

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

**TRANSCRIPT OF MAP PLAN PUBLIC HEARING
EUREKA, PACIFIC & ST. LOUIS COUNTY**

November 14, 2006

COMMISSION ATTENDANCE:

Commissioners	Present (P)/Absent (A)
Matt Armstrong	P
Ted Armstrong	P
Christine Bredenkoetter	P
Bob Ford	P
Frank Kenney	P
Greg Kloeppe	A
Mary Schuman	P
John Schuster	P
Johnnie Spears	P
Edward Thibeault	P
Don Wojtkowski	P

OTHERS PRESENT:

Michelle Dougherty, Executive Director

Beth Hofer, Legal Counsel

CALL TO ORDER

CHAIRMAN ARMSTRONG: Good evening, everybody. We just held our annual monthly ... or our monthly meeting, sorry ... annual monthly meeting ... our monthly meeting to get rid of some housekeeping matters. We'll start the public hearing at 7 o'clock. If you want to speak at the Public Hearing, you need to fill out a speaker card or a speaker form and give it to either Michelle, to me or to Beth on the other end. And that just lists your name, your address, and sort of if you're here representing yourself or an individual. If you're an individual and you'd like to speak, we allow you three minutes. If you're representing an organization, we allow you five minutes, and I'll repeat that announcement as we fill the room.

Oh, where are the speaker cards?

FORD: On the table right there where the lady is.

CHAIRMAN ARMSTRONG: Right under the clock.

[7 p.m.]

Good evening. Look over my podium here. Again, my name is Matt Armstrong. I am the Chair of the St. Louis County Boundary Commission, and tonight we're holding a public hearing to consider the presentations of the city of Eureka and Pacific with respect to their Map Plan for possible annexations over the next three-and-a-half years.

I want to start out with another announcement that if you want to speak during the public speaking portion of tonight's hearing, you need to fill out a speaker card at the back under the clock and hand it to me or to our Executive Director, Michelle, or to our attorney, Beth.

Also want to take a few minutes just to sort of explain the process. Tonight, pursuant to our rules and regulations, the municipalities have had to submit what's called a Map Plan, and a Map Plan is a plan that has all the possible annexations that a city might want to do for a five-year period and if the city doesn't include a particular area within the Map Plan submitted to us of the beginning of July this past year, then they can't annex that. If it's not in their Map Plan now, it can't be annexed until the next cycle which starts 2010. So what the city is holding the public hearing about is just presenting their Map Plans to the public to show all the possible areas they might want to annex and to talk with the Boundary Commission and sort of get the conversation going and also to let St. Louis County come in and get involved in that conversation. It's a way to encourage the cities to talk to the residents, the residents to talk to cities, and the cities to talk amongst themselves. Just because a city is talking about annexations tonight doesn't necessarily mean that there is going to be an annexation. There's nothing on the table. There's no Plans of Intent. There's nothing going to vote. It's merely the cities talking about what if ... if everything falls together what they may or may not ... may want to annex.

So I just sort of want to start with that. I encourage all public comments, as we all do, and, you know, if you're completely for annexation or completely against annexation, now's a good time to start that comment going so the cities get some feeling for where everybody is. However, I'll also say, you know, if you've heard somebody over and over again say the same thing you're going to say while we're happy to hear it, I'd ask you to be concise and pithy and not spend ... so we're not here 'til midnight just repeating ourselves over and over again. All right? But also want to hear everybody so with those introductory remarks, we'll start with the presentation by the city of Eureka. And the cities all have 15 minutes if they want to use them all.

SABO: Good evening.

CHAIRMAN ARMSTRONG: Good evening.

SABO: Eureka is a fourth class city, a little over 8 square miles in area, situated in southwestern most St. Louis County. In fact, if you were to go a few minutes west or south, you'd be in other counties. Portions of our city are contiguous with the city of Wildwood to the north, the Meramec River to the south. We have a small area of

contiguity with the city of Pacific and we're also fairly close to the Franklin County line in that same direction.

Our 2000 census population is 7,676; however, we're approaching 10,000 presently. We have a full service police department, public works, and parks and recreation, and over the course of the next few years, we'll begin development of a new recreation center. I believe we're the only remaining municipality located entirely within St. Louis County that has both the sanitary sewer and water purveyor versus being served by Missouri-American Water and MSD. We also have city-negotiated trash collection service rates. The entire city, as well as all proposed sub-areas, are served by the Eureka Fire Protection District. They are a separate jurisdiction versus being a department of the city. The city and all the proposed sub-areas are located within the Rockwood School District with the exception of the western portion of sub-area A, which is in the Meramec Valley School District.

Our residential real property tax rate, as well as agricultural, is 37 cents per \$100 dollars assessed, and our commercial, as well as our personal property, is 39 cents. Our utility tax rate is 5 percent. Our local sales tax rate is 7.075 percent. While there are a few pool cities ... excuse me, few pool areas within our city, we are considered a point-of-sale.

As is the case with many municipalities in the County, we contract with St. Louis County for various services. Having been through many of these presentations by now, I'm sure you're highly familiar with the matrix of services that the County offers; that they generate to summarize those relationships. We contract for electrical, plumbing, mechanical, as well as some police communications including dispatching, CAD and CARE. I wouldn't anticipate that these relationships would change in the foreseeable future regardless of whether or not we submit annexation proposals.

With respect to the criteria we utilized for the various areas, we largely looked toward the elimination of unincorporated pockets utilizing to the greatest extent possible of the natural boundary of the Meramec River. Our overall objective was to identify areas to allow for controlled, orderly growth in such a manner that will enable us to phase in municipal services to the annexed areas without negatively impacting the quality of service to our current residents.

To briefly prevent [sic] an overview of our annexation Map Plan, sub-area A in beige is bounded by the Meramec River to the east and south, by the eastern boundary of the Pacific Palisades Conservation Area, and additionally, through a series of discussions between our cities, between the cities of Pacific and Eureka, we have chosen to not include the area north of Old Highway 66 in our proposal, and you will note that it is included in theirs. It was included in a previous annexation Map Plan the city provided; however, based on extensive discussions between our cities, we have resolved our respective proposals and have no overlap whereas, once we would have.

