

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

**TRANSCRIPT OF
BC0410 PLAN OF INTENT PUBLIC HEARING
BALLWIN “KIEFER CREEK ROAD” ANNEXATION AREA**

AUGUST 31, 2004

COMMISSION ATTENDANCE:

Commissioners	Present (P)/Absent (A)
Matt Armstrong	P
Ted Armstrong	P
Christine Bredenkoetter	P
Bob Ford	P
Marvin Gelber	P
Thomas Hayek	P
Greg Kloepfel	P
Betty Marver	A
Mary Schuman	P
Johnnie Spears	P
Don Wojtkowski	A

OTHERS PRESENT:

Courtney Irwin – Executive Director

David Hamilton – Legal Counsel

CHAIRMAN HAYEK: Thank you. Nothing like timing. Ladies and gentlemen, welcome. My name is Tom Hayek. I'm the chairman of the St. Louis County Boundary Commission. We're here tonight for a public hearing. The public hearing concerns a proposal by the city of Ballwin to annex a certain piece of property, real estate, which is currently under the jurisdiction of unincorporated St. Louis County.

I'm going to give you a little bit of talk about the Boundary Commission's role in this process and kind of why we're here tonight. The area we're dealing with is set forth on a map we have over here in front of you all. We kind of have a boundary of Kiefer Creek Road on the north and east and sort of various subdivision boundaries on the south and to the west. Hopefully, you all have had a chance to look at that and make sure your residences are in this area and affected or, frankly, adjacent to it.

Why are we here tonight? Well, in August of 1989, the Missouri Legislature passed a law saying in counties with 50 cities, towns, villages, or whatever established in that county, they may establish a commission to control transfers of jurisdiction of property whether it be by annexation, whether it be by municipalities transferring properties between each

other, whether it be by incorporation of new cities, the county could establish a commission which will review those proposals, review them against a certain set of guidelines that are set forth in that statute. Frankly, in the state of Missouri, St. Louis County is probably the only county that qualifies as having that many municipalities, and if you lived here long enough, you know all about, we've got ninety-some municipalities in this county. So, this Commission was created, and our job is to review proposals submitted by various groups who want to change jurisdiction. In this situation, what we have is a proposal submitted by a municipality, the city of Ballwin, to become the governing body for a certain area which is currently unincorporated St. Louis County. The law which created this Commission is premised on two principles. One is to provide a mechanism so that boundary changes are guided by sound public policy. In other words, we don't want to create little pockets. We don't want to create little islands. We want to have some reasonable boundaries of municipalities and the unincorporated county. The second principle we're guided by is to maximize citizen participation and self-determination. And that will come up a little bit when I explain about the voting process which will go on at the end.

So, we review these proposals, and we generally are tasked with either approving or disapproving them and our approval at times can take different forms. There are 11 members of this Commission. I believe probably 9 or so are here tonight. We are appointed by various entities within St. Louis County, and I'm going to have everyone introduce themselves and tell who appointed them. Some of us were appointed by the County Executive. Some of us were appointed by cities that have a population more than 20,000; some, by cities with a population of 10,000 to 20,000; and some, by less than 10,000. So we're appointed by various areas to represent the different constituencies in the County. Starting with my right, I will have the Commissioners introduce themselves and who appointed them so you know where we're coming from. Matthew.

MARMSTRONG: Hi. I'm Matt Armstrong. I'm a resident of the city of Webster Groves, and I was a compromise candidate appointed by both the County and the municipalities.

FORD: Yes, my name is Bob Ford, and I was appointed by the County Executive as a resident of unincorporated St. Louis County.

GELBER: My name is Marvin Gelber. I'm from Creve Coeur, was appointed by Mayor Harold Dielmann.

TARMSTRONG: My name is Ted Armstrong. No relation to Matt Armstrong. And I reside in Frontenac, and I represent cities of less than 10,000 population.

CHAIRMAN HAYEK: Again, my name is Tom Hayek. I was appointed by mayors of cities greater than 20,000 and was nominated by the Mayor of the city of Ferguson.

SPEARS: My name is Johnnie Spears. I was appointed by St. Louis County unincorporated area.

SCHUMAN: My name is Mary Schuman. I live in University City, and I was appointed by the Joint County and Municipal League Committee.

BREDENKOETTER: I'm Christine Bredenکوetter, and I was appointed by those cities over 20,000, and I happen to be a resident of the city of Florissant.

CHAIRMAN HAYEK: So that's who we are and where we come from.

KLOEPPPEL: Whoa, whoa, whoa.

CHAIRMAN HAYEK: Oh, I'm sorry, Greg.

KLOEPPPEL: Last but not least, I'm Greg KloeppeL. I live in unincorporated St. Louis County, and I was appointed by the County Executive.

CHAIRMAN HAYEK: All right. Got it this time. All right. So that's who we are and where we come from. What are we going to do? We're reviewing this proposal by the city of Ballwin to determine whether or not we should approve or disapprove the proposal. The statute requires us to be guided in our decision of approval of disapproval by determining whether this proposal is in the best interests of three entities, the area to be annexed, the municipality seeking annexation, and the surrounding area, which would be that part of St. Louis County which is not subject to this proposal. There are 11 different factors we're provided in the statute to look at. I'm not going to go through them all, but they are things such as financing, providing of public services, representation of the citizens, things of that nature. The city of Ballwin has provided a Plan of Intent detailing how they will address all of these items. That document is available in the Ballwin City Hall. It's available at the County Boundary Commission offices, the County Planning Department, the Municipal League, various entities for your review.

