

BOUNDARY COMMISSION  
ST. LOUIS COUNTY, MISSOURI  
MEETING MINUTES

December 12, 2006

ROLL CALL

Commissioners Present: Ted Armstrong, Christine Bredenkoetter, Bob Ford, Frank Kenney, Mary Schuman, John Schuster, Johnnie Spears, Edward Thibeault, and Don Wojtkowski. Commissioners Absent: Matt Armstrong and Greg Kloeppel

Commission Staff Present: David Hamilton, Boundary Commission Legal Counsel, Michelle Dougherty, Executive Director. Others present: Representatives from Robinwood West Subdivision (Ms. Barbara Ellis and Mr. Jim Cain et al.), Lori Fiegel, St. Louis County Department of Planning

1<sup>st</sup> Vice Chair Spears called the meeting to order at 6:30 p.m., December 12, 2006. The meeting was held in the 8<sup>th</sup> Floor Conference Room at the St. Louis County Government Center in Clayton, Missouri.

ROLL IS CALLED – QUORUM DECLARED

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

APPROVE AGENDA

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

APPROVE MINUTES

Mr. Ford made a motion to approve the minutes. Ms. Schuman seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

FINANCE REPORT

Ms. Dougherty reported that the Municipality Fee Account has had no activity and remains with a balance of \$10,977.07. Ms. Dougherty stated that the Operational Account was based on the most recent CHARMS report of December 1, 2006. That fund had total year to date expenditures of \$106,810 with an available balance of \$67,188. Ms. Dougherty reported that there was about \$18,000 that she expected to be billed and/or had not cleared the CHARMS system as of December 1, 2006. She estimated that the Boundary Commission would end the year with approximately \$125,000 in expenditures and approximately \$48,000 in available balance. Ms. Dougherty stated that a more detailed accounting of the 2006 budget will be presented at the January meeting.

PUBLIC COMMENT

Barbara Ellis of the Robinwood West Community Improvement District (CID) spoke on behalf of the CID. Ms. Ellis stated that Creve Coeur's map plan includes land parcels in the southernmost section of Robinwood West CID. The CID encompasses 476 residences, parks and swimming pools. Creve Coeur's map plan contains only the parcels (almost 10 acres) that contain parks, ball diamonds, community center and swimming pools and adjacent long-time leased land from Ameren UE. Ms. Ellis stated

that the CID was created to provide funding and governance for the parks, community center and swimming pools. The CID is a taxing district that self-imposes taxes to provide the finances necessary to operate these facilities. Ms. Ellis said the CID borrowed over \$425,000 in 2003 to make extensive repairs and to update the community center and swimming pools. Ms. Ellis remarked that the voters of the CID have shown self-reliance and determination to provide funding for the most important assets of the CID. Ms. Ellis discussed elements of the map that she presented of the proposed boundary changes. She stated that Creve Coeur's proposed boundaries would go up just to the south of all of the CID homes. Ms. Ellis reiterated that none of the homes are included in the map. She went on to say that the CID is a model CID and was recently featured in the October 2006 Better Homes and Gardens issue about the achievements made in their community. Ms. Ellis stated that they believe it is absolutely in the best interest of their voters that nothing be done to destroy the ability to control their assets. Ellis also stated that if Creve Coeur's proposed boundaries were to be approved then the almost 900 voters in the CID's boundaries would be disenfranchised in the process of a possible future annexation vote for the CID's most valuable assets. Ms. Ellis stated that the directors of the CID and the Robinwood West Trustees are strongly opposed to Creve Coeur's proposed boundary expansion into their district for the following reasons: it would partition their CID into two areas – recreational and residential – and again that Creve Coeur's plan would include no residences; if Creve Coeur did develop a proposed annexation plan in the future for these parcels, the Robinwood West CID voters would have no representation in this process. Ms. Ellis stated that therefore, the board of directors and the trustees are opposed to this. Ms. Ellis said that the trustees are all out of town and were not able to be at the meeting but their board is and would be willing to take any questions the Commission might have.

Ms. Schuman asked if Creve Coeur was aware or if it had been a mistake. Ms. Ellis stated that she had spoken with the new planning director at Creve Coeur about this and he stated that they were not really aware of this issue. Ms. Ellis asked Creve Coeur if it was even legal to partition a CID and asked Creve Coeur if they would be willing to move the proposed boundary line to not include our parks and recreational facilities. The Creve Coeur planning director said he would talk with the City Manager but she had not heard back yet.

Mr. Armstrong asked for what reason would Creve Coeur include these properties? Ms. Ellis stated that Creve Coeur said it was following the water line. But, Ms. Ellis added, that the water line was not followed in other places. Ellis' concern was that they would take their properties by eminent domain in the future and possibly build a water park or other facility. And that none of the residences in the subdivision would be a part of Creve Coeur and would not be able to even use the facilities. The purpose of forming the CID (they were established in 1999) was to be able to financially support the community pools, playgrounds and community centers. The Robinwood West subdivision is very active. Ms. Ellis stated they would hate to have anything change the environment that they have worked so very hard to establish and maintain.