Sub-area B in green depicts the area between our southeastern city limits and the Meramec River which is the Jefferson County Line.

C is in, I guess, magenta, depicts area east of our city limits that is also known as the Route 66 State Park, formerly the Times Beach area that was disincorporated a number of years ago.

And sub-area D, very small area, is a remnant of a MODOT right-of-way that remains from various past annexation and incorporation efforts. It's more of a cleanup.

All of the areas are either fairly low density development or unpopulated. I've not performed any population analyses; however, such would be provided in connection with any plans of intent.

We feel that we're the best community to serve these areas because it represents a logical and reasonable extension of our city limits given criteria such as the degree of contiguity and compactness of the areas, and, of course, in some instances one must travel through our city to access unincorporated areas. Many residents in the sub-areas identify with Eureka in that they're served by the Eureka Post Office, Eureka Fire Protection District, and many utilize our local services and retail establishments and are members of our churches and civic organizations. Further, many also take advantage of Eureka recreational programs and activities.

Among the advantages we would offer to the residents would be more local elected official representation, municipal-level consideration of development proposals including more localized input and oversight, municipal services including the police protection with regular patrolling and excellent call response times, snowplowing on all public streets, sanitary sewer and water service to the extent possible with very competitive rates, city-negotiated trash rates, and a resident fee structure for our parks and recreation facilities, programs and activities.

With respect to our timetables and phasing, while we've not formalized phasing or a timetable, I would anticipate that we would focus on sub-area A first and may submit a Plan of Intent for a portion of the area by this spring, particularly in view of the fact that we've had discussions with a few parties that own a few hundred acres within sub-area A. We've also had preliminary discussions with the Missouri State Park Department regarding sub-area C, the Route 66 State Park.

Available for questions.

CHAIRMAN ARMSTRONG: All right. Christine.

BREDENKOETTER: I have no questions.

CHAIRMAN ARMSTRONG: Mary.

SCHUMAN: Have you had any expression of interest from residents of any of these areas for annexation?

SABO: The expressions of interest have been primarily from property owners within sub-area A that own a substantial portion.

SCHUMAN: The audience seems to be adding some answers of their own there.

CHAIRMAN ARMSTRONG: The audience will get plenty of time to make their public comment. Go ahead.

SCHUMAN: Exactly. Okay. I do know that there was ... and I don't know the status of these things any more ... there was interest by one large property owner in being annexed to the city of Eureka a year or so ago. I think it may have been an issue with maybe a trash-transfer location or potential one. What is the status of that? First of all, it didn't go ... I mean nothing happened on that, right in terms of annexation?

SABO: The state statute that was passed provided the framework for a transfer of jurisdiction between a city and St. Louis County. It did not pass at the St. Louis County level. It is included in sub-area A.

SCHUMAN: Okay. And is that property owner still interested in this?

SABO: Yes.

SCHUMAN: That's all the questions I have right now.

CHAIRMAN ARMSTRONG: Ted.

T. ARMSTRONG: Sub-area A includes what looks like an isolated pocket. Is that isolated pocket where you've been having, receiving comments from residents?

SABO: No, sir. You're referring to this area here?

T. ARMSTRONG: Yes, I am.

SABO: No, sir. It's more right there where the center part of the area.

T. ARMSTRONG: What's the ... is there some historical reason for that isolated pocket? Have there been any ...

SABO: No, it's ... I'm not aware that there's any specific reason why it was created or no, sir.

T. ARMSTRONG: Have there prior ... are you aware of any prior attempts to annex that area?

SABO: No.

T. ARMSTRONG: Is there any financial gain that would be obtained by the city of Eureka for the ... by reason of annexation of any of these areas that you've set out here?

SABO: Financial gain, sir?

T. ARMSTRONG: Yes.

SABO: Well, in view of our ... any annexed areas being pooled there would certainly not be the retail revenue opportunities. Residential development would eventually ...

T. ARMSTRONG: So future development.

SABO: Residential ...future residential development as well as existing residences in the area would eventually result in the city receiving per capita revenues which would offset our being somewhat of a donor city for lack of a better way to characterize it in terms of our retail sales being a point-of-sale city.

T. ARMSTRONG: The Commission has reacted in other situations in that they have ... that Commission has had before it in the past to ... negatively to situations where Plans of Intent cover say part of area A and leave some other part of area A uncovered and create a much more difficult pocket for St. Louis County to provide continuing services, and so I heard you mention that your ... in terms of your timetable, if you have one, A is probably number one, and a portion of A may be number one, and unless that portion is that small pocket that we've been talking about, I caution you that the Commission might react negatively to picking off part of A and leaving a much more difficult remainder of A for the County to cover. And that's just a comment on my part.

SABO: And I anticipated that possible reaction. I suppose in response to that while we may be in receipt of simplified annexation, verified petitions, for some of the other areas to the southwest, I would certainly not be opposed to simultaneously submitting a proposition-based proposal for the area that you earlier identified.

T. ARMSTRONG: Well, you're free, of course, to do whatever you want to do. I just want to let you know that we have an interest in not putting the County in a position where it can't serve what's left.

The other thing I would caution you in terms of your filing future Plans of Intent, you have simply got to have the support of the residents in the areas that you want to annex, and if you have that ... have a Plan of Intent in mind, it's incumbent upon the city, at least in my opinion, to do a heck of a lot of spadework with the residents and make sure that you have the support of those residents before you come to us because the public hearing that we could have would be ... well, we wouldn't have that axe hanging on the wall over there.

SABO: I'd send someone to represent me. Yes.

T. ARMSTRONG: I'm finished. Thank you.

CHAIRMAN ARMSTRONG: Thank you, Ted. Don. You may borrow my map and my microphone.

WOJTKOWSKI: [inaudible] How would you characterize development interest in areas A, B, and C?

SABO: Well, C, of course, is a ... would be a state park so there would be no development [inaudible – both talking at same time] recreational activities incidental to the park use. The only sub-area where there would, in my opinion, the potential for more immediate proposals would be A as it is, particularly the areas contiguous with our current southwestern city limits where there is a fairly substantial development soon to be constructed.