This proposal has one unique feature that we do not see in all of them in that it overlaps with another proposal by another jurisdiction. Approximately two-thirds, at least according to the proposal we were given, of this area overlaps with a proposal by the city of Ellisville to also annex that area. So we have already had our public hearing by Ellisville and what

they are proposing to annex, and tonight is the Ballwin public hearing. Our agenda for ... let me go back... the decision we will reach, we need to decide on this matter within nine months of the proposal, which is not later than April, the first, of 2005. So after our public hearing tonight we may seek additional information, but eventually we will have at one of our monthly meetings, which are posted and published, we will have a discussion of this and we will notify the city long in advance before we have that discussion and reach a conclusion.

The agenda for tonight is that first the city of Ballwin will make a proposal or will have a ... will give a presentation on their proposal. That will last for 15 minutes. St. Louis County will then have 15 minutes to give their presentation concerning what they think about the proposal. After each of those presentations, the Commissioners will be asking questions of the presenters.

After those presentations, we will then take public comment. And this is my second to last warning about this. If you would like to talk to the commission, and we are happy, we encourage you to talk to us, you will need to fill out a speaker card, give it to our attorney at the end of the table, Mr. Hamilton. I will then collect those and call you up individually. You will have three minutes to tell us what you think about it. And, frankly, as much as anything tonight, we want to find out what you, the citizens, the residents, the stakeholders here think about this. If you do not wish to speak to us tonight or if possibly a neighbor or friend of yours could not make it tonight, we accept written comment for 21 days from today. So if you want to write a letter, put together a little presentation, whatever it is, 21 days from today, it has to be in our offices at the Boundary Commission. Our address is on the speaker forms at the back of the table.

Last housekeeping ... again, we talked about the public hearing or public comment. If you are speaking on behalf of a group, for example, if you are a subdivision trustee and you're here on behalf of that group, you'll be given five minutes to speak to us.

Again, I cannot emphasize enough our desire for public comment on this whether it be tonight or whether it be by written comments submitted to the Commission offices. We take them very seriously. We rely on them a lot because, again, the statute, one of the main purposes is for citizen ... for the self-determination of your own governance.

All right. We're at the point for the presentations to begin. The city of Ballwin will go first, and Mr. Robert E. Jones, the Mayor of Ballwin, is going to lead us off. Mr. Jones, if you'll be so kind.

JONES: Thank you. CHairman Hayek, members of the Boundary Commission, my name is Bob Jones, and I am the Mayor of the city of Ballwin. With me tonight are all of our department heads, our City Administrator, Robert Kuntz; our City Planner, Tom Aiken; and several of the members of our Board of Aldermen. I would ask that the members of the Board of Aldermen that are present tonight please stand to be recognized. Thank you.

This proposal comes before you, the Boundary Commission, with the unanimous endorsement of our nine-member legislative body. In terms of representation, our city operates under a four-ward system which translates to approximately one elected official per 4,011 residents. We have a total population according to the last census of approximately 32,000 residents. This is in contrast to the County which has one elected official per 145,000 residents. Since 1950, Ballwin has grown by annexation of 25 separate occasions. These annexations have more than quadrupled our physical size and allowed for a 35-fold increase in our population. This has been our strategy for slow and steady growth through annexation, and the Board of Alderman continues to embrace it today. We have consistently maintained a philosophy that any annexation must not only appeal to the prospective new residents but also to the existing residents of the city of Ballwin and not penalize the current residents. As a Claymont resident, who was annexed in 1996, this was particularly important to me when we were moving through the annexation process, and I can attest to the effectiveness of this approach. Although the area in question is in our comprehensive Plan of Intent, the Board did not authorize this particular proposal until May 1st of 2004 at our Aldermanic Planning Retreat. In fact, the city had a formal moratorium against annexation in effect until December, the 31st, 2004. Our reasons for reversing this particular position and opting a more pro-active stance are primarily economic.

We were focusing at the time on outward development such as our Old Town Center, which was a very large, in fact, probably the largest development ever to take place in the city of Ballwin. We were also concentrating on internal development, the family aquatic center which is now completed and is known as the North Pointe Center. Additionally, uncertain economic conditions forced us to look at all of the city expenditures. This is true of many governmental entities, as you know. As a governing body, we've been hesitant to take on additional financial obligations, but recent trends coupled with the implementation of a number of comprehensive cost-saving measures have renewed our confidence and allowed us to resume our policy of orderly growth through annexation.

The proposal that you have before you this evening is the first phase of our comprehensive plan in this regard. It was specifically chosen because it is a logical extension of our

boundaries. The character of the area is very consistent with our community of interest. It would be an economically viable move based on our projections and analysis. It's consistent with the long- range plan that the city of Ballwin adopted in 1992 and which was reflected in the 2000 map plan submitted to the Boundary Commission. And finally, this particular proposal would establish our border to the west in a manner that provides for efficient service delivery.

