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County Executive

Saint Louis
COUNTY
PLANNING

Glenn A. Powers
Director of Planning

August 30, 2004

St. Louis County Boundary Commission
168 North Meramec Avenue – Suite 140
Clayton, Missouri 63105

Re: St. Louis County comments regarding petitioned annexation proposed by the City of Florissant (BC 0407 - Area 2a).

Dear Members:

On behalf of St. Louis County Government the Department of Planning would like to take this opportunity to convey our comments regarding the petitioned annexation proposed by the City of Florissant for Area 2a.

Petitioning Process and Voting

As the Commission is aware, the State statutes governing petitioned annexations rightfully permit an annexation to occur without a ballot vote when over 75 percent of the registered voters of an area indicate their desire to be part of a municipality with certified signatures on a signed petition collected in an appropriate manner. St. Louis County typically does not oppose petitioned annexations when residents of the affected area collect signatures from their neighbors without coercion or inappropriate pressure.

However, as was the case with the recent Florissant Area 9 petitioned annexation process, the County is concerned that some of the signatures obtained on petitions for Area 2a were collected in a manner that led to a number of specific reports of confusion, misrepresentation, and coercion. Some residents were confused regarding what their signature represented; others reportedly were told that signing the petition would allow the issue to be placed on the ballot. Some residents reported multiple visits to their door, stated a reluctance to turn down a neighbor's request for signature, or expressed a hesitancy to say no to Florissant police officers collecting petition signatures, whether in uniform or not.

With the reported irregularities of the Area 2a petitioning process in mind, and noting that the total number of certified signatures were only five over the total required for 75 percent, **County Government recommends that if the Boundary Commission approves the boundary change, a ballot vote should be required.**

A ballot vote will allow the registered voters of the affected area to study and weigh the issues involved, and to decide in the privacy of the voting booth, without having to identify how they voted, and without any fear of reprisal, whether they should be annexed by Florissant.

Questions were raised at the August 10, 2004 public hearing whether voter turnout would be sufficient to truly represent the desires of residents of the affected area. It should be noted that in 1997 over 60 percent of the registered voters of the Wedgwood area participated in an election to determine if they would become part of Florissant. Thus, it is the opinion of County Government that a ballot vote would more than amply convey the wish of citizens of the area. If the sentiment of area residents is to be annexed by Florissant, their desire will be ratified at the ballot box without the stigma of any of the questions raised regarding the petition collection process.

Tax Impact on Area Residents

If the area were annexed by Florissant, there would be some changes to the tax rates affecting residents of the area.

The current Florissant utility tax rate is \$0.03, while the unincorporated St. Louis County rate is \$0.05. The City of Florissant had a utility tax rate of \$0.07 as recently as 1996. While State Statute restricts St. Louis County from raising its rate, municipalities do not face this same limitation.

After annexation, sales tax on any purchases made within the area to be annexed will increase from \$.06075 to \$.06825. Thus, sales tax on the purchase of a \$20,000 vehicle will increase by \$150. (without a trade-in).

One tax would not change. The City of Florissant currently does not impose a municipal property tax within its jurisdiction. Thus, the current property tax rate for this area will remain the same. However, it should be noted that as recently as 1997 Florissant imposed a municipal tax rate of \$0.08 per \$100 of Assessed Valuation on real and personal property.

Financial Impact on St. Louis County

The total annual revenue loss that County Government could experience as a result of the proposed annexation is estimated to be \$131,402. A breakdown of County revenue loss by funding source is provided in the following table.

ANNUAL COUNTY REVENUE LOSS FROM THE PROPOSED ANNEXATION	
	Annexation Area
Sales Tax ¹	\$65,688
Utility Tax ²	33,829
C.A.R.T. ³	12,815
County Road and Bridge ³	4,993
Cigarette Tax ⁴	2,706
Cable T.V. Tax ⁵	1,120
Fees ⁶	10,251
TOTAL	131,402

- ¹ Based on \$118 per capita less annexation adjustment of \$26 per capita.
- ² Assumes average annual utility bill of \$2,000 and a 5% utility tax.
- ³ Estimate by St. Louis County Department of Highways and Traffic.
- ⁴ Based on \$3.79 per capita.
- ⁵ St. Louis County calculates (Housing Units x .5) x (Annual Average Cost of Cable) x .03 = _____
- ⁶ Estimate by St. Louis County Department of Public Works.

The total annual estimated revenue loss from this area alone is not significant. However, the cumulative revenue losses experienced from previous annexations and anticipated losses if other annexation proposals currently pending before the Boundary Commission are approved are substantial. Thus, approval of this proposal will have some negative impact on the provision of services to citizens of St. Louis County.

Compactness and Other Boundary Issues

Florissant’s Plan of Intent indicates that the area proposed to be annexed is 56.7 percent contiguous to the City. While the addition of the parcels southeast of Shackelford Road would result in a more logical boundary for the City, the addition of the Sunset Park Condominiums to Florissant does not necessarily result in a more regular or natural boundary between the City and the County.

With regard to the addition of Sunset Park Drive to Florissant, the St. Louis County Department of Highways and Traffic reports that the County does not maintain this private roadway located in unincorporated St. Louis County. It appears that the City of Florissant maintains the road, which serves Sunset Park, a Florissant park that is located in the corporate limits of the City. A deed between the Union Electric Company (now

AmerenUE) grants the City of Florissant an easement to construct, establish, use and maintain a roadway over the utility's land.

Principal access to Sunset Park Drive is from Shackelford Road. The only other major access to this roadway is from Walgreen's, Hazelwood Junior High School, and Sunset Park Condominiums. All other roads are barricaded and denied access to Sunset Park Drive.

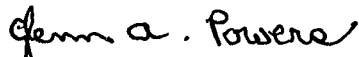
As reported by the City of Florissant at a subsequent Boundary Commission public hearing concerning the proposed Florissant Area 6 annexation on August 17, 2004, the City envisions the development of a marina and a restaurant at Sunset Park. Inclusion of Sunset Park Drive in the City's limits would facilitate any future improvements contemplated to the roadway. In addition, Florissant would gain police jurisdiction along the road if the City annexes it.

Conclusion

The major issue concerning this proposed annexation is the negative reaction by some citizens to the petition gathering process. Noting these previous described concerns and the relatively small number of certified signatures (five) over the total required for the necessary 75 percent required to submit a petitioned annexation, it is recommended that the Boundary Commission, if it approves the boundary change, exercise its prerogative to require a ballot vote to determine whether Area 2a is annexed. Such action would be consistent with the Commission's recent disposition of the proposed Florissant Area 9 petitioned annexation, where similar circumstances persuaded the Commission to require a ballot vote for that area.

The Department of Planning will be happy to provide any additional information the Commission may require concerning this matter.

Sincerely,



Glenn A. Powers
Director of Planning

GAP/LJG

cc: Honorable Robert Lowery
Mayor of Florissant