WOJTKOWSKI: Would the development of area A require the support of tax-increment financing in your opinion?

SABO: No.

WOJTKOWSKI: There have been development proposals in the past, haven't there where tax-increment financing came into play?

SABO: Yes, sir.

WOJTKOWSKI: Okay. Thank you.

CHAIRMAN ARMSTRONG: Johnnie.

SPEARS: No questions, Mr. Chairman.

CHAIRMAN ARMSTRONG: Bob.

FORD: Yeah, that pocket area of A, what's the population in that area? The upper right-hand corner of A.

SABO: I do not have population counts, sir. It is ...

FORD: Is it a populated area or is it a terrain that's ...

SABO: Low density population, half-acre and above in my opinion.

FORD: Has there been any interest in annexation from that area? You answered that prior, I'm sorry. Your Map Plan goes all the way to the Meramec River. Are you going to the edge of the river, middle of the river, or what?

SABO: I believe the county line is the middle of the river.

FORD: Okay. You're going all the way to the county line?

SABO: Yes, sir.

FORD: Okay. Why would you want to annex a state park?

SABO: The city of Eureka and the state park system ...

FORD: Let me rephrase that, what benefit to Eureka is it to annex a state park?

SABO: The Route 66 State Park is adjacent to one of our city parks, one of our larger city parks, and we have been cooperatively working with the state toward cross access and we believe that if the park were to be within our city limits it would increase our opportunities to develop recreational opportunities for the city within the park. There are a few issues that we need to deal with first with respect to the recreational-use immunity law, which I learned during my meeting with state park representatives, so it will require some refinement of state legislation, but they are as seemingly interested in being part of Eureka as we are in having them based on our meetings.

FORD: Okay. Thank you. No other questions, Mr. Chairman.

CHAIRMAN ARMSTRONG: Frank.

KENNEY: None.

CHAIRMAN ARMSTRONG: Ed.

THIBEAULT: The current construct of Eureka is a pretty compact geographical area, and as you look at the proposed area A, that really extends the city pretty far out. What is the impact on your resources in terms of fire, police protection, et cetera, and your ability to be able to service these areas? And secondly, what is the practicality of you extending your water and sewer resources to these areas?

SABO: Well, first, we would not propose any Plans of Intent if upon performing the analyses it was determined that we could not properly support the area nor would we annex any areas that would unduly detract from our ability to provide services to our existing city. So that would be a proposal-specific analysis that we would perform. It would certainly shape the size and timing of our proposals. The other question?

CHAIRMAN ARMSTRONG: Sewers.

THIBEAULT: Water and sewer.

SABO: Of course, sorry. There are in this part of the county many topographical challenges. There are also issues with rock. There are number of areas that we would never be able to serve in my opinion. However, in connection with the major development I previously identified there will be some infrastructure where none was previously opening up some limited opportunities there, but it will mostly be development driven.

THIBEAULT: Thank you.

CHAIRMAN ARMSTRONG: John.

SCHUSTER: No questions.

CHAIRMAN ARMSTRONG: Thank you, sir.

SABO: Thank you.

CHAIRMAN ARMSTRONG: The next up will be the municipality of Pacific.

SELBY: First of all, welcome to the city of Pacific.

CHAIRMAN ARMSTRONG: Thank you.

SELBY: You're sitting in the city right now. Our mayor is here tonight. Mr. Herb Adams is our mayor. We have our City Clerk, Jo Ann Hoehne, here. Alderman Bill Hohman ... and how many other alderman? Alderman Loyd Harris and Alderman Carol Johnson. So we almost have the whole city municipal government with us here tonight.

The Commission has asked a number of questions to why this Map Plan, and this first Map Plan is the one we've submitted, should be considered. Our first goal was to come up with a Map Plan that did not overlap a Map Plan that any other municipality would submit. We have worked with the city of Eureka to make sure there was overlap, and there were several meetings to see who could serve these areas the best.

The city of Pacific feels we are better able to serve this area because we already have a sewer line that runs through this area. No other entity has sewer service ready right now. We also have water available to the existing city limits. No other entity can provide water to that area right now. Our police department patrols U.S. Highway 66, which is totally in our city, right now, and that's that blue line that you see from the main body of our city all the way to the Missouri Eastern Correctional Center, which is in the dark blue, which is also in our city right now. The area is bordered by railroad tracks to the south ... when we talked to Eureka about that, that is a natural barrier that is expensive to bore under to extend sewer and water service so that's why we chose that as our southern border there. Eureka does have a lot of development coming up the other side. They'll run sewer lines through that side so they better serve that. It's served by ... Interstate 44 is to the north, another barrier. Wildwood is then on the other side of that. The city of Eureka to the east, and our own city limits to the west.

Because of these existing barriers we feel that the city of Pacific can provide the services that will be needed for future development. We have been contacted by several quality developers that want to build in this area and have expressed an interest in coming into our city. What has to be considered is that this area in order to prosper, it needs services such as sewer and water and like Eureka, Pacific provides that itself. We have our own sewer and we have our own water. And our public service departments service those. St. Louis County can't provide that service to this area. Eureka can't do it because of the railroad tracks. The Metropolitan Sewer District is not

out here, and Missouri-American Water is not out here. Pacific is ready, willing, and able to serve this area, and we ask you consideration in approving our Map Plan. And I'll answer any questions.

CHAIRMAN ARMSTRONG: Christine.

BREDENKOETTER: I have nothing at the moment.

CHAIRMAN ARMSTRONG: Mary.

SCHUMAN: What ... on the map to the west of ... it's the correctional thing ... it looks like a subdivision there? I think that's what it is. You know, there's a plat running right along side ...

SELBY: Oh, right here.

SCHUMAN: Yes, what is that?

SELBY: That's Hill View Drive and Hill View Drive, and those ...if you look at the maps that we've distributed, you can see those are probably three- to five-acre lots homes on those squares. It's on Hill View Drive. And those people are all on septic tanks at this time.

