

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

**TRANSCRIPT OF  
BC1001 PLAN OF INTENT PUBLIC HEARING  
FLORISSANT “Area 13” ANNEXATION AREA**

**AUGUST 24, 2010**

**COMMISSION ATTENDANCE:**

<b>Commissioners</b>	<b>Present (P)/Absent (A)</b>
Bob Ford	P
Thomas Freesmeier	P
Betty Humphrey	A
Frank Ollendorff	A
Bill Sauerwein	P
John Schuster	P
Jack Schwartz	P
Kathleen Schweitzer	P
Don Wojtkowski	P

**OTHERS PRESENT:**

Michelle Dougherty, Executive Director  
David Hamilton, Legal Counsel  
Elizabeth Chostner, Legal Counsel

CHAIRMAN SCHUSTER: This is a Public Hearing for BC1001, the Florissant annexation proposal. This is identified as Area 13. Before we get going with the formal presentations, I'd like to give a little background on the Boundary Commission and how this evening's meeting will proceed. The Boundary Commission is an independent government body that reviews all boundary proposals ... all boundary change proposals in St. Louis County. The authority derives from State Statutes and St. Louis County Ordinance. The Commission is comprised of 11 members along with two staff members, our Executive Director, Miss Michelle Dougherty, and our Legal Counsel, Mr. David Hamilton. The eleven Commissioners are all appointed according to the following formula: four are appointed by St. Louis County Municipal League, four by the County Executive, and three are joint appointments of the County Executive and the Municipal League. The Boundary Commission meets monthly on a regular basis and then also whenever a public hearing is scheduled such as tonight.

Tonight's public hearing is informational, and it presents an opportunity for the city of Florissant and St. Louis County to explain and comment on the proposed annexation of Area 13. Public comment will be directed to the plan that's being discussed tonight. The Commission staff will be available after this meeting to answer any questions and to explain how we go forward from tonight. The Commission welcomes you to participate in the public comment section. You'll need to fill out a form and present it to Michelle, and we ask that you do that before the end of St. Louis County's presentation. The reason to do that, it just facilitates getting everybody's comments in order, and we will then be able to proceed smoothly. If you're speaking as an individual, you'll be allowed three minutes. If you're representing a group, you'll be allotted five minutes. The Commission will also take emails or mail comments for 21 days following tonight's meeting, and those emails or letters will become part of the public record.

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As a reminder tonight, there will be no decision made by the Commission tonight. We will review the information presented by both Florissant and St. Louis County along with the comments that we receive from the audience. The Commission then has nine months from the original proposed date which was back in June, June 18, so we have nine months from that date so the deadline for our action on whether we accept this proposal and move forward with an election or reject the proposal is March 18, 2011.

I'm now going to ask the Commission members to introduce themselves, state where they live, and the appointing authority. So we'll start with Don down on the end.

WOJTKOWSKI: Thank you. I'm Don Wojtkowski. I am a resident in unincorporated North St. Louis County off of Old Jamestown Road. I was appointed to this Commission by the County Executive.

FREESMEIER: I'm Tom Freesmeier. I'm a resident of the city of Florissant, and I was appointed to the Commission under the category of a population of 20,000 more in ... per city.

FORD: My name is Bob Ford. I live down in Oakville, unincorporated St. Louis County, and I'm an appointment of the County Executive.

SCHWARTZ: My name is Jack Schwartz. I live in Creve Coeur. I was appointed by the mayor of Chesterfield and the mayor of Creve Coeur.

SCHUSTER: I'm John Schuster. I live in Glendale, and I was appointed by the County Executive.

SAUERWEIN: My name is Bill Sauerwein. I live in Oakland, Missouri, and I was appointed by the mayors of small cities in St. Louis County.

SCHWEITZER: My name is Kathleen Schweitzer, and I was appointed by the County Executive. I live in unincorporated West St. Louis County.

SCHUSTER: Thank you all. We'll begin now with the city of Florissant's presentation.

HESEL: Thank you, Mr. Schuster. Let me introduce myself. My name is John Hessel. I have the privilege of serving as the city attorney for the city of Florissant. With us here this evening is Mayor Lowery. We also have Chief Karabas; Randy McDaniel, the Director of Finance; and Lou Jearls, the Director of Public Works, in the event that you have any questions that may be more appropriately be directed to them.

As many of you will recall, I have been before you before; in fact, I was before in 2008 in which the city of Florissant proposed an annexation of an area that included Area 13 as well as a small portion of what was part of Area 10. And I apologize to the members of the audience if you're having difficulty seeing the map. This just wasn't set up very well logistically for you, but if you can see, this map here is intended to show you the general proximity of the area that is the subject of the annexation proposal. There is a little area right there. It is not including Area 10; that's that white area that we previously included that is not included in this map. Hopefully, this one will give you more detail that will show the precise area that we are proposing for the annexation, and I'm sure all the members of the audience are generally aware of the area right along Lindbergh and covering the various subdivision areas. There's a small area that is zoned commercial right there. Obviously, when we came before you in 2008, one of the primary objections, at least as we understood it, was the inclusion of the driving range area that was included within Area 10. We've attempted to resolve that issue merely by eliminating that from the proposal.

The Area 13 consists of 721 people based upon the information we have from St. Louis County; 348 dwelling units. It is contiguous, as you can see, to the city of Florissant, both to the ... what I'll characterize as to the west and to the south. The golf course property is immediately adjacent to the area for annexation as well the property, as I said, immediately ... what I'm characterizing to the west. We

obviously thought before and believe again that this is a logical extension of the boundaries of the city of Florissant. We presented this to you in 2008 because we had received petitions from residents who were interested in that. We have continued to receive requests and information about how they could go about ... how we could go about an annexation proposal, so we're presenting that back to you again this evening. We obviously encourage any and all of the residents to come forward and voice their opinions one way or another because the Boundary Commission wants and needs to hear from all of the residents, and we asked them to do that. We proposed that this annexation is appropriate again because not only of the proximity but the similarities that you have. What we're trying to depict here in this ... in these photographs is the close proximity to the golf course and showing the residences that abut the golf course facility; and, as you will see, those residences are very similar to the residences that are in close proximity to the area of the annexation and the city of Florissant. Obviously, the Candlewick Villas are nearby. I can't cite to you any villas that are particularly comparable to that, but they easily assimilate into the kind of residential bedroom community that the city of Florissant represents. So again, we believe that the similarities in homes, the similarities in lifestyle lend this to a natural extension of Florissant's boundaries.

As far as the zoning is concerned, the property will effectively remain un-zoned ... excuse me ... unchanged from a zoning standpoint. As I mentioned before, it is mostly developed and you'll see that as far as St. Louis County is concerned, the property consists of ... oops, excuse me ... consists of R-6A, R-6 and C-2. We would be rezoning that property, the R-6A goes to R-6, the R-3 converts to the city of Florissant's R-3, the C-2 goes to a B-2 which are comparable. The only other thing is the St. Louis County has property that is identified as "flood plain, nonurban." In some instances, it's identified as "flood plain, R-3" and we've received some questions, I think from Michelle, when we submitted the Plan of Intent, about the differences between the identification of the flood plain NU and this flood plain R-3. We can provide to you the information that we took off of St. Louis County's website. In essence, it will show you that there's a very small area of what's referred to as "flood plain R-3." Again, it's really a distinction without a difference. We're prepared to talk about it if you would like. The city of Florissant does not have a zoning category characterized as "flood plain." We have an ordinance that addresses regulations with respect to flood plains like many communities, but we do not zone that a different cat ... the flood plain area as a different zoning category. So that would all be classified as R-3 subject to the Flood Plain Ordinance. Again, I suggest to you that that is a distinction without a difference.

From a revenue standpoint, the revenues estimated by the city of Florissant that would be generated by this annexation is approximately \$251,926 dollars. Now that money is really obtained as a result of the increase in the population. When you look at the revenue sources, you will see that the city of Florissant, like St. Louis County, does not have a real estate tax. So the source of the revenues is going to come from the increase in the taxes received by the city of Florissant as a pool city. The sources of the revenue are identified here including the Cigarette Tax, Gasoline Tax, Utility Tax, Sale Tax, and Vehicle Sales Tax. Those are all the same tax rates and the same taxes that the residents are paying today as part of the money is into the pool for St. Louis County. The city of Florissant does have a Park Sales Tax which is different than St. Louis County's, and the city of Florissant also has a Capital Improvement Tax which is different from St. Louis County's; but again, that's all based upon sales tax revenues so unless this annexation is going to somehow adjust someone's shopping habits, those will not be altered as well. So as noted on this ... on the chart here, area residents ... Area 13 residents ... are currently paying the Park Sales Tax and the Capital Improvement Tax whenever they shop within the city of Florissant. So that's not going to change, like I said, unless their shopping habits change.

