

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

**TRANSCRIPT OF
BC1003 PLAN OF INTENT PUBLIC HEARING
VALLEY PARK “Unincorporated Pocket” ANNEXATION AREA**

SEPTEMBER 9, 2010

COMMISSION ATTENDANCE:

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

OTHERS PRESENT:

Michelle Dougherty, Executive Director
David Hamilton, Legal Counsel

CHAIRMAN SCHUSTER: ... from state statute and St. Louis County ordinance. The Commission is comprised of eleven members along with two staff members, our Executive Director, Miss Michelle Dougherty, and our Legal Counsel, Mr. David Hamilton. Eleven Commissioners are all appointed, but they are appointed by different authorities. 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 League. We meet monthly and augment those meetings with public hearings such as this on an as-needed basis. Tonight’s informational meeting will provide an opportunity for the City of Valley Park and for St. Louis County to explain and comment on the proposed annexation of this unincorporated pocket. This is designated Boundary Commission File Case No. 1003.

We welcome your participation in the public comment section. If you wish to address the Commission, you need to fill out a Public Comment Form and give that to Miss Dougherty before the end of St. Louis County’s presentation. Both the City and the County will be permitted 15 minutes to present their information. If you wish to speak as an individual, you’ll be allotted three minutes. If you’re speaking on behalf of a group or an association, you’ll be given five minutes.

Just as a reminder, no decision will be made tonight. This is an informational meeting. We will take the information from Valley Park and from St. Louis County, from any comments from the public along with emails or letters that you may wish to send to the Commission. You have 21 days from today to submit additional comments and those will be made part of the permanent record. We have, the Commission that is, has nine months from the date of the original proposal to render a decision. That decision will be either to accept the proposal ... or to reject the proposal or to schedule an election. So, the proposal date was June 30, 2010, and the decision deadline makes that March 30, 2011.

I will now ask the Commission members that are present this evening to introduce themselves, tell us where they live and who appointed them. Mr. Ford.

FORD: Bob Ford, appointed by the County Executive, and I live in Unincorporated St. Louis County.

CHAIRMAN SCHUSTER: Mr. Sauerwein.

SAUERWEIN: Bill Sauerwein. I reside in the city of Oakland, and I was appointed by the mayors of small cities in St. Louis County.

SCHWEITZER: I'm Kathleen Schweitzer. I live in Unincorporated St. Louis County, and I was appointed by the County Executive.

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

We'll begin now with Mr. Martin representing the City of Valley Park.

MARTIN: Thank you, Mr. Chairman. This is a much more brief presentation than I did before. This simply is by all statutory definitions an unincorporated pocket. The area I've depicted on the map, and it's in the Map Plan of 2006, clearly shows this white area. It's accessible only through the City of Valley Park. There's only one street that runs through it that's a public-maintained street and that is Main Street. By default really, the City has been maintaining that street for many, many years. The residents are de facto served by St. Louis County Police Contract, I believe, on contract and just for simplicity sake. There are, by my count, seven dwelling units in the area. By the Planning Department's count there are six dwelling units, and it may go by semantics. I believe there are seven structures that are occupiable. One structure has not been occupied for about five years. There's no statutory definition in the Boundary Commission Statute on what is a dwelling unit other than a place where someone can dwell, I suppose. I don't think it really makes a difference. I came out with, I think, 17.1 acres; Mr. Powers came up with 17.8 acres, I believe. Either way, the density meets the statutory criteria of an unincorporated pocket which requires a density greater than one every three acres. So even at six, it's still less than 18 acres so if it's 17, you've got a greater density. The impact of that is, of course, if you certify this for a vote, it's a majority vote of all votes cast in the election rather than separate majorities for this.

I don't know how this unincorporated pocket occurred. I did an annexation back in 1998 to the west of this area that formed one of the boundaries. My own thought would be that that back when you can do annexations by petition, the petition process just developed that way, followed property lines. A lot of this area may not have been real desirable for annexation back in the day. I think the biggest property owner would be the Archdiocese who has a cemetery. There's also a Christian Scientist Church, I believe, and we used to call it a pauper's cemetery. I think it may be under some ownership now of the Archdiocese that used to be in back of that, but other than that, there are some nice houses in the property. The total assessed value, I think, is ... approaches a quarter of a million dollars or so for the seven dwelling units. And there are seven residentially assessed properties with structures. Again, I know the one is not occupied currently. It was a larger tract that was sold to a developer and the development never occurred.

We have not been approached by any developer for this annexation. We think it's just a matter of simple housekeeping. It makes sense to the residents of that area, although they may not like the extra tax burden, they are indeed getting city services gratis currently, and we think this is exactly what the Legislature intended when they promulgated the unincorporated pocket portion of the statute.

Do I have any questions?

CHAIRMAN SCHUSTER: Okay. Commissioner Sauerwein, would you like to ...?

SAUERWEIN: I don't have any questions.

CHAIRMAN SCHUSTER: Okay. Commissioner Schweitzer.