Our sewer line, by the way, runs along the Old 66 so where the blue line is, that's where our sewer line runs, and we have treated the sewage from the prison since the mid-80s.

SCHUMAN: Sorry for losing my bearings there. That's all.

CHAIRMAN ARMSTRONG: Ted.

T. ARMSTRONG: What's your timing? I believe that, and just like Eureka, I mean there are people who do want to develop in this area that doesn't have any services. I would think that probably by the spring we would have a Plan of Intent.

One thing I might add, the area to the south that you see down there, that is a state conservation area, and it's called Pacific Palisades, and the reason we included that in our map, and we had discussions with Eureka about that, was that the town of Pacific has always had a connection to that area since the name is Pacific Palisades, and the other thing we thought because we are already patrolling Route 66 there, that we could also use our police department to patrol that area. It's a conservation area, it's not open all night. There's a boat ramp there, and we included it in our plan just because of the local connection.

T. ARMSTRONG: You would ... you plan to ... I believe you just confirmed this, you would utilize your own police ...

SELBY: Yes.

T. ARMSTRONG: ... department to cover this entire area?

SELBY: Right, and we have a police department and we are covering this area now, because that highway is actually in the city, Old 66.

T. ARMSTRONG: Would this be an all or nothing proposition? You mentioned perhaps filing in the spring of '07. Would it cover the entire area that I see here?

SELBY: Only if the residents wanted that. We have always ...

T. ARMSTRONG: I'm glad you said that.

SELBY: We have always just wanted to do voluntary annexation.

T. ARMSTRONG: I'm glad you said that because that was my next question, and I'm sure you heard my comments earlier that if ... to the city of Eureka, if Pacific wants to file a Plan of Intent, it's very important that you have resident support before you get here. Otherwise ...

SELBY: We want a marriage, not a shotgun wedding.

T. ARMSTRONG: Exactly, and that's what we want too.

SELBY: Yes.

T. ARMSTRONG: I can't resist asking you if you don't get the action from the Boundary Commission that you want on this, would you be prepared to go back to the state legislature and go around us?

SELBY: No, no, I don't think we want to do that anymore.

T. ARMSTRONG: Thank you. Finished.

CHAIRMAN ARMSTRONG: Don.

WOJTKOWSKI: Do, do you anticipate that the homes that are currently on septic system would be afforded tie-ins to your sewer district?

SELBY: Yes.

WOJTKOWSKI: In an economical fashion?

SELBY: Yes.

WOJTKOWSKI: Okay. In your discussions with developers who have had interest in the development of this area, have you had discussions relative to establishment of a TIF district or tax-increment financing support?

SELBY: No. No.

WOJTKOWSKI: Okay. So that would not be an element of the development?

SELBY: No.

WOJTKOWSKI: Thank you.

CHAIRMAN ARMSTRONG: Johnnie.

SPEARS: No questions.

CHAIRMAN ARMSTRONG: Bob.

FORD: Other than developers, have you had any interest from residents in the area?

SELBY: Yes.

FORD: What area ... the Pacific Palisades or the other area or both?

SELBY: There are no residents to the south. That's a conservation area. But residents to the west of Hill View Drive and also, probably as far back as a year ago, the property owner that's just next door, adjacent to this property right here, and that's a, I guess, about a five-acre parcel.

FORD: No other questions.

CHAIRMAN ARMSTRONG: Frank.

KENNEY: Maybe you said it. Do you know rough idea of what the population is in the area?

SELBY: I would say ... and, of course, the population is on that Hill View Drive, but probably 30 or less.

KENNEY: So in the entire area ...

SELBY: Yes.

KENNEY: ... that you're looking to annex?

SELBY: Yeah. All of that is just fields, farmland. A lot of this too is part of the silica sand plant so it's a quarry.

KENNEY: Nothing further.

CHAIRMAN ARMSTRONG: Ed.

THIBEAULT: I think one of the big challenges that this whole area of southwest St. Louis County faces, we all know that this is the ... the topography and the land is

pretty fragile which raises the question about, you know, putting yourself in the position of somebody who is living on a three- or five-acre tract in this area you've identified, what is the vision as to how you're going to protect the area that's currently underdeveloped with the prospect you're going to have these developers coming in? You know, you drive through here, it's a very pristine area, and I'm just curious as to what the precautions are and how is your zoning going to be implemented to maintain the character of the area.

SELBY: And you know, it's that pristine and the beauty of the area that actually sells the area, and we probably have five subdivisions currently under construction in the city of Pacific, and I can tell you that the homes that are selling are the homes that are bigger and that are on larger lots. The developers that we have talked to for this area are talking about a golf-residential type community. Again, going for not high-density homes, but larger homes on larger lots.

THIBEAULT: What are those lots? What would they be? Would they be three-to five-acres?

SELBY: No, I don't think they would be ... I don't think it would be like that. I would say, and it's hard, because it would all have to go through planning and zoning, but I would imagine lots that would quarter-acre to half-acre lots.

THIBEAULT: So that implies high density.

SELBY: Oh, we've got a lot higher density than that that wants to come in.

THIBEAULT: A quarter acre is a pretty ... I mean that's high density. I ... that would seem ... I don't know if that's compatible with the topography.

SELBY: You know, one of the things, because of our topography here, and maybe it's why Metropolitan Sewer District never came out this way, it is expensive to run those utilities, and our city goes out Highway OO and Thornton Road and so we know about lift stations and how we have to pump the water up these hills and things like that, and so when I look at the lay of this land, it's nothing compared to what already lies in our city. The reason that we like this piece of property also is it doesn't sit in a flood plain so it's one of those pieces of St. Louis County that can be developed and done right and, again, not be in a flood plain.

THIBEAULT: Thank you.

CHAIRMAN ARMSTRONG: John.

KENNEY: [inaudible] not including Pacific Palisades, how many acres is that entire area, if you know?

SELBY: I couldn't tell you.

KENNEY: Thank you. John, I'm sorry.

SCHUSTER: No questions.

CHAIRMAN ARMSTRONG: I was reminded that you did a good job of introducing your alderman and your mayor, but not yourself. Could you state your name for the record so we can put it on the recording?