We have identified within the Plan of Intent that the expenditures are comparable to the revenues. Please recognize that the identified expenditures are really based upon a pro-rata allocation of the existing expenses. There's no great mathematical formula when you arrive at that; you just take the population and you allocate it, and that's how you come out with those kinds of expenditures. But I will emphasize to you that we do not anticipate that we're going to have any additional expenditures in the fact of hiring staffing or things of that nature by virtue of this annexation so when you talk about the expenditures being \$251,000 dollars, that's just again the pro-rata allocation. The expenditures that we have identified that

would be particular and appropriate for this area include improvements to the streets in the amount of \$109,200, sidewalks in the amount of \$11,000, street lights in the amount of \$128,100; and as we indicated in our Plan of Intent, those would be expended for street improvement, sidewalk improvement, street lights, those would all occur over a three-year period, and we believe that the revenues generated by the annexation will certainly provide us with sufficient revenues in order to accomplish that over a three-year period. So again, we don't believe there will be any negative impact to the city whatsoever from an income and expenditure standpoint, and we anticipate honestly that the amount of revenues that we achieve by virtue of the annexation will be allocated back within three years for the things that we talked about and after that again as time goes on, it's impossible for us to project exactly whether or not there will be additional expenditures that have to go to streets or whether or not there will be ... if I can call it some savings or gains to the city. And again, this chart is just identifying the typical real estate tax bill, a \$1,000 ... excuse me ... a \$100,000 dollar assessment. Again, there is no difference between what the citizens are doing today and what would occur after the annexation.

And what we're really bringing forward this annexation to benefit the residents is the ... the citizens will have an opportunity to take advantage of the services that the city of Florissant can provide to them. And my comments are not in any way intended to be a criticism of St. Louis County. I have the greatest admiration and respect for St. Louis County and all the good people that work for St. Louis County and the services that they provide. What we're offering to the citizens within Area 13 we believe is an opportunity to have more direct contact, more direct impact within your community. Some of the services that they would be able to take advantage of are the senior services that the city of Florissant offers, the Florissant municipal services ... and again, this is not a criticism of St. Louis County municipal police services; they do a great job, St. Louis County police does, but we have 88 sworn police officers in addition to 24 civilian support officers. We believe that we will be able to provide the citizens, as I said before, more direct, more immediate service through police service and that's one of the advantages that we think we bring. In addition to that, as we mentioned, not only the golf course, but we have numerous parks and recreation facilities that are within almost walking distance but certainly driving distance for the residents, and we would like to make all of those amenities available for them as well.

Like St. Louis County, we offer our Public Works Department to provide them all the help, the building, the street, inspections, engineering, things of that nature. Again, we believe that because they will have more impact and immediate contact with the city of Florissant that that will be advantageous to them.

In addition to that, like most municipalities and like St. Louis County, we have the sewer lateral program that provides a program so that if your sewer lateral breaks, that will be repaired.

One aspect that the city of Florissant does offer that is unique to the city of Florissant is known as the home equity assurance program, and under that program any citizen of the city of Florissant can come in, have their property appraised, participate in the program, and if they sell their property and if, in fact, the property sells for less than the appraised value, then the city will make up the difference. I've represented the city now for some 22 years and my understanding and Randy and others can verify it, I think we've had one claim in that time period. The program is funded. The program is available to the residents, and I think that's a unique program that's a distinct advantage for all of the residents of the city of Florissant and those that could be annexed into the city of Florissant.

Following the 2008 proposal, some questions were raised about the city's overall financial conditions. I suggest to you that the concerns that were raised were based upon limited information and perhaps arrived at an inaccurate conclusion. The city of Florissant, like all municipal bodies, has financial challenges, there's no question about that. But I suggest to you when you examine the financial condition of the city of Florissant, the city of Florissant is better than most and certainly not worse than anyone else and I mean, again, no disrespect, certainly not any worse than St. Louis County. There was comments about the use of reserves. Again, I think there was a misunderstanding about the city's reserves. The city had more than sufficient reserves, and I hate to characterize that because you can never have too much savings and that's really what reserves are. But the administration made a conscious decision to utilize

those reserves in a particular manner; it was by design and it was intentional to use those reserves without making cuts so that over a period of time you could adjust your spending and adjust your staffing requirements gradually so you wouldn't have to cut back services or cut back spending. You could utilize the reserves and then as staff retires and things of nature, you could eliminate that way some of the expenses, and the Administration as well as the City Council through the budgetary processes tried to do it's best to limit spending and stay within their means. And again, I suggest to you that that is not an issue at all as far as we are concerned with respect to the annexation proposal.

I know that the interest of the city of Black Jack is certainly something that should be addressed as well. I suggest to you that when you look at the map, and I'll just use this one as an example, this area, the only point of contiguousness is right there, and I'll characterize that as what, the southwest portion of the annexation area? I have not tried to calculate whether or not that meets the requirement for being contiguous to the city of Black Jack, but I suggest to you that it does not, and I know that the Mayor is here, and he will certainly address that himself. But as we view it and, again, one can easily argue that we're viewing it not objectively and somewhat for our own personal needs, we don't believe that this annexation will in any way negatively affect the city of Black Jack. Similarly, we don't believe that this annexation would in any way negatively affect St. Louis County. I know there was discussion about that in 2008 when we made the prior proposal to you, and I know there were comments made by the Boundary Commission about "Well, this one may not in and of itself cause any problems to St. Louis County, but when you take the totality of all the annexation proposals that are coming for St. Louis County, maybe it would." And again, you have good counsel. I certainly will defer to him in advising you, but I suggest that we should look at this proposal on its own merit, so when you look at it on its own merits, we don't believe that this annexation proposal will in anyway negatively impact St. Louis County and, again, I know Lori's here and St. Louis County's here to make a presentation, and I'm sure they will address that themselves.

I think I've addressed all in a general fashion, all the points that were set out in the Plan of Intent as well as the comments that we received in 2008 and 2009. Do you have any questions of me or members or members of the staff who are available here to respond to any questions that you might have? And I thank you very much.

CHAIRMAN SCHUSTER: Thank you, Mr. Hessel. We'll now ask the Commissioners if they have any questions, and we'll start with Commissioner Wojtkowski.

WOJTKOWSKI: Are you going to start with me all night?

CHAIRMAN SCHUSTER: Yes.

WOJTKOWSKI: I do have a couple of questions, John. As you know, our charge is to really apply what's called the best interest test to the annexation and that, in general, is that we find the annexation to be in the best interest of the area being annexed, the best interest of St. Louis County, and in the best interest of the city applying for the annexation. We ... your Plan of Intent indicates that it's your intent to make somewhere in the area of three quarters of a million dollars' worth of capital improvements in the first three years. Roads, lights, curb cuts, et cetera. Your Plan of Intent also indicates that that will be funded out of the capital improvement portion of the sales tax. Now, since there is retail establishments in this annexation area, that three quarters of a million dollars is going to be drawn from the existing capital pool available to the city of Florissant. Can you perhaps describe how you rationalize that, that three quarters of a million dollars coming from the capital pool, which is no longer going to be available to the existing city for capital improvements, how is that in the best interest of the city of Florissant?

HESSEL: Again, I may need to call upon Randy McDaniel to clarify things, but, again, Don, I think what we're talking about is we have a pool of funds that are generated from the capital improvements sales tax funds. Those are continuing to go on each and every year. The same token, as I identified previously, by virtue of this annexation we will be receiving additional funds because of the increase in population as a result increases then to the cigarette tax, the sales tax, all of those other

taxes. Now, could we use some of those funds that end up in the cigarette tax, the sales tax, and I've forgotten, the gasoline tax, and all those other tax revenues ... could we use those for these capital improvements? Well, the answer is we could if the City Council elects to take some of those funds out of general revenue and allocate them over to a particular street project whether or not it's in Area 13 or whether or not it's somewhere else within the city. They're certainly entitled to do that. What we're trying to represent to you in the Plan of Intent is we believe that there will be sufficient funds within our capital improvement tax fund not only to do these improvements over three years but to continue to do all the other capital improvements within the city without any negative impact to any other area of the city. So we think that we are improving the city by including additional residents, bringing them into the city of Florissant so that we are no longer just neighbors, we are also all members of the same community. And from a financial standpoint, again, it sort of balances itself out during, we believe, during the first couple of years and after that, hopefully, there will be advantages to the city as well as to the residents within Area 13 because of the increased revenues, not really within the capital improvement tax, because, you're right, Don, that source of revenue is not being directly increased by virtue of the annexation because, again, the shopping habits I don't think will be altered any. It's the receipt of monies from other sources that allow you to balance out those two, and as I said at the outset, to me it's whether or not I take money out of my right pocket or my left pocket, I've got money there to do what's necessary.

