

BOUNDARY COMMISSION
ST. LOUIS COUNTY, MISSOURI
MEETING MINUTES

March 24, 2009

ROLL CALL

Commissioners Present: Ted Armstrong, Christine BredenKoetter, Bob Ford, Frank Ollendorff, John Schuster, Jack Schwartz, Johnnie Spears and Don Wojtkowski.
Commissioners Absent: Greg Kloeppe, Betty Humphrey

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 6:38 p.m., March 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. Ford seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

APPROVE MINUTES

Mr. Ollendorff made a motion to approve the minutes. Mr. T. Armstrong 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 met with the Budget Director, Lori Fiegel and two other representatives to get resolution on several of the Commission’s issues. She stated that she has the paperwork to fill out for a Visa Card; the MUNIS system installation is 99.99% complete; and all outstanding reimbursements to Ms. Dougherty have been paid. Ms. Dougherty stated that Paul Kreidler, Budget Director, did apologize for his lack of understanding about the Boundary Commission independent status during the budgeting procedure.

Ms. Dougherty stated the Election Board requested that the Boundary Commission provide certified that the maps and legal descriptions used by Florissant and Valley Park for the elections.

Ms. Dougherty also prepared Orientation packets for the new members of the Boundary Commission.

Chairman BredenKoetter welcomed Jack Schwartz to the Boundary Commission. Introductions and brief biographies were given by members of the Boundary Commission present.

PUBLIC COMMENTS

There was no public comment.

NEW BUSINESS

A. Lease Renewal

Chairman Breckenkoetter stated that the advertised per square foot price is \$26.50. Ms. Dougherty stated that the initial lease renewal rate offered was \$26.50 but that Sansone made another offer of \$26/sf. Ms. Dougherty stated that she had discussed resetting the base year and reducing the rate to \$25/sf with Sansone but that he was not to draw up any papers until after the Commission meeting. Discussion continued. The consensus of the Commission was to authorize \$22/sf.

OLD BUSINESS

A. BC0801 – Paddock Estates Summary of Decision

Mr. Hamilton passed out copies of the Summary of Decision and apologized that it hadn't been sent out via e-mail earlier. The decision of the Commission was to have the Commissioners review it for approval at the April meeting.

B. BC0802 – Area 13

Mr. Ford raised his concerns about Florissant's appearance to be on the fast-track for annexations yet didn't appear to have lived up to the promises they had made for previously annexed areas and would he be remiss in his duties as a Commissioner to recommend an annexation of an area to a community that hasn't appeared to follow through on its promises. That concern is what generated Mr. Ford's request at the public hearing for documentation on what Florissant has actually done for their previously annexed areas. Mr. Ford stated he had received a call from Mayor Lowery requesting him to call him. Mayor Lowery stated that if this is voted down by the Commission, he will have to get a petition and also told Mr. Ford that he was not responsible for the nasty letters that the Commission was going to get regarding his treatment at the public hearing. Mr. T. Armstrong stated that the Commission has nine months to review the proposal, so no action needed to be taken. Mr. T. Armstrong also stated that the Commission had yet to receive the requested documentation from Florissant.

Mr. Ollendorff asked for clarification on how long after the public hearing could the Commission receive the requested information. It was stated that the 21-day public comment period is for public comment, but that requested information is not bound by that deadline. Mr. Ollendorff asked if Florissant has given any information since the public meeting. Ms. Dougherty stated that Florissant has sent in the information regarding the Home Equity Assurance Program.

Discussion continued. Mr. Ollendorff asked again for information on changing population trends and future revenue projections in North County. Mr. Ollendorff stated that his perception is that Florissant's population is stagnant so the only way to increase revenue is through annexations. Mr. Ollendorff wanted to know if his assumptions were correct and asked Lori Fiegel could provide the information requested. He stated that if the County is growing and the only way Florissant could grow is through annexation, he would be more inclined to approve an annexation based on those growth figures. Mr.

Schuster stated that the logic Mr. Ollendorff was following regarding annexations was faulty because what would he do with those municipalities who are land-locked. Mr. Schuster also stated that the County provides municipal services to the unincorporated area and annexations reduce the revenue from which to provide those services. Several commissioners stated that they could see Mr. Ollendorff's logic but did not agree with it. More discussion followed.

Mr. Ford stated that another concern was the pro-forma statement included in the annexation proposal because it appeared that in a few years Florissant will be running a deficit. Mr. Ford stated he would not be comfortable telling someone that he thought they should be annexed by Florissant, when it appears they will be broke in six years. Mr. Ollendorff asked why should the Boundary Commission question the budget and financial numbers submitted by Florissant. Mr. Wojtkowski stated that the statutory responsibility of the Commission is to review the 11-factors Best Interest test and that finances are a part of the Best Interest Test. Discussion continued.

Mr. Ollendorff stated that his perception was that Florissant was a well-managed city and that they have said they go through their budget process every year and questioned why the Boundary Commission would question their financial abilities. Mr. T. Armstrong asked Mr. Ollendorff what were his questions. Mr. Ollendorff stated his questions were "Is it the Boundary Commission's business to evaluate the county's budget and is it the Boundary Commission's business to evaluate the budget of the annexing city?" Mr. T. Armstrong stated that speaking in generalities about Florissant's budget is not relevant. He stated that the evidence for the Boundary Commission to review is what has been submitted in their proposal and gotten at the public hearing. Mr. T. Armstrong stated if a Commissioner doesn't feel he/she has enough information from the proposal and public hearing, it is incumbent upon him/her to develop a list of questions so the information can be provided. Mr. Ollendorff stated he has all that he needs to make a decision.

Mr. Schuster asked about the letter from the trustee of Spring Creek Condominiums not being included in the proposal. Mr. Hamilton stated that the statute allows the Boundary Commission to have minor errors to be corrected. Mr. Schuster made a motion to ask Ms. Dougherty to send Florissant a letter to include the two parcels of the Spring Creek Condominiums (18 & 19) in their legal description and map. Mr. T. Armstrong seconded the motion. Voice Vote: Ayes 6, Nays 2. *The motion passed.*

ADJOURNMENT

Mr. Wojtkowski made a motion to adjourn. Mr. Ford seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.* The meeting was adjourned at 7:34p.m.

Respectfully submitted,
Michelle Dougherty
Executive Director

Approved: April 28, 2009