SELBY: Harold Selby, City Administrator.

CHAIRMAN ARMSTRONG: Thank you, sir.

SELBY: Thanks.

CHAIRMAN ARMSTRONG: Next up will be the County of St. Louis. And I'll take this opportunity in case anybody's come in ... I haven't seen the door open since I last said it ... if you want to speak, the public speaking portion of this public hearing is next after the County of St. Louis. If you would like to speak, please fill out a speaker card which are back under the clock and pass it to Michelle Dougherty, our Executive Director, so we can make sure you're on the list. Thank you. Mr. Powers.

POWERS: Hello again. I'm Glenn Powers, Director of Planning for St. Louis County. I'll sort of follow the same format as before. As always, I'll open up by saying that St. Louis County provides a comprehensive range of services to the unincorporated areas. We feel we are very competent in the delivery of those services, and as long as residents and property owners of this area prefer to remain unincorporated, we are happy to continue to serve them. Some of the services that we provide are municipal-type services that we offer under contract to municipalities, and to a certain extent, Eureka uses some of these contract services. Not police except for dispatching and their computer-aided report entry system. In Pacific, not at all in the case of police because Pacific, as you know, is for the most part is in Franklin County except for these small incursions. The entire unincorporated area in this part of the County is served by the County's Seventh Precinct, which has its headquarters on Big Bend Road.

In terms of code enforcement, again, Pacific because it is by and large in Franklin County does not contract for any code enforcement services. Eureka does some contracting with us, electrical and explosives, and mechanical, plumbing, fire suppression and other minor code enforcement services for commercial buildings, commercial development only.

What's really different about this area, slightly different dynamic, is that both Pacific and Eureka have municipal water and sewer services so that's what they have to offer this area. The MSD service area, which covers most of St. Louis County, extends to about Highway 109 so if you're east of Highway 109 ... I'm generalizing a little bit here ... if you're east of 109, you're in MSD service area. If you're west of Highway 109, down here in Eureka, you're not in MSD service area. So that is what the cities have to offer the unincorporated area is the extension of services ... of those services which allow more development to occur in the future if that's what residents and property owners want. And as a matter of policy, those services are going to be offered to the

unincorporated areas only if those property owners agree to annexation into the city so it's ... those are the cards that the cities hold in this case.

In the case of St. Louis County, we are not a provider of those services, but we have signed on to a plan for the area, actually a corridor, which is called the Henry Shaw Ozark Corridor. A plan for that was put together a number of years ago by some development and design professionals and if you Google on Henry Shaw's Ozark Corridor, you'll come up with that organization's website and see what it talks about in terms of design and development along the Corridor. And, in a nutshell, without talking on and on about it, what's being suggested are development forms that ... that relate well with the ... with the environment of the Corridor and also the historic significance of the Corridor. We are now along Old Highway 66. By and large, it's a relative to St. Louis County, a rural area almost entirely zoned NU, Non-Urban District, which is our lowest density zoning, but as you head back toward Eureka and Highway 66, you'll see some old commercial developments that go back to the Route 66 days and predate ... predate modern zoning.

With regard to the specific Map Plans, I'll start with Eureka. Area A, the largest area there is 3,420 acres. The estimated population is 194, and there are 99 dwelling units by our estimates. Area B, which is more or less south of Allenton, as we call it, in the bow of the river, is 1,016 acres. We estimate the population of that area to be 55 people, 36 dwelling units, so that's very ... very low density. Area C, which is ... well, Area C is just a state park, 405 acres, the former city of Times Beach. And Area D, of course, is a small bit of right-a-way, about 3-and-a-half acres.

There have been a number of annexation attempts and successes in the past on the part of Eureka. The most recent annexation is to the northeast of area A. That's something that came before the Boundary Commission for a brief time in 2002 but was ultimately approved by St. Louis County and Eureka as a boundary adjustment, something I wasn't entirely comfortable with at that time, but that's ... that's what happened.

In 2005, there was state legislation that authorized for the possible annexation by Eureka of a site more or less across the street from us now on the south side of Highway 66. It's currently a composting operation. When that was pursued, the County Council rejected that attempt, and that is, I think, where we've all heard rumors about trash transfer stations and all. I can talk more about that.

With regard to Pacific, the Map Plan area that they're showing has, by our estimates, has a population of 111 with 36 dwelling units. It's about 1,122 acres. And there have been a number of annexation attempts in the past for parcels on both the north and the south sides of the roads. In 2004 as a result of state legislation that authorized it, Pacific annexed down along their utility line and took in the Missouri Eastern Correction Center, which was very lucrative for them. In 2005 the city attempted to annex another piece of property that we had turned down for commercial zoning. That site ... it's about a 3-acre site ... that is immediately to the west, abutting to the west of the property we're on right

now. And again, because we were resistant to what we thought was the intended use of the site, we didn't cooperate with that attempt.

In terms of sales taxes, both Eureka and Pacific are point-of-sale cities. Of course, anything they annex would be pool, sales tax pool. Both cities have hire sales taxes than St. Louis County. St. Louis County is 6.075 by the time you put it all together. Eureka is 7.075; Pacific is 6.575, not that there, at least at the present time, is a lot of retail development that charges sales tax in the area, but that's an implication for the future.

In terms of utility taxes, Eureka has the same rate as St. Louis County; that's 5 percent. And Pacific has a variable rate: 8 percent for telephones, 7.42 for electric, gas and water. Residential water rate, however, is a very low 1 percent.

Both Eureka and Pacific levy property taxes, .37 cents for all types of property. Eureka ... the exception there is Eureka, .39 cents, .39-cent rate on commercial and personal property so it's in the 37–39 cent range.

Again, St. Louis County would be happy to continue to be the local service provider in this area. It's a large area. Relative to other areas of St. Louis County, it's sparsely populated, but we think we provide excellent services to this area.

Be happy to answer any questions.

CHAIRMAN ARMSTRONG: We'll start at the other end. John.

SCHUSTER: No, sir.

CHAIRMAN ARMSTRONG: Ed.