WOJTKOWSKI: Well, of course, my concern is that you're not going to be deferring work within the existing city of Florissant in order to fund a promise associated with this annexation.

HESSEL: Right, and all I can tell you is we haven't done that, we wouldn't do that. This is not a situation where you're robbing Peter to pay Paul because that doesn't benefit the city. Again, the idea is that we're generating additional revenues to allow us to accomplish any number of things. And, again, when you look at the expenditures that we've ... take out the capital improvements and that we've identified. We've identified \$251,000 dollars' worth of expenditures each year. As I said before, that's simply a mathematical pro-rata allocation of existing expenses to that area. So we're not really incurring those additional expenses, it's just saying that if we want to look at this on balance, we've collected ... \$250,000 is what we're anticipating ... so we'll allocate that towards other accounts ... administration, all of those kinds of things we identified in our Plan of Intent. Those aren't going to change because we're not hiring additional people within the municipal court system or within the finance department or even within the police department. So those are additional revenues that are coming in without any additional expenses. The only additional expenses are the ones that are going to go to streets, and street lights, and sidewalks, and that question is whether or not you take them out of capital improvements or whether or not you take them out of some other account. We believe that capital improvement is the appropriate account because that's exactly why we have that account is for capital improvements. So any time we identify an expenditure that's going towards streets and sidewalks and street lights, we're going to identify that it is our intention to take them out of capital improvement fund because that's where it's supposed to be taken out of.

WOJTKOWSKI: Okay. May I ask another question, Mr. Chairman?

CHAIRMAN SCHUSTER: Certainly.

WOJTKOWSKI: Okay. This one is sort of a strategy thing, and you have to help me along on this because, you know, being a North County Polack, I'm a little slow.

???: I know better.

WOJTKOWSKI: But an understanding in the current economic times that most all municipalities are struggling. We all have budget concerns. We don't see things recovering for a while. And I guess from a strategy standpoint, my big question is "Is now the appropriate time to be considering expansion other than looking at ways to become more efficient?" So, I don't even know if that's a question that can be

answered, but maybe someone within the city of Florissant can maybe clue me in on ... on how an expansion strategy in the current economic times is a prudent strategy for the municipality?

HESSEL: Reasonable question, Don, and I'll do my best to address it recognizing that I didn't have a vote when it came to the Administration making the decision to propose this annexation to the City Council nor do I have a vote on the City Council. I'm just the lawyer that gives legal advice. Right, just the dumb lawyer that's sitting there ... but I do listen and I do pay attention ... and I suggest to you that the strategy, just as it was in 2008, is that this is an area that has expressed interest in the city of Florissant from a pure economic standpoint. It is not neither a win nor a loss, I'll put it that way, but in overall, if you can bring additional members who express a desire to come into your community, that's a positive thing. And when you look at it from a pure dollars and cents standpoint, it made sense both to the Administration and the City Council to present it to the Boundary Commission, and the idea of expanding ... again, let's be honest about it ... the idea of expanding makes sense when you're a pool city because the more citizens you have within your community, the more revenues you're entitled to receive from the pool. Now, granted 791 citizens is not a lot of money; it's not going to make a significant difference, I suggest neither to St. Louis County nor to the city of Florissant, but in the long run, we believe it's the right thing to do, and we hope that the citizens within Area 13 think it's the right thing to do.

WOJTKOWSKI: Thank you. No further questions, Mr. Chairman.

CHAIRMAN SCHUSTER: Tom.

FREESMEIER: No questions.

CHAIRMAN SCHUSTER: Commissioner Ford.

FORD: Me, John?

CHAIRMAN SCHUSTER: Yeah.

FORD: Okay. On page 5 of your Plan of Intent regarding expected revenues and expenses of the area to be annexed, you make note of the street repair that Don touched on ... estimated cost at the same time as quoted in the last annexation attempt, you also state those costs were to be budgeted over more years. Are those accurate estimates considering the five-year span from the last expansion effort to two years ... over three years would be a five-year span. Are those accurate? I mean, prices increase.

HESSEL: Actually, in my experience in the cities I represent on those kinds of things, prices have not been increasing very much. In fact, in a lot of the bids that I have been involved in in the four cities that I represent, the bids have not gotten worse, they've gotten better from a financial standpoint, but I'll defer to Lou Jearls.

LOWERY: I think most of you know me, Mayor Robert Lowery, of Florissant. I think right now what we're seeing is the buying as far as the municipality is concerned, St. Louis County, Black Jack, anyone that's buying right now, we're seeing a very much lower price coming in as the result of the people needing business. And I'd also like to make a few comments, if I could.

The first comment I'd like to make is that the police are now at 91 not at 88, so there's going to be two additional police offers on a grant for three years, so we've increased the number of police officers. So please make that correction. And I want to say as far as the police are concerned, in order for the police to patrol this area, it's very easy for them to patrol it because they have to leave one area of the city of Florissant, travel through this area to go to the golf course, which 80 percent or better is in the city of Florissant with some part of it actually in the city of Black Jack, but the vast majority of it was given to us, quite frankly, on consent by the County Executive and the County Council. So 80 percent of that golf

course was on a consent annexation. So we border the ... we actually border ... and that was under Mr. Westfall's administration, we actually border on two sides here. So actually to get up there to answer calls in the area that we patrol, we have to actually go through this area, so the police are going through it as does any other of our departments that find it necessities [stet] to go through there. Thank you.

[inaudible]

FORD: Yeah, I believe so. In the Plan of Intent Florissant's general operating fund showed audited losses for 2007-2009 almost two and quarter million dollars. You touched on that in your presentation. And further shows additional loss of \$300,000 in 2010 budget. According to your Plan of Intent, the proposed annexed area will have as much expenses as revenue, why would it benefit the residents of Florissant for this annexation?

HESSEL: I think that Don asked a similar question, and I hoped that I addressed it, but we have the opportunity for people to come into the city of Florissant who have expressed an interest. We have certainly the willingness to provide these services. When you look at it, as I said, when you allocate the expenditures, that's just a pro-rata allocation of expenditures that exist today.

FORD: Okay.

HESSEL: Those are not going up. Now ... and your prior point was understandable, Bob, that we are also allocating additional revenues over a three-year period to our streets, sidewalks, street lights, and again, that's about a quarter of a million dollars if my memory serves me, correct?

FORD: Yeah.

HESSEL: So over a three-year period, we've got \$250,000 dollars that are going to be direct expenses into this area. The rest, the other \$250,000 that we've identified, those are just the pro-rata allocation. As I said before, we're not adding ... you'll see in the chart ... the expenses are allocated towards municipal court services. We're not adding anybody new to the municipal court service for this annexation. We're not adding anybody to the police department for this annexation. All we did was take the allocation of expenses as if they were in the city and say, "Okay, here's how from an administrative overhead standpoint, here's how it would be allocated."

FORD: For this size of area then?

HESSEL: Okay.

FORD: Okay. I understand that now.

HESSEL: And I apologize if that's not clear.

FORD: No, no, that's fine. Touching on the city's ... the streets and the street repairs and the like and the sidewalk cuts, is that reflected in your expenses or is that just a separate note because I don't see anything balancing ...

HESSEL: [Talking over Ford] I think that's an additional, Bob. As I read it, I think that's an additional, but I'll defer to Randy as well.

JEARLS: Yes, we did ... for the record, my name is Lou Jearls, Director of Public Works. On page 7 of 19, we make the comment that the city will obviously have to provide additional revenues to do the streets and that, but like Mr. Hessel says, the money is there to do those repairs. We're not adding any people or supplies or projects to other departments so, yes, that money is reflected in there.

