

BOUNDARY COMMISSION
ST. LOUIS COUNTY, MISSOURI
MEETING MINUTES

February 24, 2009

ROLL CALL

Commissioners Present: Ted Armstrong, Christine BredenKoetter, Frank Ollendorff, Mary Schuman, John Schuster, Johnnie Spears and Don Wojtkowski (arrived 6:40 p.m.).
Commissioners Absent: Matt Armstrong, Bob Ford, and Greg Kloeppe

Commission Staff Present: Michelle Dougherty, Executive Director, David Hamilton, Legal Counsel.

Others present: Lori Fiegel, St. Louis County Planning Department

Chairperson BredenKoetter called the meeting to order at 6:36 p.m., February 24, 2009. The meeting was held in the 8th floor conference room at 41 S. Central, Clayton, MO 63105.

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. Spears seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

APPROVE MINUTES

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

REPORTS

Staff Report – Ms. Dougherty’s report was included in the monthly meeting packet. Ms. Dougherty stated she has been working with Kurt Silver to make the website even more user friendly and easy to find information. Mr. T. Armstrong stated he was very pleased with how the web site looks. Ms. Dougherty stated that the navigational improvements will make it even easier to get around.

PUBLIC COMMENTS

Lori Fiegel, St. Louis County Planning Department addressed the Boundary Commission. She stated that they had submitted the County Comments electronically to the Boundary Commission office that afternoon. And included in their report was a response to the Boundary Commission’s request for information on the cumulative impact of the annexations on the county. Ms. Fiegel wanted to bring to the commission’s attention that at the public hearing there were only two speakers who actually are from the annexation area. Ms. Fiegel also stated that she checked the names/addresses of the public comment letters in the Commissioners’ meeting packet. She found that none of the letters in favor of the annexation came from anyone living in the annexation area. They were all from outside the area. Ms. Fiegel stated that she received phone calls after the meeting telling her there was an e-mail sent all over the county making notice about this public hearing. Mr. T. Armstrong asked what sort of notice the people in the area received about the

public hearing. Ms. Dougherty replied they received postcards notifying them of the hearing. And press releases letting people know when it had been rescheduled for were also sent out. Mr. T. Armstrong stated that it was interesting that the commission had received neither negative nor positive comments from the residents in the area.

Mr. Ollendorff asked that those people who are saying they want the annexation to happen are not from the area? Discussion continued. Ms. Dougherty stated that it appears from the research that the people speaking at the hearing or who wrote in their public comments, either for or against, do not seem to be from the area targeted for annexation. Mr. Ollendorff asked for clarification on a section in the public hearing transcript where Mayor Lowery stated that many of those from the area who support the annexation are here tonight; Mr. Ollendorff asked if that was untrue? It was reiterated that the people who spoke or sent letters are not from the area to be annexed. Chairperson BredenKoetter stated that there was no way to prove the statement true or untrue because the Commission does not know the addresses of those sitting in the audience. She stated that those who spoke or wrote letters, except the two people mentioned earlier, were not from the annexation area.

Mr. T. Armstrong stated that in his experience at public hearings there is usually a large group who will stand up and say 'yes we are for it' or 'no this can't be done.' He continued that for there to be no comment from the annexing area has a big impact on him and seems very unusual. Mr. Ollendorff asked if the commissioners were thinking that because there wasn't any comment from the people in the area that they are opposed to it. Several commissioners responded that no that was not what they were saying. They just found it unusual to hear nothing from the people who actually live in the area.

Discussion continued. Mr. T. Armstrong said it was hard to know what the people want. Ms. Schuman remarked that for those who were actually at the public hearing, the room was filled and overflowing to the hallway outside. So it is very odd and peculiar to not hear from anyone in the area. Chairman BredenKoetter stated that there were a lot of city employees in the room and that the woman from the condo complex didn't even speak in favor or against the proposal, her concern was about two buildings being left out of the proposal and what happens to those people if the annexation is approved.