In light of Ballwin's hesitancy to send a positive signal to the affected residents, there has been no petition drive or ground swell of support with regard to this particular proposal. On the other hand, last week those of you that were present heard from Ellisville officials that their initiatives resulted in only a lukewarm response. You've also heard from the County Planning Director that the Ellisville proposal is irregular in its geographic characteristic. As our next speaker will demonstrate, our plan is compact. It's contiguous. It's totally consistent with the character of our community. All we ask that the Boundary Commission permit the citizens that are affected to choose the jurisdiction that they would like to preside. Thank you for your attention this evening, and I'll turn our presentation over to Tom Aiken.

CHAIRMAN HAYEK: Thank you.

AIKEN: Good evening. As Mayor Jones said, my name is Tom Aiken, and I'm the Director of Planning for the city of Ballwin. I thank you for the opportunity to present briefly the annexation proposal that's before you tonight. As you probably are all fully aware, by the standards of metropolitan St. Louis, Ballwin is a full-service community. Ballwin has its own police department. It has probably one of the top-notch recreation departments in the County, has a public works departments and, of course, administrative and legislative functions.

As I said, the Ballwin Police Department is a full-service department offering not only the basic patrol services, but investigation, juvenile operations facilities, outreach. In addition, the city of Ballwin provides contractually police services to the city of Clarkson Valley. As a full-service police department, Ballwin also operates its own dispatching service. So in addition to dispatching, of course, for itself and Clarkson Valley, we also provide contractually dispatching services to the Manchester, the city of Manchester's police department.

As I said, Ballwin has probably one of the top-notch recreation departments in St. Louis County. As the Mayor said briefly, we recently opened the North Pointe Aquatic Center.

We have the Point at Ballwin Commons Community Center, a municipal nine-hole golf course, seven or eight municipal parks offering a full range of standard municipal recreational facilities, and a program selection that is second to none in St. Louis County.

The Public Works Department is responsible for the maintenance of approximately one hundred and some miles of streets. Every other year, the city of Ballwin conducts an analysis of the condition of those streets, and the pavement condition index rating for the city of Ballwin is at 74 out of a possible score of 80, making it exceptionally high for a municipal street system. In addition, the Public Works Department is responsible for snow removal, and I don't think it's far from fact in saying that Ballwin offers absolutely the best snow removal service in St. Louis County. It's not unusual for people to say they can get out of their driveway and get to the city limits, and they can't go anywhere else.

Basically, I will give you a little bit of statistics about the annexation. The map over here highlights, I think, the area that is being proposed ... if I get my little machine here to work ... the area outlined in green is the existing city, the city of Ballwin that is, of course, the southern portion of it. The area in white is the proposed annexation area. This area in the pink coloring, upper left-hand corner, is the existing city limits of the city of Ellisville. The area down here in salmon is the existing city limits of the city of Wildwood. And the area shown in blue is unincorporated St. Louis County. The annexation that we're looking at here is approximately one-half square mile, actually .54. The city of Ballwin presently is 9 square miles; that means that the annexation would be an increase in size of approximately ... was it 5.8 percent?

The population of the city of Ballwin, as the Mayor said earlier, in 2000 was just slightly less than 32,000 people. The population of this area in 2000 was approximately 800 people, meaning an increase in population of approximately 2.8 percent. It is our projection that when the area is fully developed because there is as yet houses under construction in the area and some larger parcels that are susceptible to future development, we expect the end-state population to be somewhere in the vicinity of 1,100 people.

Talk a little bit about how the boundaries were selected for this annexation area. Basically, there's eight points that we considered. First are the map plan constraints, and as you well know, in 2000 the city of Ballwin submitted a map plan. This boundary right here that runs down along this side and over to here is western limits of the city of

Ballwin's 2000 map plan. So it's my understanding that the city of Ballwin was precluded from even considering an annexation which would be to the west or left of that line as a result of that submittal. I would like to add that that line was drawn in conjunction with discussions with representatives from the city of Wildwood at the time because we felt that ... we mutually agreed that that was the most appropriate line dividing the two cities if we were to annex this unincorporated area.

It is the city of Ballwin's philosophy that annexation should be done in relatively small, logical, manageable increments. Since the city of Ballwin was created in 1950, there have been 25 annexations. They have all been in accordance with this kind of policy. The feeling, of course, there is that we can easily simply absorb this with a minimal of capital outlay to provide additional equipment or expenditures that may be necessary for improvements in the area.

Minimal additional hiring may be necessary and we can very easily and quickly provide municipal services to this area. Natural boundaries were also considered. If you've driven the area, you know that Kiefer Creek Road, which runs right along here, along the existing city limits of the city of Ballwin is a natural boundary. Kiefer Creek Road runs parallel to the creek and, of course, being a creek it is, in fact, a river valley. Adjacent to the creek on this side is a ridgeline, if you look carefully, you can see that's Castle Pines and Deer Creek subdivisions in there. The development pattern in that area is essentially a ridge road pattern, the ridgeline above the creek is over 100 feet higher than the Kiefer Creek Road is at that point. So they developed the ridgeline and the adjoining hill side, which is quite steep, and will remain undeveloped probably for ever. On the south side of Kiefer Creek Road, along in this area, the lower portions of these adjoining subdivisions are relatively flat. Those areas are in the flood plain, and I mean that only from a geologic perspective and not necessarily from the perspective of a designated flood plain, but by that, I mean that the area is relatively flat, level ground. To the west of there, along this area here, is the other ridgeline forming the valley of Kiefer Creek. And if you look at the development pattern along this ridgeline, it's very similar to the development pattern that you have in the adjoining subdivisions in Ballwin. This area along in here, as I said, is a natural ridgeline. It is a natural barrier to development. All of the subdivisions in this area are served from roadways that come to it off of Kiefer Creek Road. There is very little likelihood of any roadway extensions of any significance back into this area because of the natural topography. That makes this natural boundary a very logical boundary for drawing this line.