FORD: Okay. After last annexation attempt, you all put before the voter a fee increase on the ballot, and it was voted down. When that ballot issue was voted down, how did the city adjust its spending to compensate for that not-increase of revenue for lack of a better term?

HESEL: Again, I'm not sure that we needed to adjust the not-spending any differently than what we had anticipated in that, as I said before, the idea was as you [inaudible] gradually handled the expenditures through reduction in staffing and to the extent that you can, reduction in some kinds of services. So that's what we have attempted to do while still maintaining the quality of the services that are being provided. Again, Mayor, if you want to address it.

LOWERY: Yes, I think the election that you're referring to was to change the fees in the city of Florissant. It was my recommendation to the City Council; for example, a beautician only pays \$3.00 dollars. This has been in existence for about 40 years in the city of Florissant. It's never been adjusted. I asked the City Council either eliminate the \$3.00 dollars or up the fee because it takes more time and effort on the part of the staff to handle those types of things. So it wasn't something ... we needed to clean up the books with it is exactly what it was. It wasn't a major fund raiser as far as taxation was concerned.

And as far as this annexation is concerned, all cities, in my opinion, should always be looking for progress. In my opinion, this is progress. This is one community in where one community looking to solve the problems together and I would welcome these people into the city of Florissant as would, I think, the majority of the City Council. Thank you very much.

FORD: I believe you stated earlier ... I just want to clarify ... you have not lost any manpower in the police department. It's still the same as it was.

HESEL: Actually, the Mayor's pointed out that we've added two people.

FORD: From that, but two years ago was it that number or was it ... did you drop and then come back or ...

LOWERY: No, no. We actually added some police officers. We added ... Chief, I'll have you correct me ... I think we've added three police officers and now we're going to add an additional two if it's accepted by the City Council from the federal government for three years. They're going to pay their salary, their benefits, and for all their equipment.

FORD: So over the last five years, you've added five people. Is that right?

LOWERY: Yes, yes, sir.

FORD: Okay. Thank you. Did the City Council increase the utility tax since the last annexation attempt?

HESEL: I think we did. It went up to 7 percent. From 5 to 7.

FORD: Yeah, your presentation indicated that St. Louis County and you both were at 5 percent, but your Plan of Intent showed that you are at 7 percent.

HESEL: Thank you for pointing that out. If that's the case, that's inaccurate.

FORD: Okay. In your Plan of Intent under the Best Interest of Florissant, you cited and I quote "We wish to prevent adverse land development and improper land usage along adjacent commercial/residential areas." Can you cite any area where this is happening now?

HESSEL: Immediately adjacent to this property area? Bob, I don't know that I can. Well ... I'm trying to answer this without being derogatory towards some of the property. There were certainly some properties over ... again, this is me speaking, not the city council, certainly some properties over off New Halls Ferry near Parker ...

FORD: So there is [stet] areas of concern to Florissant?

HESSEL: ... that we annexed with the clear intention to try to ... again, I mean no disrespect to St. Louis County ... but to do a better job in trying to improve the commercial businesses that were in there as well as the nature of the operations that were there.

FORD: But this concern wouldn't necessarily disappear even if you annexed this area, right? Because it would always be a concern about your boundary no matter where your boundary is?

HESSEL: I guess one could say that, but I'm not sure that I would agree with it, but ...

FORD: Just curious, what's the percentage of vacant houses in Florissant, do you know, currently?

HESSEL: I don't know.

LOWERY: I would suggest to you that we have right at the present time of vacant houses out of about 22 ... 22,000 living or dwellings, we have about 700 right at the present time. That's not unusual.

FORD: Okay. Thank you. Mr. Chairman, I believe that's all I have at this time.

CHAIRMAN SCHUSTER: Okay. Thank you, Mr. Ford. Commissioner Schwartz.

SCHWARTZ: Mayor Lowery has answered my question.

CHAIRMAN SCHUSTER: Thank you. Commissioner Sauerwein.

SAUERWEIN: Yes, I have a few questions. One of the factors that we consider as a Commission I'd ask that you address is the proposed time schedule where the city of Florissant will begin providing services to the annexed area after the annexation. What are the city of Florissant's plans as to providing services if this annexation was approved?

HESSEL: I understand it would be immediately as soon as the effective date of the annexation takes place. That's what we have done with all the annexations that we've had.

LOWERY: Meeting with the department heads and briefing the members of City Council as best we can, we're prepared to do this immediately.

SAUERWEIN: Okay, and that's true ...

LOWERY: It's not going to put a big ... any stress on any of our departments, especially the police department and public works. We can handle this. This is not a big area. This is not a big area at all and it's more or less surrounded by the city of Florissant.

SAUERWEIN: Okay, and that may have answered my second question also. One of the factors that this Commission found significant when Area 13, the former Area 13, was raised before this Commission as an area for annexation, was would the provision of these services to the annexed area diluted ... ?

[END OF TAPE]

LOWERY: ... police department go through this area, and with other services, I have to go through there and everyone else has to go through there to go to our golf course, which is located off of Old Halls Ferry Road, and again, I noted that the mayor of Black Jack is going to say part of that is in the city of Black Jack, and it is, but 80 percent of it's in the city of Florissant so we have to take care of that area. We have to provide police protection. We have to provide service to it as far as public works are concerned. So I don't think this is adding any stress at all ...

SAUERWEIN: Okay. Thank you.

LOWERY: ... to any degree.

SAUERWEIN: One other question. One other thing this Commission also found significant at the last hearing concerning the former Area 13 was that no resident from that annexed area showed up to speak in favor of it. Do you expect that today at this hearing we'll hear from some residents?

LOWERY: I don't know to be quite frank with you. I am talking to some people in the audience; they're in favor of this annexation, but they have not signed up to speak, and they have called me. Now let me ... let me give you a gauge on how it went. There's about 700 people in this area. We did an offer to these people ... this lady sitting next to me is one of them ... to use our facilities for six months to see if they really liked the city of Florissant. Surprisingly, about 260 residents from this area to be annexed signed up for six months and according to her, and I don't want to mischaracterize her statement, it was a wonderful experience.

SAUERWEIN: Thank you. All right. That's all the questions I have.

CHAIRMAN SCHUSTER: [inaudible]

SCHWEITZER: I do have a few questions being one of the newest members of the Commission. I noticed in the financial projections that ... and correct me if I'm wrong ... it would appear as though the estimated revenues are derived from that revenue which is lost to St. Louis County; the numbers are exactly the same. Yes? You have a chart listing cigarette tax at 21.13 ...

HESSEL: [inaudible]

SCHWEITZER: So that's where those revenues are coming from. Okay.

LOWERY: The revenue projections the same as St. Louis County are predicated upon the population. The people will pay no more tax as far as that's concerned so we will get the ... as the number of people are transferred into the city of Florissant, the taxes would automatically go to the city of Florissant and not St. Louis County. We have no property tax, and we have no real estate tax in the city of Florissant. So, I just wanted to answer your question. Thank you.

SCHWEITZER: Okay. So there appears to be on the chart, for example, sewer lateral insurance fee and it appears that prior to annexation the sewer lateral insurance fee is \$28.00 and year and afterwards, it's \$50.00 a year? Is there a reason for the difference?

HESSEL: Apparently St. Louis County has a sewer lateral fee of \$28.00 and the city of Florissant as a sewer lateral fee of \$50.00 ...

LOWERY: The sewer lateral fee in the city of Florissant stands right now at \$50.00. It is my recommendation and the Director of Finance is here, and I have recommended, and I intend to recommend again to the City Council that we reduce that to \$20.00 and we can do this for at least 10 or 12 years into the future, and I think that the figures will hold very strongly. So we want to give back money to the people. In this day and age, that's almost unheard of, so we're giving taxation back, and I mean to

the residents right now in the city of Florissant, so if they follow my proposal, which I don't know whether they will or not, that's exactly what I want to do.

SCHWEITZER: And I just have one more question. On the list of services, page 9, the street lighting ... and everybody's kind of talked about the increase in street lighting and per the proposal the city of Florissant has a higher level of lighting standards, I guess, than St. Louis County, and so on the list of services, street lighting is listed. The current provider of that is listed as "Individual Cost" so I'm assuming that the existing residents pay their own, the subdivision pays electricity for their street lights. Yes? No?

????: [inaudible] St. Louis County, yes.

LOWERY: St. Louis County does not pay for street lighting.

SCHWEITZER: Right.