Mr. Hamilton stated that if and when a plan of intent is filed that that would be the appropriate time to take evidence. Discussion ensued regarding what would be appropriate action for the Boundary Commission to take.

Ms. Ellis introduced Mr. Jim Cain of the district. Mr. Cain stated that at the public hearing he asked the question “What was the proposed use by Maryland Heights and Creve Coeur of the area?” (Inaudible portion of the tape).

Ms. Schuman asked Mr. Cain to clarify his Maryland Heights statement. Mr. Cain stated that Maryland Heights had some activity going on in the north end of their subdivision. But Creve Coeur is the only area that is encroaching upon the district. Mr. Cain stated that the statute allowing CID’s also stated that any municipal entity that creates the district cannot reduce its support of the district. He stated that he felt the statute would prohibit the splitting of the district. Mr. T. Armstrong stated that the Boundary Commission would not have purview on any legal issues regarding whether or not the CID could be split.

Discussion continued. Mr. Wojtkowski suggested that this discussion be moved to New Business on the agenda. Mr. Hamilton agreed that the more appropriate section of the agenda for any consideration of motions regarding amending map plans to be moved to the New Business section.

#### ANNOUNCEMENTS AND COMMUNICATIONS

There were no announcements and communications.

#### STAFF REPORT

Ms. Dougherty stated that the activity in the office had been remarkably slower since the Public Hearings had ended. Ms. Dougherty mentioned that the new server was in place and the data had been migrated to the new server; and the computers have been rearranged. The computer consultant would be coming back out to install the Backup Universal Power Source. Ms. Dougherty stated that she had been receiving lots of comments and letters from people in support of the Grantwood Village annexation proposal. Ms. Dougherty stated that she has made several follow up calls to the Grantwood Village attorney and the officials reminding them that there are no formal annexation proposals in front of the Boundary Commission and to inform their people of this difference.

#### NEW BUSINESS

2007 Officer Elections:

Ms. Schuman motioned that nominations be closed. Mr. Schuster seconded. Voice vote: Ayes, All. Nays, None. *The motion passed*

Mr. Ford motioned that the Commission accept slate of nominations for 2007 Officers by acclamation. Mr. T. Armstrong seconded. The nominated officers for 2007 are: Matt Armstrong, Chair; Johnnie Spears, 1<sup>st</sup> Vice Chair; and Greg Kloeppe, 2<sup>nd</sup> Vice Chair. Mr. Wojtkowski pointed out that according to the by-laws this will be Matt Armstrong’s last year as Chairman and that the Commission needed to start thinking about who will replace him in 2008. Voice vote: Ayes, All. Nays, None. *The motion passed.*

Creve Coeur Map Plan and the Robinwood West CID:

Mr. Wojtkowski motioned that the Executive Director send a letter to Creve Coeur to amend their map plan by excluding all properties owned or leased by the Robinwood West CID and the Trustees of the Robinwood West Subdivision and the AmerenUE right of way. Mr. Ford seconded. Mr. Kenney asked if there were any conflicts with Boundary Commission rules and statutes that would prevent such a letter. Mr. Hamilton stated that it was covered. Mr. Ford suggested that the letter mention that there might be further recommendations up until the April 1, 2007 deadline. Voice Vote: Ayes, All. Nays, None. *The motion passed.* Mr. Ford stated to the attendees that even though the Boundary Commission is asking Creve Coeur to amend the map, there is nothing that says that Creve Coeur has to do that.

Mr. Kenney made a motion to begin the closed session of the meeting. Mr. T. Armstrong seconded the motion.

Matt Armstrong –  
Ted Armstrong – Yes  
Christine Bredenkoetter – Yes  
Bob Ford – Yes  
Frank Kenney – Yes  
Greg Kloepfel –  
John Schuster - Yes  
Mary Schuman – Yes  
Johnnie Spears – Yes  
Ed Thibeault – Yes  
Don Wojtkowski – Yes

9 in favor, two absent. *The motion passed and the closed session began at 6:58 p.m.*

Mr. T. Armstrong made a motion to end the close session. Mr. Kenney seconded. Voice Vote Ayes, All. Nays, None. *The motion passed at 7:48 p.m.*

Mr. T. Armstrong made a motion to move back into open session. Mr. Wojtkowski seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

#### OLD BUSINESS

There was no old business.

#### ADJOURNMENT

Mr. T. Armstrong made a motion to adjourn. Ms. Bredenkoetter seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.* The meeting was adjourned at 7:50 p.m.

Respectfully submitted,  
Michelle Dougherty  
Executive Director

Approved:  
January 23, 2007