We also looked at political boundaries. I mentioned the annexation Plan of Intent line which is a political boundary. You also have a situation where, as I said, not only is this a ridgeline but, of course, it is the edge of these subdivisions. So it was certainly logical to follow that political boundary, those property lines in that area to draw that line. As I said, they approximate the ridgeline in that area and makes for a very logical boundary. Of course, where the area is adjacent to the city of Ballwin, we filled up in such a manner as to leave no breaks or openings or unincorporated pockets. This little parcel here was not part of the city because it was served exclusively from Kiefer Creek and could not be reached from the other side, but clearly would logically be part of this annexation area. Ballwin's also very careful when it drew the lines in the area over here where Kiefer Creek intersects with New Ballwin Road and up in this area where Ridgeline Meadows Drive comes into Kiefer Creek Road to include sections of Kiefer Creek Road right-of-way in such a manner that services coming to this area from the city of Ballwin would never physically leave the city in order to access this annexation area.

Compactness is something we look at. I think that it's pretty straight forward that this is a very compact area. The boundaries, given the fact that property lines are not always the most logical arrangement of things, is very tight and compact. There is no appendages. There's no peninsulas or any thing like that that stick out appreciably from this area. Contiguousness is another factor. Of course, the state law stipulates a minimum for contiguousness of an annexation area, but this area along here constitutes approximately a 34 percent contiguousness with the city of Ballwin for this annexation area.

Final issue that we looked at is community of intent [sic]. Of course, this is an issue that goes back as long as many times as I've appeared before this Commission and previous Commissions. It's something that I think is very important when it comes to analyzing the likelihood or logic, shall we say, of an annexation. I think one of the most important factors in this feeling of community of interest is address. And because of the nature of mail delivery, this entire unincorporated area here has a Ballwin mailing address. The Post Office in our region is in the city of Ballwin. It's called the Ballwin Post Office. It serves the cities of Ellisville and Manchester as well. And if you give the address 63021 Ellisville or 63021 Manchester, you'll certainly get your mail delivered because the post office recognizes those addresses. And, obviously, if you give your address as 63021 Ballwin, that makes sense as well. But what the Post Office did is assigned the Ballwin designation to all of the unincorporated areas that it serves so everybody that lives in this portion of unincorporated St. Louis County has a Ballwin mailing address and

certainly that's, as I said earlier, a very significant issue as it relates to community of interest.

Yes, sir. Oh, thank you.

School attendance areas. Most of the kids that live in this area if they're in public school attend Woerther Elementary and Selvidge. Both of those are located in Ballwin and, of course, we're Woerther tonight. If they attend Holy Infant Catholic School, that also is located in the city of Ballwin. Again a community of interest issue. Neighborhood characters, characters [sic], as I said earlier, this area is very similar in development patterns to the adjoining areas in the city of Ballwin. Ballwin recreational facility utilization. I talked about earlier about the facilities that we offer. All of the unincorporated areas in this part of the County give high utilization to Ballwin's facilities. That's no different from this annexation area. The penetration is relatively high.

Church attendance. Although I would not pretend that everybody that lives in this area goes to church in Ballwin, as I mentioned, Holy Infant Catholic Church is in Ballwin. There is a high Catholic population in this area so again those folks have a connection to the city of Ballwin through their church.

Access. There's two ways to get to the area. You can come down Kiefer Creek Road, and you don't go through the city of Ballwin ... and I'm off. Well, thank you very much for letting me speak to you.

CHAIRMAN HAYEK: Thank you. Christine, how about if we start with you tonight? I'm sorry, Greg. I keep forgetting. No seat at the table.

KLOEPPEL: Thanks, Tom. Couple of questions, Mr. Aiken or Mayor Jones, either one of you can answer these for me. It's my understanding that you said there was no groundswell support for this. No one came to you, is that correct?

JONES: Not that no one came to us, sir, but we didn't have a large petition. There are I believe, about 330 acres in the area, a half of a mile, and we did have several residents come forward to us in a positive fashion, but we did not have a formal petition. No, that is correct.

KLOEPPEL: Did you ever have any meetings with the targeted area?

JONES: Yes, the aldermanic representatives did

KLOEPPEL: And what were the outcomes of those meetings with regard to the support for this annexation proposal?

JONES: I did not have any negative remarks about inclusion in the city of Ballwin.

KLOEPPEL: You stated that it is about 328 acres that this encompasses and according to your Plan of Intent, you don't have any intent to hire any additional police officers to service this area, is that correct?

JONES: That's correct. We don't have a present intent to do that. We have 56 officers on the force. We believe that they are fully equipped and capable of handling this area.