LOWERY: The city of Florissant pays for street lighting.

SCHWEITZER: And that's why I have the question. In the column where the "Proposed Provider" was, it indicated Florissant in-house and individual cost, so I was confused.

LOWERY: We pay for lighting in St. Louis County. For example, we just put in lighting in Paddock Estates, more lighting of an area that was annexed and approved by this Commission, and they're very, very happy with the city of Florissant. Not only for that reason but for services we're providing.

SCHWEITZER: So the "Individual Cost" is an error then in the list?

LOWERY: It's an error.

SCHWEITZER: Okay. Thank you. That was all of my questions.

CHAIRMAN SCHUSTER: Are there any other questions from the Commission?

FORD: I've got one more.

CHAIRMAN SCHUSTER: Okay.

FORD: Mayor, you indicated that there was no more tax increase for residents if these people were annexed, but there is an additional utility tax, correct? Okay. I just wanted to make sure that was clear.

SCHUSTER: Any other questions from the Commission? Does that conclude your presentation?

HESEL: Yes, sir, it does. Thank you.

SCHUSTER: Thank you very much. St. Louis County. Before Lori begins her presentation, a reminder to the audience, if you wish to make a public comment, we need you to fill out a public comment form and turn it into Michelle Dougherty, who is at the back table, before ... prior to the end of Miss Fiegel's presentation. And that's only to facilitate the comments section so your cooperation would be appreciated. Lori.

FIEGEL: Right. Good evening, I'm Lori Fiegel. I'm a planning manager with St. Louis County's Planning Department, and I'd like to recognize ... with me tonight is my director, Glenn Powers, the director of planning; Justin Carney, who is a senior planner on my staff, who is assigned to North County

and is familiar with this community. We have the captain of the First Precinct, the North County Police Precinct, Captain Doyle, and I believe Councilman O'Mara is also here this evening. Thank you.

What I would like to do is provide a ... sorry, technical difficulties. What I'd like to do is just give a brief overview about St. Louis County services and then talk a little bit more specifically about the annexation area. As you know, many of you know, St. Louis County is a very unique county in the country. We are a large county of a million people, but we are also a local service provider to a third of the county. Over 300,000 people live in the unincorporated areas so in many ways we act like a very big city. We also contract with 90 percent of the municipalities, although I will point out that Florissant is not one of them. Florissant, a large city, that provides many of its own services, but many, many communities contract with the County for services. We do offer a full range of services to unincorporated areas very similar to what many other cities in the County provide, so street services, police, snow plowing, inspections, planning and zoning, parks, mosquito control, human services, economic development. We have a county older resident program that drives people to the doctor, the grocery store. So many, many kinds of programs are offered in the County.

We don't expect everyone to come to Clayton. We have three satellite government centers throughout the County and we do have a North County Government Center that is bigger than most city halls in terms of staffing. So over at Village Square, we offer a full range of services as we do in South County, West County and Clayton.

Our County Police are one of our finest assets. They are a large department; they have over a thousand personnel. They are internationally accredited, but this year they actually have the distinction of being one of only seven agencies in the entire country to be triple accredited. It is really an incredible distinction that they have. In September of '09, we got a new police chief, and he began a reorganization plan of the police department that added 38 additional officers to the street so we didn't necessarily increase the force but reorganized to get more folks out of the office and into the communities.

Our First Precinct is located in North County. We have 127 commissioned officers, and we do a full variety of programs with the police. We have a very strong neighborhood policing philosophy. We have an assigned officer, Craig Molden, for those of you in the audience who might know him. We do DARE, we do Citizen's Academy, so we do a full range of neighborhood policing services.

We also have a North County Highway Center that has 35 employees, and we do all the routine types of road services that you would expect.

We do a full range of code enforcement. We have a very proactive code enforcement approach. I'll talk about that a little bit more when I talk about the annexation area. We have the sewer lateral program. We have a full re-occupancy program and all the other usual kinds of zoning inspections and property maintenance inspections.

We did institute a new trash program for St. Louis County and this is where we act as both a regional county-wide provider where we passed an ordinance that required all the municipalities as well as providers in the unincorporated area to provide recycling so we now have mandatory recycling in St. Louis County, and we started a trash districting program in the unincorporated areas.

We have about twelve hundred acres of county parks, and for those of you who haven't been to the North County Rec Complex off of Redmond Road, we've done a major, major improvement there. We took out an old ice skating rink and put it gyms and new facilities and walking trails and fitness equipment and it's quite a nice facility ... just opened recently.

In my department, we provide your standard zoning, subdivision and development activities, but we also have a strong emphasis on neighborhood services and providing assistance to neighborhood associations and subdivision associations. I'll talk about that a little bit more too.

Our philosophy is that we have a very professional staff at the County. We have a customer service division. We try to be accessible. Our County Executive instituted a very strong customer service program that you always get a live person at county government. We are a big government. We know that. We do want to get people to the right place so we try to do a lot of hands-on customer service.

To talk about the annexation area, I won't spend too much time because our numbers ... the Planning Department provided the numbers to the city of Florissant so hopefully they're compatible. I do want to talk about since we are the service provider, we do have statistics, like the crime statistics, the number of calls for service, those kinds of things. We'll be providing that information to you in the report that we'll be giving to you in the next several weeks. The crime in the area is relatively low. The crime in the ... crime rate in the North County Precinct has actually declined ... I think it's over 13 percent overall this past year and almost 6 percent decline in serious crime, and Captain Doyle can speak more to that if you have questions on that issue.

When we do property maintenance, we do both proactive property maintenance as well as responding to complaints. Our property maintenance staff every single year looks at all properties, all the residential properties in the county and actually gives them a condition rating. So they have been through this part of the County earlier this year and rated the area and they keep statistics on all of this so it was noted that the majority in this community received a very high rating in terms of their property conditions. We've had 14 violations to date in the community and seven of those were called in by residents to complain. And most of them are your typical neighborhood issues: the grass gets high or somebody has an unlicensed vehicle parked for a long time. So they're kind of typical residential issues.

We do rate all of our streets, and the streets in this area do vary in terms of their condition from very good to only fair so we do know that there is a diversity among the infrastructure in the neighborhood.

We do have a contract with IESI for trash service. In the past people individually contracted with trash haulers. We now have one hauler; that has helped reduce the truck traffic and the cost and has been a very successful program so far.

One thing I want to talk about because it's close to ... near and dear to me and my staff ... is the kinds of services that we provide to neighborhoods and we have a program in South County and North County where we do very hands-on close-to-home services where we literally knock on doors, talk to folks, do neighborhood clean-up, do neighborhood newsletters, get out and talk to the residents. It's a program, it's a neighborhood services outreach program. We've been doing it since 2005. See, we've been in this community talking to people, organizing community clean-ups, just a variety of kinds of activities. We've worked with the Spring Creek Condo Association. We've knocked on every door in Sunland [sounds like] Hills. We've dealt with some development issues at Candlewick Village, and so we have been active in the neighborhood. And just because some of us are in Clayton doesn't mean that there isn't government close to home that is involved in the neighborhoods. We have a property inspector that is specifically assigned to this area. We have neighborhood policing officers that are specifically assigned to this area. We have planning staff that are specifically assigned. So we do get in the community and get involved.

Some of the tax rate issues were discussed earlier so this just kind of reiterates. There is a difference in the sales tax. It is true that that does not make a difference usually in people's shopping patterns. I would want people to know, however, that when you buy a car or a boat, your sales tax is based on where you live not where you buy the vehicle so if you have a higher tax rate ... if you were to buy a \$20,000 dollar car, you'd pay \$100 dollars more if you lived in Florissant than if you lived in unincorporated County. Now people don't go buy cars all the time and every year, but that is just something to make note of. There is a difference there.

We've talked about the difference in utility taxes. St. Louis County's utility tax is capped at 5 percent by statute. We cannot raise our utility tax. That is not the case for municipalities. There are municipalities ...

it ranges in the County from zero utility tax all the way up to, I believe the highest in the county is about 11 percent. And we talked about the difference in the sewer lateral program.

When we talk about the revenue losses, there are taxes that are affiliated with, you know, being unincorporated that do transfer. We will talk about it more in the report that we submit than here. But it's not a one for one ... the city's gain and the county's loss is not exactly the same so you will see some differences because tax rates are different and formulas are different for how some of these taxes are allocated. But this, about \$145,000 represents what the county would lose in sales tax, utility tax, the highway tax, the road and bridge tax, the cigarette tax, and the cable TV tax. Some of those are per capita taxes and some of them are formulas based on things like assessed value, the ratio of roads in the unincorporated area to the county, so there are a variety of allocations.

