

BOUNDARY COMMISSION
ST. LOUIS COUNTY, MISSOURI
MEETING MINUTES

March 27, 2018

ROLL CALL

Commissioners Present: Rick Dorsey, Tom Mooney, Ann Pluemer, Kathleen Schweitzer, Ben Uchitelle, Kyra Watson and Steve Wegert

Commissioners Absent: Steve Frank

Commission Staff Present: Michelle Dougherty, Executive Director
Mike Hart, Legal Counsel

Others present: None

Chairman Schweitzer called the meeting to order at 5:33 p.m., March 27, 2018. The meeting was held telephonically with the public being able to attend at 168 North Meramec, Suite 140 in Clayton, MO.

ROLL IS CALLED – QUORUM DECLARED

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

APPROVE AGENDA

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

APPROVE MINUTES

Mr. Wegert a motion to approve the minutes of February 27, 2018. Mr. Dorsey seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

STAFF REPORT

Ms. Dougherty stated she had received a few more calls about the map plans and is expecting a few more to be dropped off: Ellisville, Chesterfield, Hazelwood, Ferguson. She stated she will be meeting with a consultant working on Ballwin's comprehensive plan.

Ms. Dougherty stated she met with representatives from Normandy and Glen Echo Park last week and are targeting to have their proposal to the Commission by August 1st to make it to the April 2019 ballot.

Ms. Dougherty informed the commission that she will be out of the country on vacation April 11 – April 20, 2018 and asked if the commission wanted to hire a temporary person to be at the office a few hours during the week or forward everything to Sher Corwin Winters during this time. The Commission stated they preferred to have Mike Hart handle any business during Ms. Dougherty's absence.

PUBLIC COMMENTS

There was no public comment.

NEW BUSINESS

Mr. Hart stated there was no reason to go into closed business. He reported that Crestwood has filed a similar second lawsuit in St. Louis County court. He will be meeting with Affton's attorney later in the week. He reported that Crestwood declined the offer of a possibility of a legislative solution versus a lawsuit. Mr. Uchitelle asked what was the Boundary Commission's role in the lawsuit. Mr. Hart replied that the lawsuit claims the Boundary Commission law is unconstitutional as a special law and the whole thing should be thrown out not just the portion that relates to fire districts. Mr. Uchitelle asked for the status on the case. Mr. Hart said first suit was filed in Cole County and the parties have been talking about stipulating the facts and submitting briefs that way. The second lawsuit has only recently been filed.

Discussion centered around monitoring the lawsuit and working with the fire district and the Missouri Attorney General's office to uphold the constitutionality of the entire Boundary Commission law. Mr. Hart warned that if the Commission intervenes in the lawsuit it could become expensive requiring a supplemental budget. Mr. Dorsey suggested the Commission continue to monitor the lawsuit and decide at the next meeting if the Commission should intervene or not. Mr. Hart stated he would keep the Commission posted on the outcomes of his upcoming meetings.

OLD BUSINESS

1. Rules Amendments

Ms. Dougherty asked for a few volunteers to create a working committee to review the suggested changes of the Rules instead of going through each change line by line with the entire commission at a regular meeting.

Mr. Wegert suggested Ms. Schweitzer and Mr. Dorsey to serve on the working committee. Mr. Dorsey said as long as the document review could begin after the middle of April. Ms. Dougherty said she would not send the document until after April 17th.

2. Legislation – HB2518, 2356, 2357

Ms. Schweitzer asked if everyone has read the substitute 2356. Mr. Dorsey stated it had been voted "Do Pass" as of that afternoon.

Ms. Dougherty reported the results of her conversations with the Municipal League, the Planning Department, and the County Executive's office. House Bill 2356 has been amended to change the Map Plan cycle to two years from its current six years. Ms. Dougherty suggested removing the requirement that a Map Plan be on file from the Incorporation process instead of changing the number of years in the Map Plan cycle. In essence, treat Incorporations like Consolidations and Transfers of Jurisdiction.

Mr. Dorsey offered that the County has their lobbyist in Jeff City who has a better idea of what is going on. It's out of the Rules Committee, will it be placed on the house calendar, is there a companion bill in the Senate. Does it have legs?

Ms. Dougherty stated that all interested parties she's spoken to, except for the County Executive because she hadn't heard back from them yet, that the Incorporation suggestion is a better solution than changing the number of years in the Map Plan cycle. Ms. Dougherty reiterated that by removing the Map Plan component from Incorporation boundary change proposals, the Commission removes the perceived impediment to becoming a city.

Mr. Uchitelle asked what's next for the Commission. Ms. Dougherty said she was waiting to hear back from Tom Curran to make sure the County Executive also agrees with the suggested Incorporation status change. Ms. Schweitzer suggested someone contact Rep. Haefner. Ms. Pluemer reported that the last time there was a vote to incorporate Oakville, it lost by 75%.

Mr. Dorsey questioned whether Rep. Haefner had enough time to get this bill through the legislative process in Jeff City. Mr. Uchitelle asked if there was a similar bill in the Senate. Ms. Dougherty said she wasn't aware. Mr. Wegert agreed with Mr. Dorsey that it's best to see if the current bill has any legs.

Mr. Hart inquired if the Commissioners want him to contact Sen. Sifton. The Commissioners agreed that would be a good step.

Mr. Uchitelle asked if the Commission should contact Mr. Bardgett. It was agreed that Ms. Dougherty will follow up with Mr. Curran, to see if the bill have legs, ask if Mr. Stenger agrees with the incorporation solution, and does the Commission need to jump into action?

Mr. Dorsey suggested that both Mr. Uchitelle and Mr. Hart talk to Rep. Adams.

ADJOURNMENT

Mr. Dorsey made a motion to adjourn. Ms. Watson seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.* The meeting was adjourned at 6:15 p.m.

Respectfully submitted,
Michelle Dougherty
Executive Director

Approved: April 24, 2018