KLOEPPEL: Do you know how many officers per thousand residents you have?

AIKEN: We anticipated someone might ask that question so we put some numbers together. As I said, the city of Ballwin does serve the city of Clarkson Valley as well. If you look at the officers, and it has our designated officers assigned to that area, but if you look at the officers serving to the city of Ballwin, we are at 1.8 officers per thousand.

KLOEPPEL: So this is an additional ... you even said 1,100 anticipated ... so you don't even anticipate hiring an additional officer for this area?

AIKEN: Right. The city of Ballwin until a couple of years ago provided municipal police services to the city of Winchester, which has a population, I think, of approximately 2,800 people. They chose to take that contract elsewhere. The city of Ballwin did not reduce its police staffing at that time so we actually have what we feel to be more than adequate staffing to provide police services, especially given the fact that this is a relatively low crime area.

KLOEPPEL: Do you know how your benefit package and your wage package stacks up to St. Louis County's with regards to the police officers?

JONES: No, but we could ask our police chief to respond with a speaker card later if that would help.

KLOEPPEL: Okay.

(UNKNOWN): Is he here? He could answer the question.

JONES: Would you like him to come up and answer the question?

KLOEPPEL: Sure, sure. If Chief Biederman's here, I'd like to hear that.

BIEDERMAN: Thank you. I have to assume that we're very comparable in salary and benefits to St. Louis County. Not knowing exactly what their benefits are at this time, it would be difficult for me to say, but our health insurance and pension plan and our salaries all very competitive, I think, to St. Louis County. If not equal, it perhaps could be a little bit higher.

KLOEPPEL: Okay. You also stated that you had a mutual agreement with the city of Ellisville with regards to the boundaries, is that correct?

AIKEN: We have ... you're talking in terms of drawing the boundary, the 2000 map plan? We had an understanding with the city of Wildwood when we drew that line. We attempted to enter into an agreement with the city of Ellisville, but we weren't able to come to any kind of agreement as to a logical place to draw the line.

KLOEPPEL: Did you ever have any meetings with the city of Ellisville regarding those boundary lines?

AIKEN: Oh, yes, we did. Yes, but we weren't able to come to any sort of an agreement.

KLOEPPEL: Okay. That's all I have.

CHAIRMAN HAYEK: Thank you. Christine.

BREDENKOETTER: Can we translate that 1.8 per thousand ... would you refresh my memory, how many square miles would the city be in its entirety if you're successful?

AIKEN: City of Ballwin is presently at 9.26 or something like that square miles, and this is going to add approximately a half a square mile. So we'll still be right around ...

BREDENKOETTER: Ten.

AIKEN: ... just a little under 10 square miles, yes, Ma'am.

BREDENKOETTER: Okay. So 10 square miles, 56 officers.

AIKEN: Yes.

BREDENKOETTER: All right. That's all at the moment.

CHAIRMAN HAYEK: Thank you. Mary.

SCHUMAN: I have nothing at the moment.

CHAIRMAN HAYEK: Thank you. Johnnie.

SPEARS: No questions, Mr. Chairman.

CHAIRMAN HAYEK: I have a couple. I want to ask about the financing end of it. In looking at the financial documents contained in the proposal, it looked like the city operated at a deficit last year, but it also looked like there was very large expenditure under parks. Help me out a little bit on this, is that what was going on?

AIKEN: Exactly. As I ... the Mayor alluded we opened last year and the year before... actually the expenditure took place in two years, the North Pointe Aquatic Center, which was approximately a \$10 million dollar expenditure. And that was a bond issue ... or ... yes, it was bond issue revenue so the revenues are shown as an expenditure in excess of revenue because of the nature of the way the accounting is done, but the city of Ballwin does not operate at an annual **deficit**. We can't do that legally.

CHAIRMAN HAYEK: Right. Other than that expenditure, otherwise the city operates at a surplus.

AIKEN: Oh, absolutely. The city can't operate ... that's not to say that there haven't been years when the city has drawn on reserves **due** to various expenditure needs, but the city is not in the position legally to operate at a deficit. It has to either break even or it can draw on reserves that it's got, but the city has a policy of maintaining an annual reserve equal to approximately, if I remember correctly, 12 or 15 percent of the annual operating budget. And the city strives to maintain that reserve and not draw on it.

CHAIRMAN HAYEK: There was a comment earlier about there was the decision to go forward with this proposal in light of or despite prior decisions not to go through anything through December of '04 and because of, as I understood it, some kind of a turn in a financial ... and we've heard a comment from another municipalities about how potentially the financials are starting to get better for the municipalities. Could you comment on that any at least as far as Ballwin's concerned? You know, from the past two or three years where finances haven't been that good, is there some form of trend you're seeing as far as

taxes or whatever it might be?