Now when you look at the county budget, people say, "Well, \$145,000, well, that's not anything to the county. The county has a big ... hundreds of thousands of dollars budget." In fact, it's actually hundreds of millions of dollars. However, the cumulative impact of annexation even at \$145,000 a pop eventually add up and so since 2002 the annexations between 2002 and 2008, and I don't think I have Paddock Estates included in this figure, have totaled over a million dollars, about \$1.13 million in terms of loss to the county. None of those annexations unto themselves were more than \$300,000 dollar losses to the county, but cumulatively, it's a million dollars, and so we do notice when we have annexations that do have an impact eventually.

In closing, I would like to say we are proud to be a regional and local service provider. We like to think that we help set the standard for some of our services. We also think that we benefit from being the scale that we are, that we have economies of scale that get eroded when annexation impacts us and it does have an effect. So, I appreciate your time and I'll entertain questions and ask for Mr. Powers and Captain Doyle to assist if appropriate. Thank you.

CHAIRMAN SCHUSTER: Thank you. Commissioner Schweitzer, do you have any questions for the County?

SCHWEITZER: Not at this time.

SCHUSTER: Commissioner Sauerwein.

SAUERWEIN: Yes. You just mentioned that through annexation, St. Louis County has lost about a million dollars in revenue. Over what period of time was that?

FIEGEL: I looked at 2002 to 2008. I actually included that information in the Annexation Report that we submitted for Area 13 in February of '09.

SAUERWEIN: Over that same period of time, has St. Louis County revenues increased generally?

FIEGEL: I'd say no. I know we also reduced the property tax by .035 cents, but I'd say no, our revenues have ... we're in the boat with everybody else here. They've been pretty stable.

SAUERWEIN: Okay. And I ... you talked about the services that you provide to residents of North County. Some of them that you identified were outreach programs and different programs where you actually go and make contact with the residents and has that happened with the area that's going to annexed here? I mean, we've ... St. Louis County people actually deal with those residents and talk to them.

FIEGEL: Yes. Yes. As I said, Officer Molden, who couldn't be here tonight, is the assigned neighborhood policing officer. I'm sure people in this room know Officer Molden. We also, as I've said, we've knocked on every door in Sunland Hills. We worked with the Condo Association to do a cleanup.

Our problem properties unit works to organize neighborhood cleanups, and we did that for Sunland Hills and we did another cleanup with the condos. The Villas are kind of in progress so that area isn't established. The condos has a Condo Association and so when we have a Condo Association, there can be a relationship and we can talk ... you know, we have point people we can talk to and so they're aware of us and our services and we've been in contact. Now Sunland Hills is a neighborhood that doesn't have a neighborhood association unlike Paddock Estates which, you know, had a formal trust indenture with an association. That does make it a little more difficult for us. We don't have a group, a particular group to go to, but we have worked hard to do that. I know our police department has tried to form a neighborhood watch in this area as well. And I think we have, you know, a handful of interested people, but we don't have a formal neighborhood watch. But, yeah, those are ... we're on the streets leafleting, doing neighborhood newsletters, that kind of thing and, like I said, it's an actual program that we have, it's a neighborhood services program and we target communities to do kind of intense focused door-to-door work, if you will.

SAUERWEIN: Mr. Chairman, I have no further questions.

CHAIRMAN SCHUSTER: Thank you. Commissioner Schwartz. Commissioner Ford.

FORD: Yes. Has ... to your knowledge has St. Louis County received any complaints for services from St. Louis County that they're, you know, not coming through ...

FIEGEL: From this area?

FORD: Yes ... from the proposed annexation area.

FIEGEL: No, this has been a fairly quiet area for us. It's not like our phones have rung off the hook when we've handed out literature and what not, so I'm not specifically ... I don't know that specifically if other departments have had complaints or not.

FORD: All right. Captain Doyle, have you had ... has First Precinct received any complaints of lack of police services or anything?

DOYLE: No.

FORD: Okay. I believe that's all I have, Mr. Chairman.

CHAIRMAN SCHUSTER: Thank you. Mr. Freesmeier.

FREESMEIER: [inaudible]. No questions, Mr. Chairman.

CHAIRMAN SCHUSTER: Thank you.

FIEGEL: Thank you.

CHAIRMAN SCHUSTER: We'll take about a five-minute break and then we'll begin with the ... yes, sir? Mayor Lowery.

LOWERY: Commissioners, I think it's very important to point out that most of these annexations, while she's alluding to fact, but there's not an association on one of the areas, but there is in the other. In this administration, we've had five annexations so far that have been approved, and we are ... they are now part of the city of Florissant. In each one of these areas they had an association, and they actually had dues up to \$125 dollars so when they became a part of the city of Florissant, they dissolved those associations. So I want to let you know that they're saving money as a result of coming into the city of

Florissant. They've asked me "Is any need for us to be an association anymore?" and my response is "That it is entirely up to you." There is a great savings to them.

CHAIRMAN SCHUSTER: Thank you. We're going to take a five-minute break and then we'll begin the public comment section. Thank you.

#### PUBLIC COMMENT SECTION

CHAIRMAN SCHUSTER: Thank you. Thank you. We'd like to get going ... get started with the public comment section now, and the way we'll do this is I'll call two names. The first name will be the first speaker, and Norm, you're the first speaker so you might as well start making your way to the microphone. The second speaker will be Linda Mize; so Linda, if you could be ready when Mayor McCourt finishes his comments. Thank you.

McCOURT: I don't know if it's a blessing or a curse to be first. Good evening, members of the Commission. I'd like to speak in opposition to the proposal on Area 13. The main ... one of the concerns was that it's not that much contiguous to Black Jack. Well, we're a homogeneous community up here. We have Florissant, we have unincorporated County, and have Black Jack, but we're one community and what spills over from one, spills over to the other. And I have serious reservations about some of the things that are being proposed here because of the economy. The economy is terrible right now. I'm a pool city much the same as Florissant is, and our revenues are down at least 10 percent. They say they're going to be down more than that this year. So depending on what numbers you're going from or what you're looking at really depends on the money you're going to have and if you can do some of the things.

The second thing that concerns me is that several annexations have been proposed and approved and some of the things that were in those annexations really have not come to fruition. One of those is, for example, Plaza Madrid. I was in a Boundary Commission hearing several years ago and there was talk about how bad it was and how it was deteriorating. Well, you look at it now. It's worse than it was actually, and there's a lot of vacant storefronts and whatever. The National store that was there which closed but, you know, it was said that they were going to put stuff in there. There's nothing there.

Recently in the paper, the previous annexation that you all approved, there was a street through the subdivision and there was a bridge and Florissant did not have the funds to fix the bridge so now they're closing the street. Is that the way we want to go in St. Louis County with annexations? That really concerns me because that does detract from our property values for everyone that lives there, and if I lived in, you know, the particular area they're talking about now, I'd be very concerned. My father always used to say, "Always look for the person with the deep pockets" and, you know, it doesn't appear to be, you know, the city of Florissant at this particular point.

The third thing, I'd like to remind Mayor Lowery ... he was talking about the golf course a couple of times. The entrance of this golf course is actually in the city of Black Jack. The biggest part of the golf course main building is in the city of Black Jack. We issue the liquor license and we issue the occupancy so he is not going to gain that for sure if this annexation passes. I'll make it brief. Is there any questions anybody wants to ask?

CHAIRMAN SCHUSTER: Any questions?

McCOURT: Thank you.

CHAIRMAN SCHUSTER: Thank you.

MIZE: Hi, I'm Linda Mize. I'm president of the board of directors for Spring Creek Condominium Association. I want to start out by saying that the Association is very happy with all of the

county services that we have had over the past few years. We get very good police response from the County. The Planning and Zoning Commission has done a great job helping to clean up what we have termed our “back 40”, which is in the flood plain, saving the Association and the residents a great deal of money last year because people go back there from other subdivisions and dump their junk and they do it at night when we can't see them.

