. Cliff Kurrus of 2115 Mason Green Drive represented the Mason Green Condominium Association which is strongly opposed to the Manchester annexation.

10. Franz Kraitz, Manchester's Planning and Zoning Director, spoke in favor of the annexation proposal. He noted that the Mayor and Board of Aldermen could not attend the meeting because of a previously scheduled board meeting. Mr. Kraitz asked the Commission to look at the real evidence. He cited the city's two prior successful annexations, and the city's ability to serve three times their 1997 population. Manchester has provided excellent police protection, parks, snow removal, public works, and free trash service. Mr. Kraitz said that it takes money to provide these kinds of services which is why Manchester took a balanced approach in the form of commercial and residential uses in this proposal. He acknowledged that the commercial sector does pay the freight for the services the residents enjoy. Manchester believes this to be an orderly incorporation and there are no isolated pockets. He urged the Commission to let the annexation go to a vote of the people.

ANNOUNCEMENTS AND COMMUNICATIONS

There were no Announcements or Communications.

STAFF REPORT

There were no comments or questions regarding the staff report.

NEW BUSINESS

OLD BUSINESS

A. Discussion/Vote to accept or reject Manchester Proposal BC0404

Chairman Armstrong announced to the audience that in order for the Boundary Commission to vote on a proposal, there had to be at least 7 members present. Since only 6 Commissioners were in attendance, there could only be a discussion of the proposals and a vote would have to be put off until the March meeting. Chairman Armstrong asked the Commission for any comments regarding the Manchester proposal. Mr. Thibeault said he did not think the Manchester proposal met the established criteria that govern the annexations. It was not in the interest of the people being annexed, or the adjacent areas, and there are two pockets created, although he did not know if they officially meet the legal definition of a pocket. Mr. Thibeault thought it was economically driven and not in the best interest of any of the constituents.

Chairman Armstrong brought up the idea of tabling the discussion until the March meeting when it will be voted on. Mr. Ford said he respected the effort of the people who were in

attendance, but that the proposal would ultimately have to be tabled. He went on to say that he agreed with Mr. Thibeault's earlier comments. He noted that out of all of the proposals brought before the Commission, the residents of the Manchester proposal were the most adamant about not being annexed. He felt the Commission should show their support to those people.

Mr. T. Armstrong told the crowd he was terribly disappointed that the Commission did not have enough members to vote on the Manchester proposal. It was his judgment that the Manchester proposal should be disapproved for several reasons. First, there was a significant tax impact on the annexed area, in the form of sales and property taxes. Secondly, there is the potential of technical vacancies that could leave residents disenfranchised in the future. Third, St. Louis County strenuously opposes this proposal and Mr. T. Armstrong has been very sensitive to the cumulative impact on the County and their ability to provide services to the remaining unincorporated areas. In Manchester's proposal, the County will lose over a million and a half dollars out of its revenue base. He said this is an instance where the Commission should put their foot down and declare that it is not good for the County either. He apologized again to the people who came out to the meeting and told them that he intended to vote against this proposal.

Ellisville Mayor, Jeff Khoury, made a point of order. He asked Chairman Armstrong to clarify what the by-laws are in terms of voting. Chairman Armstrong deferred to Mr. Hamilton who said that the Rules of the Boundary Commission, in Article XI, provide that "no vote approving or disapproving a proposal shall occur unless a minimum of seven members are present." Mr. Hamilton said that those were the Rules adopted pursuant to the Statute that created the Commission and that is what the Commission is bounded by. Chairman Armstrong assured the crowd that he had every intention of insuring that there would be a quorum for the March meeting. He said that under the Rules the Commission had to approve or disapprove the Manchester proposal, along with three others, by March.

Chairman Armstrong then asked if the Commission had any further comment. Mr. Gelber said Mr. T. Armstrong had voiced his opinion about the Manchester proposal. Chairman Armstrong said he concurred with Mr. T. Armstrong as well. Mr. T. Armstrong made a motion to table BC0404, the Manchester Proposal, to the March 22nd meeting. Mr. Gelber seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

A member of the audience made a point of order and asked if there would be public comment at the March meeting. Chairman Armstrong said yes.

The Commission took a 5-minute break before continuing the meeting.

B. Discussion/Vote to accept or reject Ellisville Proposal BC0405 and Ballwin Proposal BC0410

Mr. T. Armstrong made a motion to table BC0405, the Ellisville Proposal, and BC0410, the Ballwin Proposal, to the March 22nd meeting. Mr. Ford seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

The Commission decided to start the March 22nd meeting at 6:00 p.m. in order to address the four proposals that will be on the agenda.

ADJOURNMENT

Mr. Thibeault made a motion to adjourn. Mr. T. Armstrong seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed and the meeting was adjourned.*

Respectfully submitted,
Courtney Irwin
Executive Director

Approved: March 22, 2005