AIKEN: Yes, back up to 1999. That was the last annexation. That was at that point that I had the first discussions personally with folks that lived in this area because '99 was is when that area that you see in green there was annexed into the city of Ballwin. Up to that time, these folks were not in a contiguous position to be contiguous and considered for annexation. At that time, all of us were facing the impending 2000 census, and there was concern what that impact might have ... what might be. In the previous ten years there'd been a lot of shifting of population in the county. Ballwin is a hybrid municipality. We receive revenues not only as a point-of-sale city, but almost 50 percent of our revenues come out of the pool because of large areas that we've annexed in the past, and there was speculation, shall we say, that the per capita revenue from the pool might be down dramatically because of these potential shifts in population, and we were a little unsure that any annexation analysis that we did, financial analysis which invariably incorporates certain assumptions and projections on percentage growth, both of cost and revenue, might be dangerously flawed. So the city was a little bit unwilling to seriously consider an annexation at that time, and in fact, it wasn't until, I think, early 2002 that the census numbers actually hit, and so the city of Ballwin actually imposed a moratorium on annexations for the years 2002 and then again in 2003 waiting for those numbers to sort out so we could get a handle on what the revenue picture really was going to be and therefore some comfort level with making projections. At the same time, of course, the economy has tanked so revenues in general are down from where they had been. Again, you know, half of the city's sales tax revenue comes ... because the city being point-of-sale, and those sales tax revenues together constitute something like 65 percent of our annual revenue, so with those being down generally, both on the pool side and on the point-of-sale side, again we had some concerns about what the long-range projection, the value of long-range projections on these matters. Fortunately, there has a little bit of turn in recent years. The Mayor mentioned the new development, the Old Town Plaza that was built. Ballwin had been its revenue generating source that has peaked our revenues a little bit. Economy seems to be turning a little bit. I'm not going to say it's looking rosy, but it's looking better than it was a couple of years ago. We feel much more comfortable now about our ability to project revenue, future revenues at least out four-five years and expenditures as well, and if you looked at it, you can see that in the first year, it is a net loss. That has mostly to do with capital equipment expenditures that have to be made to provide services. Subsequent years look like it will overcome that, and it will be a little bit positive for the city in the long haul, but again, I have to say any projection ... but the lines

are coming together out there. Out more than about four years, I think the projections are certainly questionable as to how accurate they are when you get that far out.

CHAIRMAN HAYEK: I have one other question. I want to make sure I understand how the boundaries to the west and south were drawn. If I'm understanding, the boundaries on the west side, more on the north part of that were from the agreement with the city of Wildwood that you all reached, and then when you get down to the southwest part, that's the property lines of the subdivisions?

[inaudible - no mike - extensive discussion]

CHAIRMAN HAYEK: Okay. Thank you, sir

TARMSTRONG: While he's there, I've got a couple of questions. The area northeast of St. Paul Road.

AIKEN: Okay, St. Paul Road ... this area here?

TARMSTRONG: No, no. Where it says Proposed Annexation Area on the map.

AIKEN: Yes, sir

TARMSTRONG: You said that the agreement with Wildwood left the area to the northeast of St. Paul Road in the Wildwood area of influence, if you will. Is that correct?

AIKEN: These parcels along here, I don't know if you can see them. There's a series of large lots that front on St. Paul Road all along here.

TARMSTRONG: Right.

AIKEN: Many of those are ... I think those are three-acre zoning, and I think most of them have houses. There maybe some that don't. That was very much in keeping with the development that exists all up and down St. Paul Road and is very much at odds with the ... not at odds, that really not the right word, but it is less dense than the development pattern that has occurred along this section of Kiefer Creek Road.

TARMSTRONG: Are you aware that the Wildwood proposal excludes those lots right where it says Proposed Annexation Area?

AIKEN: Well, I'm not intimately familiar with the current proposal, but I think they drew their line straight down if I remember correct.

TARMSTRONG: No, they don't.

AIKEN: No, they don't? From here.

TARMSTRONG: No, there's a vacancy that would be left along the ... I guess I'm going to have to show you. Right here. This. These three lots right there on the northeast side of St. Paul Road.

[side B - tape 1 ends] [side A - tape 2 starts]

AIKEN: ... you know, by their map plan is something that they considered to be suitable, I guess you'd say, for future annexation. My feeling here is that those lots probably should be ...

TARMSTRONG: should be?

AIKEN: ... in Wildwood, and the reason I say that is because those lots are served off of St. Paul Road, and if Wildwood is going up and down St. Paul Road providing services to the properties along there, it would only make sense to me that they would provide them, whereas if they were to be included in Ballwin's annexation, and I won't say that Ballwin would not be willing to consider it, although I believe we're precluded from that because of our map line, but we would have to drive all the way up here and come all the way down and around, which is not going to be a very efficient service provision.

: Unless they're served from the roads that are in the subdivision roads, right there.

AIKEN: But that's not possible, I don't believe. I don't know what could be done, but this is all built out in homes. I don't know that there is any access through this subdivision to these large parcels.

TARMSTRONG: Okay.

AIKEN: The development pattern in place, I believe, precludes that from happening.

TARMSTRONG: Let me change subject for a minute. I guess I was a little surprised that you all have not ... at how little you all have done in terms of convincing the residents in the area that you're proposing to vote in favor of the annexation. I mean obviously you all

know that if we approve this that there would have to be a vote of the people in that area as well as in the city of Ballwin. That's not free. It's expensive for you all to do, and I'm ... I guess I'm kind of surprised that you haven't done more to convince the residents that ... of the wisdom of joining Ballwin. Would you like to respond to that?