When the last annexation was being talked about, we asked the County to come and speak to our residents, and Mr. Powers came and spoke to an open meeting. Right after that, you, as the Commission turned down the annexation. When it came up again this summer, we initiated an invitation to the mayor's office, city of Florissant, and we were told the first time just to call the police department, somebody from there would come and talk to us. We called them back and said, “No, we wanted somebody from the mayor's staff or the mayor to come and speak” and we were told they were too busy. This gives the board a great deal of concern that maybe we'll be second-class citizens if we're annexed.

Our community wants to know why they really want us. It doesn't seem to mean anything about the money. Mr. Hessel talked about Sunland and Candlewyck Villas, didn't mention anything about Spring Creek Condos. We have many more residents and owners in Spring Creek Condos than Candlewyck Villas has. They're not even completed. We currently ... he also talked about a flood plain ... we have a huge flood plain that backs up from our condos to Coldwater Creek. We don't know what their intent might be for that area which we privately own. We don't know what their intent is about our streets, our sidewalks, our lighting, which we privately maintain right now except for a very small portion that's the entrance off of Lindbergh. And we want to know if we're going to be able to keep our current establishment as private property the way it is now. This is the reason we asked them to come and speak to us, and they did not. It leaves a really bad taste in a lot of residents' mouth and mine and many of the board members. I can't speak for every resident, but I can speak for myself, and I don't think I want Florissant to be part of my life. I have to go to Florissant to shop, but I don't need to be a resident of Florissant. Thank you.

CHAIRMAN SCHUSTER: Thank you. Thank you. The next speaker is Carl Cappell and following that, Kevin O'Donnell.

CAPPELL: My name is Carl Cappell. I've been a resident of Florissant for 35 years, and I don't believe that this is the right time for us to be annexing any additional property. When we start talking about 274 homes or whatever their number is that you want to annex, you have to consider in 2008 the city of Florissant had approximately 500 vacant homes. Here in 2010 we have approximately 900 vacant homes. You do not have a 2010 census to take a look at to see if the city of Florissant's residents hasn't been reduced over the last ten years. So any additional revenues that would come from this annexation is not going to help the current city of Florissant, okay? Thank you.

CHAIRMAN SCHUSTER: Thank you. The next speaker after Mr. O'Donnell is Pat Buchanan.

O'DONNELL: Good evening. I wrote my thoughts out. My name's Kevin O'Donnell, and I'm a resident of the city of Florissant. I reside at 512 Rancho Lane in Florissant. I'm familiar with the annexations in Florissant. My subdivision of 96 homes was annexed into Florissant back in 2005. That was the Chapel View subdivision along with Willow Creek. Our annexation was not a complicated one like ... but we were in an area that was surrounded by Florissant, yet I felt our annexation diverted funds and services of established areas in Florissant. Within one year, we had many concrete slabs replaced on our streets while I drove through parts of Florissant that had streets that needed street repairs more than we did at the time. I'm not against the expansion of Florissant. I'm not against the annexation in the other areas into Florissant, but I am against the annexation of any more land into Florissant at this time when Florissant is cutting employees', including police officers, salaries by 3 percent in last year's budget. We have a budget deficit as many other municipalities have. We don't have the funds to make the street repairs to our streets, and in June, our Mayor closed the Greenway Chase bridge which was part of the last annexation due to lack of funds for the bridge restoration. There's a lack of police officers and our

experienced police officers are going to other communities. It seems that ... that Florissant's just a springboard for other police departments to get the police training and then we lose them, but our Mayor promises the residents to be annexed better police protection, better streets, and other city services such as street lighting ... all these promises cost money, money the city of Florissant doesn't have without making further city employee salary cuts in the next year's budget. For these reasons, I would appreciate a vote of "No" to annex Area 13 into the city of Florissant. Thank you very much.

CHAIRMAN SCHUSTER: Thank you. The next speaker will be Christine BredenKoetter.

BUCHANAN: Hi, my name is Pat Buchanan, and I am one of the directors of Candlewyck subdivision. We had our association meeting, our annual meeting, within the last month, and the consensus of the people in attendance was that they would want to be a part of Florissant. The people that I have come in contact with in St. Louis County have been very cooperative, but I still feel kind of like a red-headed step child. We are incapable of getting services for our streets because the builder chose to build them 2 feet too narrow so that means we as a very small community now bear the full burden of maintaining the concrete streets as well as snow removal, and that burden is cumbersome. We try to keep our dues at a reasonable amount because we know that people don't have a lot of money, but for the first time in my life, I no longer pray for snow days. I pray for the sunshine. Mayor Lowery was very receptive to us when we spoke to him and made several ... three attempts before he was able to reach me to return a phone call that we had placed, and I appreciated that. I was a member of Florissant ... a resident of Florissant for the 15 years prior to moving into Candlewyck as well of most of the years when I was growing up and I miss Florissant. I [inaudible] perceptions or reality and my perception, my reality has been I had better services as a citizen of Florissant than unincorporated St. Louis County, and I am not blaming St. Louis County, I am just a little bit more of an impact because I'm in a smaller pool of people when I compare myself to Florissant than the whole of St. Louis County. And I just ask you please, allow us to vote. Don't make the decision for us again like happened in 2008. Thank you.

CHAIRMAN SCHUSTER: Thank you. The following speaker will be Warren Davis.

BREDENKOETTER: Good evening, Commissioners. In the interest of full disclosure, I would like the audience to know that up until February I was on the Boundary Commission and sat on the Boundary Commission for six years. I was part of the discussion in refusing the annexation for Area 13. I am in love with Florissant. I have lived in Florissant since 1960. It's a wonderful place. But we also have massive issues at the moment. We have given our employees a 3 percent pay cut. We have cut back the hours at our civic centers. You know, I would encourage and I would ask the Commission to ask for the city of Florissant's statement of cash receipts and disbursements, which is put out every month by our accounting department. What you will find is our revenues are not keeping up with expenses. Just for your information, as of June 30, our general fund had \$5,166,705 dollars. Our capital improvement fund, \$423,590 dollars. That's not a lot of money to fix streets. I happen to live on St. Catherine and St. Catherine goes from New Halls Ferry to the old St. Ferdinand Shrine. I encourage each and every one of you to drive down St. Catherine because it's a patchwork quilt of fixing the potholes and we fix potholes because we do not have sufficient funds at the moment with today's economic times to do the job right. I don't want to be a naysayer, but yet, at the moment, the glass is kind of half-empty as it is for many cities. And I would encourage you, there is a logical boundary. The creek is a logical boundary for the city; there is no reason to jump the creek. And the lady asked for a vote. Votes cost money. There is no free lunch. There is no free lunch. Senior services cost money. City bus drivers cost money. We do not charge for those services to the individual. The Mayor talks about reducing the sewer lateral fund. That's all fine and good, but when we're paying part of the city engineer's and other people's salaries out of that, our balances aren't sufficient to keep that up for a long time.

I'm a couple of courses short of an accounting degree, and the way I understand it, you have to ... your revenue ... if your revenue doesn't equal your expenses, you got to do something. You've got to cut somewhere. And you know, the budget is coming up for the city of Florissant and I encourage you to keep an ear to the ground because things will have to be different for us to keep afloat. Thank you.

CHAIRMAN SCHUSTER: Thank you. Mr. Davis, and following Mr. Davis, Pat Conroy.

DAVIS: I'm Warren Davis, and I live actually right across from the parking lot here on Galaxy, and I have two concerns. The main one is the utility tax. And I know the county tax is 5 percent, Florissant is 7 ... well, it's only a 2 percent, but my wife and I are both senior citizens on a fixed income and when you get a \$250 dollar electric bill, that 2 percent can make a difference and you throw in your [inaudible] water bills, you know, I think, you know, that can make a difference especially when people are on fixed incomes. And I know in my subdivision ... I haven't walked around ... there are a number of senior citizens in there, and I don't know how they feel, but right now I'm not for the annexation.

And my other concern is my backyard goes up to Lindbergh, and while I get out there and clean between my fence and Lindbergh, the grass grows pretty tall. Now, I don't know if that's the County or the state highway or will Florissant take that over. I can cut some of it, but it gets pretty tall and look like right now ... and I notice all along there, not just my part, but from actual Candlewyck all the way up to Jamestown, that it grows pretty tall, and I just wonder will Florissant be able to take care of that. Thank you.

SCHUSTER: Thank you. The next speaker, Shirlene Niblett.

