

BOUNDARY COMMISSION  
ST. LOUIS COUNTY, MISSOURI  
MEETING MINUTES

August 13, 2009

ROLL CALL

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

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

Others present: Lori Fiegel, St. Louis County Planning Department; John Hessel, Municipal Attorney for City of Florissant

Chairperson Bredenkoetter called the meeting to order at 6:30 p.m. and turned it over to 1<sup>st</sup> Vice Chairperson Ford to facilitate, August 13, 2009. The meeting was held in the 8<sup>th</sup> 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. 1<sup>st</sup> Vice Chairman welcomed Commissioner Sauerwein to the Commission.

APPROVE AGENDA

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

APPROVE MINUTES

Ms. Humphrey made a motion to approve the minutes as corrected. Mr. Wojtkowski seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

FINANCIAL REPORT

Ms. Dougherty stated the Boundary Commission is doing fine financially and has only expended approximately \$50,000 so far this year. She stated though there are some higher ticket items such as insurance premium that will be hitting the budget later this year. Ms. Dougherty stated the municipality fee account has a little over \$12,000 and that she deposited a check from Valley Park for \$1,644.36 for costs associated with processing BC0411.

REPORTS

Staff Report – Ms. Dougherty’s report was included in the monthly meeting packet. Ms. Dougherty stated the website is up and running with the new improvements. The functionality has improved greatly allowing for an easier time in finding map plans and proposals. Ms. Dougherty stated there was a new commissioner on board and that she was working with Lori Fiegel on pushing the County along with making replacement appointments and reminding them of the upcoming expiring terms. Ms. Dougherty reported that AmerenUE was really helpful in detailing the process in which streetlights are replaced or new ones put up. She stated she had driven around the areas detailed in Florissant’s supplemental material and noted that everywhere Florissant had said they

replaced concrete slabs, they did; and everywhere they stated there were streetlights, there were.

Ms. Dougherty stated she had copies of the documents that Committeeman Ted Brown had been faxing the Boundary Commission relating to the new county he wished to create if any of the Commissioners desired their own.

## PUBLIC COMMENTS

Mr. John Hessel, Attorney for City of Florissant, encouraged the Boundary Commission to approve the annexation proposal and let it go to the voters to decide. Mr. Hessel thanked the commission for their time and for the job they do.

## NEW BUSINESS

### A. 2010 Budget

1<sup>st</sup> Vice Chairperson stated that the 2010 Budget is a 4% decrease from the 2009 Budget. It does include the annual 8% retirement contribution and possible salary increase. Mr. Wojtkowski stated that the Budget committee has reviewed it and that it appears to be adequately funded in the various line items. 1<sup>st</sup> Vice Chair Ford stated the Budget Committee had prepared the budget in reference to it being the last year of the proposal cycle and anticipated similar proposal activity as in 2004. He urged the Boundary Commission to accept the budget.

Mr. Schuster made a motion to approve the 2010 budget. Ms. Bredenkoetter seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

## OLD BUSINESS

### A. BC0802 – Area 13

Discussion centered on the weaknesses and merits of BC0802. Mr. Wojtkowski stated that as an appointee of St. Louis County that he needed to share his bias. He stated that he has not been a fan of annexations because there are many people who choose to live in unincorporated St. Louis County because it is unincorporated; and that he believes the County and the residents of the County would be better served if the focus were on consolidation instead of annexation. However, Mr. Wojtkowski stated that his obligation is to avoid voting in his bias but to vote in fashion that meets the intent of the statute that created the Commission. He said in reviewing the best interest test and the data before the Commission there was little to convince him to not allow it to be placed on the ballot. He stated that his vote will be in favor of the proposal; and urged the members to follow the intention of the statute and to leave biases at home.