JONES: [inaudible - too far from mike] respond to your question. We did send out a packet of materials which arrived ... thank you ... at all of the homes immediately prior to this meeting. And it is a standard packet that we give to all new residents in the city of Ballwin pointing out the services, the various tax rates, and other things that affect a resident of the city of Ballwin. As I said earlier, we have not heard any negative comments about this annexation proposal from people living in the area.

TARMSTRONG: Yeah, but I take it you haven't heard any positive comments either.

JONES: No, I didn't say that. We have heard positive comments. We don't have a long petition, but we're confident that if this matter goes to an election, that the residents will make a choice for the city of Ballwin.

TARMSTRONG: Okay. That's all I have. Marvin.

CHAIRMAN HAYEK: Marvin

GELBER: You've got four areas designated as Non-Urban. What do you plan to do with those areas?

AIKEN: If I might go back to the map again, I should have put it over on the podium side. Yes, there are four areas I think that are currently shown as Non-Urban. One of them is the Dillon property which is right here. One of them is the Herrmann property which is here in the middle. One of them, and I apologize, I don't remember the name of the folks that own it, is this one right here, and the other one is this little area, this remnant of Pleasant Valley subdivision. I'll start with that one because it's the easy one. This development ... this is an old platted subdivision. This subdivision was platted back in 1949, and it is currently being developed under that old platting with private roadways with lots on these individual homes at the density designated by these lots which is substantially smaller than Non-Urban. So you actually have a non-conforming situation there today presently in St. Louis County. And I suspect that's going to continue to be the case in Ballwin. The other three parcels are subject to development. I'll start with this one. This is actually an out lot of this Pine Ridge Trail subdivision, and I don't know ... it's shown on the record as being owned by a single

individual and his wife. I don't believe there's any house on it today, at least the air photo that I have doesn't seem to indicate that there's a house on it. I don't know what the long-range plans might be. It certainly is connected in here to the roadway, and it might very well be that the city would one day receive a development proposal for that. And the same thing is true of the Herrmann property at 14 acres and the Dillon property which I believe is about 8 or 9 acres, something like that. These two properties are quite rough. As I said, there's a large ridgeline that runs down here and a ridgeline over here, something on the order of 100 feet of elevation change between the back of this property and the front of this property. The development densities are going to be very limited by that severe topographic situation, but the surrounding development patterns are certainly at a higher density than Non-Urban, and I would certainly expect that any development proposal that came in would be evaluated on the basis of those surrounding densities. That's exactly the way the city of Ballwin handles similar requests in the current city limits, and that is certainly, from my way of looking at it, a logical reasonable planning approach to those types of properties.

MARMSTRONG: How about the ones to the far right? Right here.

AIKEN: I'm sorry, I missed that one. Similar situation there. It's a much smaller parcel, and there is a stub that runs into it. I don't know what the conditions are, but it would fall into that same kind of general category. The development densities down in this area are much higher than the Non-Urban would allow, and I would certainly expect that a development proposal for it would be evaluated on the basis of its compatibility with surrounding densities. That goes both ways, you know, higher density and lower density. Obviously, if they wanted to come in and build a single house on it, there's no problem with doing that. I wouldn't expect that a higher density, higher than what you have in the adjoining subdivisions would be given serious consideration.

GELBER: Are all sanitary sewers in that area ... in your proposed annexation?

AIKEN: To the best of my knowledge, all the existing development is served by sanitary. I'm not sure about this house. It's on the other side of the creek. The trunk line runs down the creek. So certainly the entire valley can be served by sanitary sewer, and there are no substantial numbers of dwellings in this area that are not ... to the best of my knowledge that are not served by sanitary sewer. And if there were to be a failed septic system, we would require it to be connected to the sewer line unless it's simply not possible, in which case they would have to put in a new septic field according to the applicable regulations.

GELBER: Are all the property owners in the Non-Urban markings, were they notified of this?

AIKEN: All the property owners of record in the county database were sent notices of this meeting tonight. And also the packet that the Mayor alluded that the city sent out.

GELBER: Does Ballwin have a fire district or is it their own fire department?

AIKEN: No, Ballwin in this area is in the Metro West Fire Protection District and ... it used to be called the Ballwin Fire District, but it's its own independent agency and has nothing to do with the city of Ballwin.

GELBER: Thank you.

CHAIRMAN HAYEK: Robert.

FORD: Yeah, I just want to clarify something in my mind. Before you submitted the annexation, you did ... did you conduct a survey or poll within the area that you're proposing annexing regarding the pros or cons of annexation?

AIKEN: No, we did not.

FORD: Okay. I have nothing else.

CHAIRMAN HAYEK: Matthew.

MARMSTRONG: And as far as you know, there are currently no plans to develop either the Herrmann property or the single owner property on the west side?

AIKEN: I'm not aware of any. I don't know what may have been submitted to St. Louis County. I haven't actually specifically called down to County Planning and said, "Is there a proposal pending?" Mr. Herrmann's here tonight, and I know Mr. Herrmann, and I don't believe there's anything pending for his property. I can't absolutely speak for sure on the other one, but I'm not aware of any.

MARMSTRONG: Okay. That's all I have.