CONROY: Good evening. My name's Pat Conroy. I live right here in Sunland Hills. I grew up in Florissant. I lived there for 21 years. I worked for the city managing their ice rink. I think Florissant has a lot to offer our kids that they could go skating, they could go to gymnasium, play basketball, things like that. I've lived here for 23 years and snow removal in 23 years has been very bad. A lot of mornings I left for work at 5:00–5:30 in the morning. My tracks were the first tracks in and out of the subdivision. Very seldom have I ever seen a St. Louis County policeman in here. One day I stopped one and he says, "Well, why do you want us to come in here? This is a very safe neighborhood." Well, all of a sudden in the last three months or so, I've been home and I've been outside and watching, we have a St. Louis County police car probably go through once in the morning sometime and once in the afternoon so ... all of a sudden when somebody talks about going to Florissant, St. Louis County picks up the pace and wants to do this. Many years ago we had a neighborhood watch and it fell apart and all of a sudden within the last month we had papers put on our doors looking to start up neighborhood watch. Somebody said tonight that they were knocking on all the doors in here. I'd like to know when they did it. As you can see, I'm confined to a wheelchair and I spend many hours inside my house just looking out and spend time outside with my dog. I've never had a knock on my door. Street sweepers, never seen one. Probably once in 23 years have I ever seen somebody sweeping streets. Show me a city, show me a county, show me a school district that is not having problems with money. I'd appreciate your thinking us go to Florissant in the near future. Thank you.

NIBLETT: Thank you for coming tonight and allowing me to speak. I've lived at Spring Creek for 27 years. I love my home. I love my condo. I love my ... thank you ... I love my community. I have also served on the board of my community. I'm very concerned about where I live and how well I live based on how well where I live is kept and police protection, all the requirements that are needed in a community for residents to feel good about where they live. My complaints with St. Louis County may not be great, but they're complaints. I also have no idea if the same complaints will exist when we move ... if we should move to Florissant. Could probably be the same. May or may not, but I have spent time in Florissant because my ex-husband lives in Florissant, my son lives in Florissant, my nephew lives in Florissant and they enjoy living in Florissant. They enjoy how their streets and their property is kept up because Florissant has certain rules to make sure that things are kept up. We have a small stretch from Lindbergh to what we call our circle, which is where our clubhouse is, and in the winter, like a lot of areas, we get numerous potholes within that short area. When you're coming down that hill on Lindbergh, we have to turn in and you have to turn in quickly because, you know, when you're coming down the hill, traffic kind of picks up. When you hit those potholes, it's not good and, I know we have called St. Louis County about them, but nothing get done. Once, I noticed people were working on Lindbergh; they were putting the areas out like islands, concrete-like islands out, and they had the stuff that you fill potholes and so on and because I had gotten so upset all through the years about potholes, I asked them would they please fill

the potholes. We have a lot of seniors in Spring Creek, and so it's not good driving in and out and hitting potholes. I'm a senior; I'm 67. So they came in and they fixed the potholes and I was very appreciative. I also ... Candlewyck, those townhouses and villas, there's been a great problem there. One person had bought the whole area and he passed away and so it was sold to two other developers. One developer finished what it wanted to do and had bought. The second developer did not. And so there's an area that has not been completed and for several years it has looked awful, really, really bad. Now I thought since that belonged to St. Louis County, St. Louis County would come in and take care of that area until a new developer bought the area to complete that Candlewyck Villa section. Nothing done. Nothing done. And it was an eyesore. Someone is in there building now, and I am very, very glad there is. I was speaking to my ex-husband about that, and he said "I tell you what, I'm going to come and get you and I'm going to drive through Florissant and I can show you at least eight or ten homes that are vacant and have been vacant because real estate isn't selling very fast," he says, "but what you will see is that the area around, the grass and the yards and so on, Shirlene, they are cut. They are not unsightly like the area up there at the Villas that is in St. Louis unincorporated. And so I said, "Okay, you take me and you show me." And he did, and it was as he said. He said, "Florissant, if you're a resident, they make sure you take care of your property; and if there is no resident to do that, they will." I said, "how do they get paid?" He said, "I don't know, whenever the property sell, I guess then it's paid. They somehow get their money," he says, "but what they want is to make sure ... Florissant is not an uncared for and unsightly place." So, as I said, I don't know how it will be when we move to Florissant. St. Louis County Police does real well, and I'm proud to say that my nephew sitting over there is captain. So I know what kind of service we get. One of my neighbor's fell, and we called St. Louis County and an officer was there in five or six minutes. I did call my nephew and said, "Your officer was here. I appreciate that." I can't say the same time would not have occurred for Florissant; it could and could not so I wouldn't say it wouldn't. But I would like to be able for citizens in Area 13 and in Florissant to be able to vote and settle it that way.

CHAIRMAN SCHUSTER: Thank you very. Thank you very much for your comments. Our last speaker, and you'll forgive me if I mispronounce your last name because it's not very clear, Bill Doerr.

DOERR: Yes, my name's Bill Doerr, and I'm a trustee for Candlewyck Homeowners Association. Ms. Pat Buchanan was going to handle the things for us, but when that last lady for the County was up and talking about all the things there that the County does and provides for us. We have never seen anybody or heard from anybody in Candlewyck. Not a thing have we ever heard. And I lived in Spanish Lake for 47 years. I moved out of there a little over four years ago because of the crime so I'm just wondering where the crime has went down. As a matter of fact, Saturday night I was at the Legion Post there for installation and we just cleared Bellefontaine Road when they had the shots fired and shut Bellefontaine Road down; otherwise, I'd been sitting out there for I don't know how long.

And as far as the trash with IESI, it been nothing but a problem. City and Village pays all our bills; we handle no money at all, and every month when they get the bill, IESI is overcharging anywhere from \$200 to \$400 dollars, each time addresses there's no houses on, vacant lots and charging us for trash pickup. And I've been over and I saved it on my computer at home. I've got a whole list of things and they get hold of me, I have to okay things. They fax or they email me the bills we get, and they're all jacked up and so I have to get with Marla Bonds, the lady, City and Village, you can verify this for me, and we go over this. Finally she had one [inaudible] there's \$50 dollars, didn't know where or how it came, and it kept bothering her. I said pay it. We thought maybe we had this all straightened out and just two weeks ago, all over again. Charging us again. And I sent a thing to IESI and I included City and Village and I included the other two trustees on it, you know, and I said I thought this was supposed to be all taken care of. This has been a problem for them and for me. It doesn't cost me anything, I'm retired, I'm at home all the time, but they have to go through this stuff month after month so that is absolutely wrong. And as far as ... I know as long I lived ... I lived 28 years in Jennings, 47 years in Spanish Lake, and those policemen there are busy; they don't have time to do anything. We've never had a policeman come by in the county and patrol our area. There was one that come to my house, I'm going to say about a month ago, checking about these weeds that that last lady just talked about and wanted to know if I was the property manager. "No," I said, "I'm a trustee for Candlewyck and we have nothing to do with that, nothing

at all whatsoever.” I did find out here a couple of weeks ago that is owned by First State Bank of St. Charles. I talked to a gentleman there and he said they’re going to take care of everything, which they did, except if there’s any problem anymore, I got his name and phone number and I’ll call him. But there was just some things that lady said that ... there’s never been anybody come by our house and introduce us from St. Louis County, of course, I know what it is because I’ve lived in the county all my life, you know, but I just had to say something. I wasn’t prepared for on what she said about a couple of things. Thank you.

CHAIRMAN SCHUSTER: Thank you very much. Mayor Lowery.

LOWERY: I’ll try to be brief. I know that you gentlemen and ladies have been sitting here, but I do have something that I would like for you to enter into the record is that this year we are experiencing about \$2 million dollars more income than last year. And in comparison to 2010 so far in comparing that to 2005, we’re ahead of 2005, 2006, 2007, 2008, and 2009, and I’m very proud of that and I emphasize \$2 million dollars. I’m very sorry that the mayor of Black Jack got up here. He’s a very ... friend of mine and he’s a very distinguished man, but I would also like you to go back into the history of why the city of Black Jack was incorporated; it was incorporated because of their dissatisfaction with the St. Louis County government. Thank you.

CHAIRMAN SCHUSTER: Thank you. Thank you, Mayor. Any comments from any Commission members?

DOUGHERTY I just have a request, Father asked if everybody could take a chair and put it back in the back because they won’t have anybody to help [background noise] school starts at like 7:00 so if you could take your chair and hang it up on the back [inaudible] it would be really helpful. Thank you.

CHAIRMAN SCHUSTER: Thank you all for coming.