1<sup>st</sup> Vice Chair Bob Ford stated that he is a county appointee as well but that he is against the annexation for a couple of reasons. The statute asked that there would be natural boundaries. Mr. Ford stated that this proposal jumps across natural boundaries and picks up some parcels and that the explanation given at the public hearing by Mayor Lowery was that he needed those parcels for future annexations. Mr. Ford stated that it was his view that that intent was not to serve the people being annexed but to look down the line and see what else can be annexed. Mr. Ford stated upon reviewing the pro forma statement in the annexation proposal that it appeared the money was not there for the annexation, with revenues declining and with the money that they have and possibly be

running out of money down the road, therefore residents who would be annexed into Florissant it would be unfair to put them into that financial situation. Mr. Ford stated he would be voting against the annexation proposal.

Ms. Humphrey stated she was not at the public hearing because she was not on the commission at the time. She stated she has read and reviewed all the transcripts, the proposal and the reports. It appeared to Ms. Humphrey that Mayor Lowery's philosophy towards growing his city was by annexing something that already exists and taking from another entity, one jurisdiction from another. Ms. Humphrey was concerned that there were no residents from this annexed area that spoke in favor or against this annexation proposal. She stated she is not in favor of that kind of growth unless the people involved want to be in it. Ms. Humphrey stated she would be voting no on the proposal.

Mr. John Schuster stated he was also appointed by the County Executive to represent the incorporated area. Mr. Schuster stated he reviewed the 11-Factors Best Interest Test. He said it is obviously in the best interest of the city. However when determining if it is in the best interest of the people in the annexation area and the county, he finds the proposal lacking. Mr. Schuster stated it was his intention to vote no on the proposal.

Ms. Bredenkoetter stated her concern was that by skipping over Lindbergh Boulevard this proposal did not create natural boundaries and that its sole purpose was for future annexations. She stated that it appeared there was no effort to incorporate what they were trying to annex now and how that would work with the City's budget but instead looking to what they could get in the future. She was particularly concerned that they jumped Lindbergh Blvd to pick up a driving range that had no residents who would not be able to vote on whether they wanted to be a part of Florissant. She also stated that it was very disturbing that at the public hearing no person who lived in the area spoke in favor of the annexation. She stated there was one man who had questions about whether his daughter would have to change schools if the annexation passed. But that everyone else who spoke did not live in the area.

Mr. Kloeppel stated that he is a supporter of things going to a vote of the people, however, that as a commission they are bound by a statute. He reviews the proposals and makes lists and concurs with statements made tonight from both points of view. He stated that the county's revenues are down 10% and most municipalities' revenues are off 5-10% in the area and that concerns him. He stated his bias is to look out for the police. And since the last round of annexations, the City has disbanded their reserve police force and ended their DARE program. He stated that the Commission is bound by the rules and the statute, and even after weighing the 11-factors, it could be considered a toss-up. He stated he was concerned that no residents spoke in favor of the annexation. He stated that they had to consider what the ramifications of turning down the proposal; would the commission have to go through another Valley Park? He continued that regardless of the ramifications, the Commission had to abide by the statute and the 11 factors; and that if they didn't do that, then why does the Commission even exist. He continued that he isn't sure that the case has been made for the annexation, that he hates to take away an opportunity for the people to vote, but that the people haven't spoken and have had ample time to do so.

Mr. Ford made a motion to deny the annexation proposal BC0802 – Florissant Area 13.  
Ms. Humphrey seconded the motion.

Roll Call

Christine Bredenkoetter (was not called upon to vote. Letter explaining this oversight attached to minutes)

Bob Ford – Yes

Betty Humphrey – Yes

Greg Kloepfel – Yes

Frank Ollendorff -

Bill Sauerwein – Yes

John Schuster – Yes

Jack Schwartz – Yes

Johnnie Spears – Yes

Don Wojtkowski - No

*7 in favor – 1 opposed. The motion passed with 6 being required for it to carry.*

Mr. Wojtkowski stated that it is now important that there is exceptional rationale for the decision. Mr. Hamilton stated the Summary of Decision would have that detail.

ADJOURNMENT

Mr. Schuster made a motion to adjourn. Ms. Humphrey seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.* The meeting was adjourned at 6:54 p.m.

Respectfully submitted,  
Michelle Dougherty  
Executive Director

Approved: September 22, 2009