THIBEAULT: No.

CHAIRMAN ARMSTRONG: Frank.

KENNEY: Police protection currently, you said the station was on Big Bend?

POWERS: Yes.

KENNEY: And any issues with coverage? I mean it seems kind of isolated and not necessarily cost effective for the County to be providing ...?

POWERS: Well, yeah, that station is specifically Big Bend and Sulphur Spring Road. It's in a small center there, but we also provide contract services for Wildwood, and they operate out of the fire station at 109 and Manchester so ... yeah, those are remote locations, but, you know, with cars and radios and all, we ... I think we provide effective coverage nonetheless.

KENNEY: Okay. Nothing further.

CHAIRMAN ARMSTRONG: Bob.

FORD: Have you seen any problems for St. Louis County providing services for these areas that are kind of isolated, away from the rest of St. Louis County? Have you had any complaints of service, lack of service or anything?

POWERS: I haven't ... I haven't had ... I'm not aware of any complaints with regard to the quality of our services. I know that I met with some residents out here a number of months ago, and there were some complaints about the composting facility, which was the subject of one of the annexation proposals, and that is something that we did authorize under our zoning at a certain point in time, but that's an ongoing ... that's an ongoing thing. But it is a sizeable composting facility as it stands right now.

FORD: That little Area D on Eureka's Map Plan, can that be developed or commercialized or is just road right-of-way or what?

POWERS: It is, yes.

FORD: Okay.

POWERS: It's just a patrol issue.

CHAIRMAN ARMSTRONG: Johnnie.

SPEARS: Yes, Mr. Chairman. One question. Looking at the Pacific Map, I'm looking here, is all of this proposed annexation area in St. Louis County?

POWERS: Yes.

SPEARS: Okay. No other question.

CHAIRMAN ARMSTRONG: Don.

WOJTKOWSKI: Yeah, just out of curiosity, I don't how this works. St. Louis County recently adopted the International Building Codes as their platform for building code enforcement.

POWERS: Yes.

WOJTKOWSKI: And ...

POWERS: Hope I know the answer to this question.

WOJTKOWSKI: Well, I'm not familiar with Franklin County. I live in North County so this might as well be another state for me, you know. But if ... I'm assuming that Franklin County is probably has BOCA as a pro-platform with the International Building

Codes being perhaps more stringent, particularly from a seismic standpoint. What code would prevail, you know, they're still in St. Louis County, but would the municipality codes prevail over St. Louis County codes?

POWERS: Yes.

WOJTKOWSKI: Okay. So there may be an advantage to developers for the annexation to roll into a less stringent code platform.

POWERS: Well, there could be if it is indeed a less stringent code platform, but I don't know enough about it to say whether that's the case or not.

WOJTKOWSKI: But it would be the municipality's adopted code rather than the St. Louis County adopted code?

POWERS: Yes. The only thing I'd say there is with the significant number of municipalities that do contract with us for code enforcement, we certainly encourage them to adopt our codes so that we're uniform.

WOJTKOWSKI: But would that be a mess if Pacific did that because they're in a ... most of it's in a different county?

POWERS: Yeah, there might be some issues there contracting with us.

WOJTKOWSKI: Could get messy, couldn't it? Okay. No other questions.

CHAIRMAN ARMSTRONG: Ted.

T. ARMSTRONG: I asked Mr. Sabo this question; I'll ask you too. In Eureka Area A, that pocket, do you have any history on that one?

POWERS: In terms of development proposals?

T. ARMSTRONG: No. How did it get like that? Is there some history behind that pocket? Area A.

CHAIRMAN ARMSTRONG: North part of Area A.

T. ARMSTRONG: That's it.

WOJTKOWSKI The little butterfly there.

POWERS: I know how that happened, yes. As the result of the boundary adjustment that occurred in 2002, that was left out and that is something that the Boundary Commission when it was brought to you as a transfer of jurisdiction, you had quite a bit of problem with.

SCHUMAN: Yeah, we rejected it.

DOUGHERTY: Mr. Powers, could you please repeat what you just said in the microphone so we can get it on the transcript?

POWERS: That was something that could have been ... well, the area to the west of that or to the left of that was a large area, proposed residential development that was annexed by the city of Eureka in or around 2002. The vehicle for doing that was a boundary adjustment in the end that was approved by mutual consent of Eureka and St. Louis County, but prior to that ...

T. ARMSTRONG: So you help create it?

POWERS: We ... helped create it.

T. ARMSTRONG: Thank you. I knew somebody did. Mary.

POWERS: I cannot tell a lie.

SCHUMAN: I think this Commission did disapprove the initial ...

POWERS: As a transfer of jurisdiction, yes, you did.

CHAIRMAN ARMSTRONG: Do you have any questions, Mary?

SCHUMAN: No, I'm sorry, I don't.

CHAIRMAN ARMSTRONG: Christine.

BREDENKOETTER: Well, my only question is ... is you talked about Wildwood contracting for police services. Those police, and I would presume that are being contracted by Wildwood are dedicated to Wildwood and do not cross over with the same group that comes out of Big Bend and Sulphur Spring. They do operate as two different groups just like they do in other parts of the County. For example, Black Jack isn't part of District One, et cetera.

POWERS: Right. That's true, but like all police precincts, [inaudible] different municipal police departments, we have cooperative agreements so ...

BREDENKOETTER: Well, obviously if there's a major ... just out of curiosity, do you how many policemen are in ... out of the Big Bend station for this part of South County?

POWERS: I didn't come prepared to answer that but we have the ...

COUNTY POLICE REP IN BACKGROUND: Fifty-six police officers authorized [inaudible]

BREDENKOETTER: And that covers how many acres? Square miles, rather, square miles?

COUNTY POLICE REP IN BACKGROUND: [inaudible]

POWERS: So for the record, that's 56.

CHAIRMAN ARMSTRONG: Anything else, Christine?

BREDENKOETTER: That's it.

CHAIRMAN ARMSTRONG: The Chair's next and will exercise his prerogative, Mr. Powers, and ask one question. Have you done a [sic] economic analysis to determine what the economic loss or gain for the County would be if these areas were annexed?

