

BOUNDARY COMMISSION  
ST. LOUIS COUNTY, MISSOURI  
MEETING MINUTES

February 23, 2016

ROLL CALL

Commissioners Present: TR Carr (via telephone), Rick Dorsey, Steve Frank, Kathleen Schweitzer, Kyra Watson (via telephone) Steve Wegert, and Carmen Wilkerson

Commissioners Absent: Richard Wolkowitz

Commission Staff Present: Michelle Dougherty, Executive Director  
John Young, Legal Counsel

Others present: Jacob Trimble, St. Louis County Planning Department

Chairman Dorsey called the meeting to order at 6:30 p.m., February 23, 2016. The meeting was held in the 8<sup>th</sup> Floor Conference Room, 41 S. Central in Clayton, MO 63105.

ROLL IS CALLED – QUORUM DECLARED

Roll was called and a quorum declared by Ms. Dougherty.

APPROVE AGENDA

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

APPROVE MINUTES

Ms. Schweitzer made a motion to approve the minutes of January 26, 2016. Mr. Wegert seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

STAFF REPORT

Ms. Dougherty stated she had a very good meeting with representatives of Beyond Housing who are working with Vinita Park and Vinita Terrace on their consolidation. The representative said she would be working to get both cities on the same page so they submit just one proposal. Ms. Dougherty stated both cities have all the information on what the Commission requires for a consolidation.

PUBLIC COMMENTS

There was no public comment.

NEW BUSINESS

- A. Closed Session – Mr. Frank made a motion to go into closed session to pursuant to Section 610.021 (1) regarding legal actions and causes of action or litigation and any confidential or privileged communications. Ms. Wilkerson seconded the motion.

Roll Call vote:

TR Carr - Y  
Rick Dorsey – Y  
Steve Frank - Y  
Kathleen Schweitzer – Y  
Kyra Watson – Y  
Steve Wegert - Y  
Carmen Wilkerson – Y  
Ayes – 7. Nays – 0. *The motion passed and the closed session began at 6:32 p.m.*

Mr. Wegert made a motion to close the closed session. Ms. Wilkerson seconded the motion.

Roll Call vote:

TR Carr - Y  
Rick Dorsey – Y  
Steve Frank - Y  
Kathleen Schweitzer – Y  
Kyra Watson – Y  
Steve Wegert - Y  
Carmen Wilkerson – Y  
Ayes – 7. Nays – 0. *The motion passed and the closed session was ended at 6:51 p.m.*

#### OLD BUSINESS

A. BC1501 Valley Park Tree Court & Arbor Creek Annexation Area  
Chairman Dorsey stated that this would be subject of the public hearing following the regular meeting.

Ms. Wilkerson made a motion to take up the BC1501 (Valley Park Annexation) for discussion.. Mr. Wegert seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

Chairman Dorsey made it a committee of the whole so as presiding officer he could participate in the discussion

Chairman Dorsey stated that he had been giving it a lot of thought and that Valley Park meets most of the factors that are required. His concern is the impact on the residents of the area and the impact on the taxes. For example, Valley Park stated they would contract with St. Louis County Police. Chairman Dorsey explained that this would still be the same police the residents currently have; it's not a benefit that would change. Many of the services would remain unchanged. The only additional service would be a second trash pickup during the week. Chairman Dorsey stated that Valley Park is promising through a former alderman things (private streets to public e.g.) that are not in the proposal. He is concerned that residents will feel duped if they vote in favor of the annexation and then Valley Park does not deliver on items that aren't in their proposal to begin with.

Chairman Dorsey also is concerned with the sales tax base. While there is no shopping in the area Valley Park's sales tax rate is 1% higher than St. Louis County, those residents and businesses who make a major purchases are going to be paying significantly higher taxes.

Ms. Schweitzer stated she had very similar concerns to the chairman. Based on the written comments, there was a statement made by Valley Park's attorney where they stated "if" they were to take over private streets... Ms. Schweitzer is concerned that there is no actual commitment to take over private streets. Ms. Schweitzer felt that the condominium owners pay a monthly condo fee for trash pickup and was not aware of any municipality providing trash service to condominiums. She is also concerned about the increase in sales taxes and personal property taxes. She stated that with the increase in taxation, it didn't appear they would be getting anything additional for their money.

Mr. Carr stated he was in agreement with the statements made by Chairman Dorsey and Ms. Schweitzer. Mr. Carr said he could not see how this proposal advances the public interest. In his mind, it does not meet the 11-factors and could not support the annexation.

Mr. Wegert and Ms. Wilkerson stated they felt the same way.

Ms. Wilkerson made a motion to call for a vote on BC1501. Ms. Schweitzer seconded the motion.

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

Chairman Dorsey asked Ms. Dougherty to take a roll call vote in favor of approving BC1501.

Roll Call vote:

TR Carr - N

Rick Dorsey - N

Steve Frank - N

Kathleen Schweitzer - N

Kyra Watson - Abstain

Steve Wegert - N

Carmen Wilkerson - N

Ayes - 0. Nays - 6. Abstention - 1. *The motion did not pass.*

Ms. Watson explained her abstention was due to her missing the public hearing.

It was discussed that the proper motion should be to deny the proposal so there is a vote in the affirmative.

Ms. Schweitzer made a motion to deny BC1501. Ms. Wilkerson seconded the motion.

Roll Call vote:

TR Carr - Y

Rick Dorsey – Y

Steve Frank - Y

Kathleen Schweitzer – Y

Kyra Watson – Abstain

Steve Wegert - Y

Carmen Wilkerson – Y

Ayes – 6. Nays – 0. Abstention – 1. *The motion passed.*

B. RFQ for new legal counsel

Ms. Dougherty stated that they had received two applications so far but that the closing date was February 26, 2016. Ms. Dougherty stated she would send all the responses to the Personnel & Professional Resources Committee, which includes Mr. Frank, Ms. Schweitzer, and Mr. Wegert. Mr. Wegert asked for clarification on the process. Chairman Dorsey stated that to avoid the appearance of impropriety because he knows several who are applying, the committee should do the reviewing, interviewing and make a recommendation to the Commission. The Commission members agreed with the Chairman.

ADJOURNMENT

Mr. Carr made a motion to adjourn. Ms. Schweitzer seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.* The meeting was adjourned at 7:06 p.m.

Respectfully submitted,  
Michelle Dougherty  
Executive Director

Approved: March 22, 2016