

BOUNDARY COMMISSION
ST. LOUIS COUNTY, MISSOURI
MEETING MINUTES

August 13, 2020

ROLL CALL

Commissioners Present: Rick Dorsey, Tom Mooney, Kathy Schweitzer, Ben Uchitelle (by proxy), Kyra Watson, and Steve Wegert

Commissioners Absent: Steve Frank and Ann Pluemer

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

Others present: There was no public attending.

Chairperson Schweitzer called the special meeting to order at 5:50 p.m., August 13, 2020. The meeting was held via Zoom and livestreamed to Boundary Commission YouTube channel with accommodations made for the public to attend via telephone due to the statewide social isolation order.

ROLL IS CALLED – QUORUM DECLARED

Mr. Dorsey moved to accept Mr. Uchitelle’s proxy. Ms. Watson seconded the agenda. Voice vote: Ayes, All. Nays, None. *The motion passed.*

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

APPROVE AGENDA

Mr. Uchitelle made a motion to approve the agenda. Mr. Wegert seconded the motion. Voice vote: Ayes, 5. Nays, None. Abstentions, 1 *The motion passed.*

NEW BUSINESS.

- A. ACCEPT and SET PUBLIC HEARING DATE for BC2003: SBC: TOJ between St. Louis County & Valley Park.

Mr. Wegert made a motion to accept BC2003 SBC: TOJ between St. Louis County & Valley Park as complete. Ms. Watson seconded the motion. Voice vote: Ayes, 4. Nays, None. Abstentions, 2. *The motion passed.*

Chairman Schweitzer asked for a public hearing date. Ms. Dougherty suggested September 22, 2020 at 7 p.m.

Mr. Wegert made a motion to set the public hearing date for September 22, 2020 at 7pm. Ms. Watson seconded the motion. Voice vote: Ayes, 5. Nays, None. Abstentions, 1 *The motion passed.*

- B. BC2002 Ballwin Simplified Boundary Change: Waterford Annexations – Options, if approved.

Ms. Dougherty explained that a Simplified Boundary Change requires a decision within four months and the Commission has the option to approve it with or without requiring a vote. Ms. Dougherty said she wanted to bring this up if the

commission will require a vote, if approved, the Commission would need to have a special meeting next week in order to get this on the November ballot.

Mr. Hart said upon review of the statute (Section 72.405.6.1) “A verified petition signed by seventy-five percent of the registered voters within the area proposed to be annexed which is predominantly residential in character and has an average residential density of not less than one dwelling per three acres which is filed by the annexing municipality; or..” that the density in Waterford is greater than one per acre. He said the proposal made by Ballwin and not joined in by St. Louis County, but the County supports the annexation. Mr. Hart said that if the commission wants to approve it without requiring a vote, the Commission could take the position that the county’s submission that they support the proposal could be considered as in joining the proposal even though they didn’t send it in as a joint proposing agent. Mr. Hart said although the petition has been signed by nearly all the residents in the subdivision, there is some vagueness there where he could argue the county’s support could be thought as a joint proposing agent.

Mr. Wegert made a motion to approve the proposal without sending it to a vote for discussion. Ms. Watson seconded the motion.

Discussion: Mr. Wegert’s reasoning is there’s lots of written support, the county supports it, he can’t fathom requiring the municipality to spend thousands of dollars to put it to an election. Mr. Dorsey disagreed stating voting is a fundamental right and is concerned that there could be a resident who would complain the commission took away his right to vote. Mr. Wegert said that person could’ve shown up to the public hearing, if he exists.

Mr. Wegert asked if we’d received any public comments. Ms. Dougherty said as of the time of the meeting, the commission has not. She said the public hearing has had 39 views.

Mr. Mooney said he feels this should go to a vote and didn’t feel anyone should be annexed or taken over without a vote.

Ms. Watson said she is not opposed to requiring a vote.

Ms. Schweitzer asked for clarification on because St. Louis County is not a joint proposing agent did that put the commission into this situation. Ms. Schweitzer asked that if the County had been a joint application and it was clear the Commission had the authority; would the commissioners still feel the same way? Mr. Dorsey said he would still feel the same.

Mr. Mooney said he would probably feel better about not sending it to a vote.

Ms. Watson said she would still like the people to vote on it.

Mr. Wegert withdrew his motion.

Mr. Dorsey moved to approve the annexation and send it to a vote. Mr. Hart interjected that the Commission needed to wait until the 21-day period ended.

Mr. Dorsey withdrew his motion.

Mr. Dorsey made a motion to hold a meeting on the 19th of August after the 21-day public comment period to decide at that time. Mr. Uchitelle seconded the motion. Ayes, All. Nays, None. *The motion passed.*

ADJOURNMENT

Mr. Dorsey made a motion to adjourn. Mr. Wegert seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.* The meeting was adjourned at 6:13p.m.

Respectfully submitted,
Michelle Dougherty
Executive Director

Approved: August 25, 2020