POWERS: I haven't, no.

CHAIRMAN ARMSTRONG: Do you have any idea what it would be? Is most of this ... most of this sounds like it's natural and not developed.

POWERS: Yeah, it's a low, relative to other areas of St. Louis County, the development densities and the population densities are low.

CHAIRMAN ARMSTRONG: And you raised an issue ... you spoke about not wanting to or disapproving a prior code change that would cause development just to our west. Is it a general policy of St. Louis County to keep this area natural as opposed to ... an opposed development down here?

POWERS: It has.

CHAIRMAN ARMSTRONG: I understand things change, but ...

POWERS: Things do change. When I first came to work for the County in the early '80s, I participated ... was the primary author in a plan called the Allenton/Pacific Area Study. I can still find that somewhere, but we projected very low density land uses along 66 with some slight expansions of commercial zoning where they now or even then existed, but there wasn't any radical changes that were contemplated at that time. The one proposal we did get more recently, the one I referred to next door, was to do outdoor storage. It was for commercial zoning to essentially store construction trailers and schoolroom trailers on the site over here, and we didn't really think that was consistent with what we were trying to do along the Highway 66 corridor, so the Planning Commission and the County Council turned that down, and it was at that point they requested to be annexed into Pacific and sued. And Pacific ... despite the fact and prior to actually annexing it, and they haven't yet, posted the property and had a public hearing to rezone it ... rezone it commercial even though it wasn't in their jurisdiction, conditional upon being annexed into the jurisdiction. It's an interesting concept. I'm not sure it would have held up, but that pretty much ... I don't know what you can take from that in terms of how each jurisdiction envisions the area long run, but it had me wondering whether it isn't envisioned as a ... as the future commercial or industrial strip of one of the adjoining municipalities. Only they could say for sure.

CHAIRMAN ARMSTRONG: Thank you, sir. Any other questions? All right.

KENNEY Did they go forward with the hearing attempting to rezone something they didn't have control over?

POWERS: They did. And they might have even passed an ordinance on it although I'm not absolutely sure on that ...

KENNEY New form of government.

POWERS: ... but it's still in unincorporated St. Louis County, and we never recognized it.

KENNEY I should hope not.

CHAIRMAN ARMSTRONG: Thank you, Mr. Powers. Now's the time for public comment. Last chance if you want to make a comment, fill out a speaker card.

Before we start, I'd like to ask for quiet show of hands of how many people here are opposed to annexations of any kind.

And how many people here are in favor of annexations of some kind.

All right. Somewhat split.

Well, we'll start with ... I will apologize if I mispronounce your name, and I expect I will because I have mispronounced somebody's name at every one of these so far. And again, I'll apologize for the sports analogy, but what we'll do is we'll call one person up to the microphone ... if you could speak into the microphone so we can record it and transcribe it ... and I'll call somebody on deck. So then that person will come up and the third person will be on deck and so forth.

So, we'll have Neil Ferretti up first, I just did it right, right there, and James Chunn.

FERRETTI: Hi, I'm Neil Ferretti. I had a question about the Eureka proposal, Area C. And when the gentleman from Eureka was talking he said that they could provide municipal services, police, and water and sewer and trash, any one of these areas for growth, and I was just wondering how this one fit into that. It's a state park.

CHAIRMAN ARMSTRONG: I think if you look at the comments he made, he answered with respect to recreational use between the parks and state park, but I would suggest that any question specific to the municipality ... we can't really respond on behalf of the municipality.

FERRETTI: Okay.

CHAIRMAN ARMSTRONG: It's better to direct that question directly to the municipality via letter or telephone, or email because we can't defend. All we're doing is taking in information. We can't state a position on their behalf.

FERRETTI: Okay.

CHAIRMAN ARMSTRONG: Okay.

FERRETTI: Thank you.

CHAIRMAN ARMSTRONG: Thank you. Mr. Chunn, and on deck will be Charles Meier.

CHUNN: I'm totally content in unincorporated St. Louis County. The low density this young man back here's been talking about, 3 acres is the minimum area of land you can have and build a house in St. Louis County. All the people that live here have done that minimum, minimum. I'm on 26 acres. I don't want 2.2 homes per acre next door. I invested my money a long time ago. My house is what I like, what I wanted. Why would I want 2.2 homes per acre next door? That's what they're doing right now in every acre they bought, stole, whatever you want to say, from Allenton ... 2.2 homes per acre. [Audience clapping] The residents back there right now in Area A are cut off. They've already shut down the Eureka/Allenton Road so the developers can build 240 homes on 110 acres on that side. They'll do the same thing in that whole damn valley if you let them.

CHAIRMAN ARMSTRONG: Thank you, sir. Charles Meier, and up on deck will be Tom Croat.

MEIER: Well, I'd just like to say Eureka, they promise you a lot of things and give you nothing. My mother and father was part of the Allenton area of Eureka. Sixteen years ago they was [sic] promised water and sewer and they never got it to this day. They're gone, you know, and that's what we're going to get out of it too. They said they're going to bring water and sewer up there because it's accessible. It was easier to get it into Allenton than it would be up there in that pocket you're talking about. That's where I live. So, you know, I just think they're trying to sell you a bill of goods so they can build on the Wallach [sounds like] property. That's all I have to say.

CHAIRMAN ARMSTRONG: Thank you, sir.

FORD: That pocket you're speaking of, that's the upper ... would you point to it there.

MEIER: They're talking about this right here.

FORD: Okay. Thank you.

MEIER: Hunters Ford Road right here.

CHAIRMAN ARMSTRONG: So the north part of section A, sub-section A. Okay.

FORD: All right. Thank you.

CHAIRMAN ARMSTRONG: Thank you.

CROAT: My question is if this comes to a vote of the people in the area, what percentage of the population will cast it for or against a given annexation ... you know, what percentage does it have to be? One hundred percent? Ninety percent? Fifty percent?

CHAIRMAN ARMSTRONG: If it comes to a vote, it would be a majority vote so it would be ...

CROAT: Fifty-one percent.