SCHWEITZER: Well, I just had one quick question relative to the projection of about \$250,000 dollars in culvert improvements necessary for the area.

MARTIN: Yes. Yes, unfortunately.

SCHWEITZER: And sort of speculative funding sources therefore could come from several sources.

MARTIN: Well, I ... if a development ever comes, and it wouldn't come ... part of it may come in this area. The property was originally purchased by Lawless Development Company who has gone out of business, and I think he had forty or fifty acres. Part of the development would come in the very western portion of this unincorporated area. The bulk of it would be property that abutted it in the City of Valley Park. We had talked to him at the time about doing road improvements if that project would come into fruition. Obviously, the usage would increase dramatically as well. We're also looking into TIF grants from the state because we believe this may be an arterial reliever. I'm not so sure about the traffic count; we're recounting it to do that, but it's going to be quite a project. It's a small narrow road that is a reliever into Highway 141 for people who live in the City of Valley Park. It's kind of at the bottom of a hill that feeds from Jefferson and Inez and a few other streets.

SCHWEITZER: Okay. Thank you.

CHAIRMAN SCHUSTER: Commissioner Ford.

FORD: Yes, the questions that I asked you prior about the financials of the City, can we just assume that those are the same answers so we don't have to go through all those questions?

MARTIN: [inaudible]

FORD: Okay. Also the only other question I have, in your summary you describe the area as a problem area. Why would Valley Park want to take over a problem area?

MARTIN: Well, I don't mean to say it's a problem area; it's an area that the City maintains now. Legally, we ... we probably shouldn't be doing it, but we do it because our citizens traverse that road everyday as a necessity to accessing other roads. Does that clear up what I meant because I certainly didn't mean to indicate that any citizen there or resident there is a problem, they are not.

FORD: Okay. No, I didn't interpret it ... I interpreted it just the ... the area itself was a problem that was created from something ... so

[Both talking at once]

MARTIN: [inaudible] eyesight problem. Every time I look at a map of the City, I see a whole in middle, and it kind of [inaudible].

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

CHAIRMAN SCHUSTER: Thank you. Thank you, Mr. Martin.

MARTIN: Thank you, sir.

CHAIRMAN SCHUSTER: St. Louis County. Mr. Powers.

POWERS: I'll stay short too hopefully. I would agree with Mr. Martin that it is a pocket and the intent was for these pieces to go away. I think that was embedded in the legislation.

We disagree only on the number of housing units. We count six housing units, one is vacant and boarded up, one which was on a [inaudible] license has since been torn down. I think that's where the discrepancy occurs. The population figure of 16 there is according to the census, but it's been a decade since the last census and the new numbers aren't tabulated. The assessed value there and the tax loss, as you'll see in a future slide, are about the same as the much larger area we just considered. So yes, again, we count five single-family homes, three vacant parcels, a church and a cemetery which are ... which are tax exempt right now. It's all zoned non-urban, three-acre residential zoning. There ... you know, the creek does abut along a portion of the south property line, Fish Pot [sounds like] Creek, and so there's flood plain associated with that.

In terms of police and crime, it's the same comments as applied in the previous petition. It's in the West County Precinct. The Precinct headquarters is literally a stone's throw ... I could do it ... to the south and the crime in the area, you know, we ... is virtually nil, not an issue.

In terms of neighborhood preservation, we haven't issued any notices of violation which probably doesn't reflect well on us and sort of bolsters the argument that it should be in Valley Park because if our inspectors hadn't forgotten that wasn't in Valley Park, there's plenty of opportunities to issue property maintenance violations.

One thing about the streets here is that the street, Main Street, isn't in the unincorporated pocket. That road is already in Valley Park so whatever is expended there is rightfully expended. It's ... it's not a county road now so there is no transfer of roads associated with this proposal.

Trash costs, again, won't belabor that, and here's the tax breakdown. The only point here, once again, is, yeah, there is an increase in taxes for residents who live in that pocket right now. That's just a fact, and the amount of money that's lost would be around \$2,000.

To sum it up, it is a pocket. It is completely surrounded by Valley Park, accessed by roadways that are 100 percent in Valley Park, and there's been very few calls for service received by St. Louis County from this area and, as a consequence, we haven't issued any ... any violations down there whereas we could have. So, this is one where ... and you don't hear me say it very often ... this should probably go out of existence as an unincorporated pocket. I think all anyone has to do is look at a map. And I'll be happy to answer any questions.

CHAIRMAN SCHUSTER: Okay. Thank you. Commissioner Schweitzer.

SCHWEITZER: I don't have any questions.

SAUERWEIN: None for me either.

FORD: None here.

CHAIRMAN SCHUSTER: Thank you.

FORD: Yes, sir.

CHAIRMAN SCHUSTER: Are there any ... okay. Well, if there are no further comments, we'll adjourn. Thank you.

MARTIN: Thanks for your courtesy.

CHAIRMAN SCHUSTER: Thank you.