Mr. Spears asked if the Commission could have a sign-in list at future public hearings. Mr. Wojtkowski stated that the Commission's obligation is to reasonably apply the various elements of the best interest test. Mr. Ollendorff stated that it was his understanding that the Commission could not decide anything tonight as the public comment period wasn't even over and that the earliest they could decide would be at the March meeting. The Commissioners agreed with his understanding.

NEW BUSINESS

A. County MUNIS System. Discussion about the County's reimbursement policies and the new MUNIS system and how it has affected the Commission ensued. In September, the County changed its mileage reimbursement policies and exempted any local travel but as a courtesy was going to reimburse Mr. Ford his mileage to the Supreme Court oral arguments but not the mileage to the Public Hearings. Ms. Dougherty explained that it had been frustrating because she had filled out every form they requested of her but she

still had no explanation as to why she had not been reimbursed her own mileage. Ms. Dougherty explained that the normal procedure was for the Boundary Commission to submit invoices and the reimbursement would happen. In addition, Ms. Dougherty explained that since the new system has been in place the Boundary Commission bills have been paid extremely late or overpaid. Chairman BredenKoetter stated that what she would like to have changed is the Boundary Commission practice of the executive director financing the work of the Commission and waiting for reimbursement. Ms. Dougherty explained that she had been following the practices of the previous executive directors. The Commissioners agreed that the executive director does should not be paying for postage etc... from her own checking account and then waiting for reimbursement from the county. Chairman BredenKoetter requested suggestions from the commission on either petty cash or visa card or other method to avoid this in the future. Discussion continued.

Mr. Ollendorff made a motion to authorize the Executive Director and chair to open a Visa account with the Executive Director and Chair as authorized users. Mr. Schuster seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

OLD BUSINESS

A. BC0802 – Florissant “Area 13.”

Mr. Ollendorff asked Lori Fiegel about the impact of the upcoming census on areas like Florissant and the unincorporated county. Ms. Fiegel stated that it wasn't a monolithic event. She stated she would have to review all of North County. She said there are parts of North County that are growing because the population is getting younger but that she doesn't know the numbers for all of North County. She stated she does know that Florissant is an entitlement community so the threshold of 50,000 residents is very important. She stated that Florissant has grown its population mainly through annexations. Mr. Ollendorff asked if Florissant was going to lose revenue because it would show static or smaller versus the unincorporated county which would be growing. He stated that for many cities annexation is the only way they can grow. Discussion continued. Ms. Schuman stated that the Commission isn't charged with helping cities to grow but that annexations are a legitimate way for them to do so and that the commission has to review each case by applying the best interest test.

Chairman BredenKoetter also stated that the commission is still waiting to receive the information from Florissant that was requested of it at the public hearing relating to the promised improvements in earlier annexations.

Mr. Wojtkowski stated this annexation area borders the 63034 zip code (the Old Jamestown area of North County). It is one of the highest income areas in North County and the least dense. If the annexations continue to cherry pick areas with high density vs. low density areas within the zip code, St. Louis County is going to be left with fewer resources to manage many issues (e.g. watershed, topographical) that face the Old Jamestown area.

Chairman BredenKoetter asked why Florissant (in the Area 13) proposal jumped the natural boundary of Lindbergh Boulevard to pick up the golf range. BredenKoetter stated she had asked that question in the public hearing and Florissant responded that they had jumped it in order to continue annexations. Chairman BredenKoetter asked for further

understanding on what economic development the City of Florissant was referring to in the public hearing because the only commercial entities in Area 13 are the golf range and a bank. Mr. Ollendorff stated that a municipality can only control economic development that is within its boundaries. If it is not, there is nothing the municipality can do about it.

Chairman BredenKoetter stated that the homes in Area 13 are very nice, sprawling ranches. Mr. Wojtkowski stated that once you cross Coldwater Creek the transition from Florissant to unincorporated St. Louis County is quite dramatic and all very residential. Discussion continued about the Coldwater Creek watershed and the KARST topography study.

ADJOURNMENT

Ms. Schuman made a motion to adjourn. Mr. T. Armstrong seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.* The meeting was adjourned at 7:33p.m.

Respectfully submitted,
Michelle Dougherty
Executive Director

Approved: March 24, 2009