CHAIRMAN ARMSTRONG: Fifty-one percent. Fifty percent plus a point.

FORD: In both the municipality and the annexing area.

CHAIRMAN ARMSTRONG: In separate votes.

FORD: Separate votes.

CROAT: Thank you.

CHAIRMAN ARMSTRONG: Keith Horneler will be up and Terri Shaw next. I apologize for mispronouncing.

HORNEKER: I just had a little to say that in the area that I am part owner in, it's southwest of Fox Creek, it's another ... the other side of Fox Creek, up with Horneker Road. That's how you say that name, Horneker.

CHAIRMAN ARMSTRONG: Horneker.

HORNEKER: And in that area, we've been there for a long, long time, 1887. All I'm saying is all of our ... the plat, it was made out, addresses on Horneker Road although we're on the other side, but it's unincorporated. It's pristine, like they say, because there's 60 ... approximately 65 acres is agriculture, just farmed. The rest is the woods that comes around to the river, which there's a gravel bar there. And some time ago where we used to be to the middle of the river and then it came back to the water's edge and now it's the high water mark. I said pretty soon the high water mark is going to be at Horneker Road, you know, they just keep moving it around any way they want, but I can't see that Eureka, Pacific or anybody would have any reason whatsoever to incorporate ... you know, make it incorporated because it's not ... it doesn't have any structures, and it's just for one thing there, I mean that's what it is and it's the last of, I guess, a dying breed, but it's just that I'd want to keep it, you know, like it is in an area that it is, and that's just my own opinion. Now I don't even know what's on that map.

Unfortunately, I brought my mouth but not my glasses so I can't [laughing], but I figure it will get there pretty quick, you know, it's the Breckenridge and all that is moved up there, but there's just a road going across there and it crosses the creek and then it covers down and then crosses back over the creek. I know that at one time they said, well, they wanted to put some ... like a Katy Trail all the way around from Hunters Ford and around, but I don't know where ... I know it stops at that creek with mine. It don't come right on through into Eureka without crossing us, but I just think that I can't see paying for another tax to Eureka or Pacific when I've been paying the tax there for a lot of years, and it's ... there's nothing to gain there. I can't build on it. It's flood plain.

CHAIRMAN ARMSTRONG: Okay.

HORNEKER: So that's it. I know that I've probably gone over my three minutes, but I figure you're giving me a lot of time to cover which been there [sic] since 1887.

CHAIRMAN ARMSTRONG: I want to hear what you have to say. Thank you, sir. [Audience clapping] Terri Shaw, and up next will be Bret Waterhouse.

SHAW: Hi.

CHAIRMAN ARMSTRONG: Hi.

SHAW: I live in that little pocket of sub-area A and have for over 20 years, and I just want to let you know we have no interest at all in being annexed into Eureka. St. Louis County has served us very well all the years we've been there. And I want to get clarification on a question the gentleman before asked. On the vote, if, say, votes for it, the residents to be annexed vote against it ...

CHAIRMAN ARMSTRONG: Then there's no annexation.

SHAW: Okay, that's all I wanted to know. Thank you. [Audience clapping.]

CHAIRMAN ARMSTRONG: You're welcome. Bret Waterhouse, and up next will be Larry Peirick.

WATERHOUSE: I'm in Area A also. We have 13 acres up there, and we're pretty happy with the situation that we do have. The problem I see with Eureka getting us is their track record isn't very good right now on the proposed with Allenton and what they've done with their area already as far green space, and I'd like to keep it ... our green space, green space and not homes.

CHAIRMAN ARMSTRONG: Okay. Thank you, sir. Larry Peirick, and up next will be Stephanie Griffin.

PEIRICK: Thank you for hearing us.

CHAIRMAN ARMSTRONG: You're welcome. Thank you for coming.

PEIRICK: I'm a developer in that little pocket up there. My partner and I developed 3-acre plots in there about 10–15 years ago, something like that. When we did that ... as we approached doing that, I spoke to the city of Eureka about potentially coming down and providing water and sewer before we elected to develop it like we did, and they didn't want to hear anything about it. I was living in the area in Wildwood when the city of Allenton, the people were approached by the city of Eureka to be annexed and on the promise of water and sewer coming to the Allenton area. Now, the city of Allenton is no more. Those residents are all gone, taken over by eminent domain. The city of Eureka exercised that for development of that property. So I canvassed my neighbors ... we developed the property and we also live on the property, 3-acre plots in that area. And my neighbors unanimously are against that. I talked to half-a-dozen, and they are unanimously against any annexation.

In the ten years in the whole division, we had one attempted burglary in the whole time since we built there, and I want to compliment the St. Louis County Police Department on the promptness, the professionalism, and the effectiveness of handling that burglary. So we're well serviced by St. Louis County in the minimum amount of incidences we had.

When we developed the property, we also developed covenants that went with the property to protect the integrity and the pristineness [sic] of the area, and I can't see any kind of development that would go on with the annexation there that would preserve the kind of covenants that we put on our property owners. So to the person that I contacted, we're against any kind of annexation in there.

CHAIRMAN ARMSTRONG: Okay, sir. Are you in what we've been calling the pocket part ...?

PEIRICK: [inaudible] right in this little area right here. [inaudible] goes between Wingler [sounds like] Road and Horneker Road, right in that area.

CHAIRMAN ARMSTRONG: Okay.

PEIRICK: [inaudible].

CHAIRMAN ARMSTRONG: Thank you. Stephanie Griffin.

GRIFFIN: Hi, I live in the small pocket also.

CHAIRMAN ARMSTRONG: Okay.

GRIFFIN: I am very happy with the way things are. I do not want to see an annexation, but I do have a question concerning a vote. Would it be per resident? Would a large property owner have more than one vote?

CHAIRMAN ARMSTRONG: No. Registered voters.

GRIFFIN: Okay. Thank you.

CHAIRMAN ARMSTRONG: Well, that's all the public comment cards I have so this concludes the public hearing, and I thank you all for coming out tonight, and watch the media and keep track of your cities to make sure you're aware of any annexations that occur ... or Plans of Intent.