CHAIRMAN HAYEK: All right. Gentlemen, thank you very much. All right, this is my last warning about the public speaker forms because once we start the public speaker portion, I don't accept any more forms, okay? So, if you want to speak to us tonight, fill out a form and give it to Mr. Hamilton. With that being said, Mr. Powers. We will have the

County's presentation and Mr. Powers' smiling, shiny face is before us again.

POWERS: Still smiling ... after all these meetings. I'm Glenn Powers. I'm the Director of Planning for St. Louis County. I spoke at last week's meeting, very interesting what we learned there. And I appreciate the opportunity to speak again on the matter of the Ballwin proposal.

Before I begin, and I will keep it short like I did the second presentation last week. I want to thank Ballwin for their very fine and fair presentation. I think Ballwin, Ellisville, Wildwood are all excellent cities that provide top-notch services and do a good job. And so does St. Louis County. As I've said before, we're ... we're a county that provides county-wide services to over one million people and local government services to over 300,000 people who remain living in unincorporated areas. We also provide services to municipalities under contract quite extensively. Like Ballwin, we provide a wide range of services: police services, street maintenance, code enforcement, extensive park system, youth programs and other human services, planning and zoning, sewer lateral repair programs, very similar to the city's. In the West County area, we have a West County satellite office at 74 Clarkson, Wilson Center. That's just south of Chesterfield on Clarkson Road. Our West County precinct is at 645 Big Bend Road. Our District 3 Maintenance Substation is on Ruck Road, which is really along the south side of Highway 100 just west of the Ellisville city limits. We have 12 county park sites in the West County area.

As far as this particular area goes, it is basically an area of subdivision development that was developed in the mid to late 1990s, so it's relatively new subdivision development, what we call PEU, Planned Environment Unit type development where we ... just as on the north side of Kiefer Creek Road which was all, incidentally, developed under St. Louis County jurisdiction. Mr. Aiken described the development pattern perfectly. It's basically roads that run ridges with lots hugging those ridges and generous amounts of common ground off of those ridges. Some of the development on the south side of the road is still occurring further to the east or southeast towards ... towards Castlewood. And so the population is expected to grow. The 2000 census basically estimated that we have about a little over 700 people in the area, so it's four years later at this point, it's probably up to 800 or 900 by now because of the development that has been ongoing. The unincorporated areas are served by the County Police, the West Precinct as I mentioned. That's 68 patrol officers working out of that precinct with the support of a large other number of personnel, 150 detectives and other special services provided by the county as a whole.

This particular area enjoys a very low crime rate. Our statistics are that in 2003 there were 13 crimes in this area, five were construction site thefts, so you get the idea that basically it's a very low crime area.

Our Highway Department maintains four centerline miles of local roads. Also Kiefer Creek Road is on the county arterial road system and would remain on that out into the future. If you've driven the area, I'm sure most of you have by now, you've noticed that there are some pretty major improvements going on just up the valley. And this area is covered by the Big Bend/Kiefer Creek Road Trust Fund, where when new development comes in on a per house or a per development unit basis we collect money for road improvements that are not necessarily right in front of the developers' property.

We have a number of street maintenance projects recently. I have a list I can submit to you of these street maintenance projects. If we were using the slide projector tonight, but I'm glad we're not, those would be listed, but I can submit that to you.

In terms of financial impact, we estimate that it would be \$228,000 dollar revenue loss to St. Louis County, that's when you add sales tax, utility taxes, highway user taxes, road and bridge taxes, and several of the other smaller taxes into the mix. So from a revenue loss standpoint, it's a higher impact than what Ellisville proposed, and we are, of course, concerned about that. Basically, I guess, the way we view it right now is ... and it's in large part based on what we saw last week was in terms of the Wildwood proposal, there's a group of people there that are very definitely in favor of being in Wildwood, but as far as Ellisville and Ballwin go, for the most part, the people we talked to before and after the meeting were kind of surprised, notified at the last minute, not sure what it was all about, and otherwise fairly happy with county services. And to those people, I want to emphasize that St. Louis County wants very much to continue to provide those services. We are very interested in continuing to provide those services. We're proud of those services. We think they're on par with any municipal government, and we look forward to continuing to serve out into the future.

As I ... just a couple of odd comments ... as I mentioned, Mr. Aiken, I think, described the topography and the development patterns very correctly. I think they picked our ridgeline which I was referring to last week as our limit of urbanized development as a natural boundary. You could very easily also say that Kiefer Creek Road, which more or less corresponds to Kiefer Creek itself, is a natural boundary. I can see where you can make the case that it's logical in terms of the developments we've approved matches what is on

the north side of the road which we also approved and was subsequently annexed. I guess what was running through my head though was that, I guess, anytime the county develops, it's logical for a city to annex it. We're at times ... at times we function as a development arm to the municipalities, but I do appreciate their knowledge of the development patterns and how everything came about.

The one other comment I'd make is about pool sales tax, and certainly there was uncertainty about what the pool sales taxes would do on a per capita basis after the 2000 census, and, of course, one of the factors there is annexations. So ... at this point we are skeptical of both the Ellisville and Ballwin proposals since there doesn't seem to be any large grassroots movement on the part of residents or desire to be in those ... in those cities. At least that was the impression that I got from last week. Now, it's a week later, we'll hear some more, but I'd be glad to answer any questions you have.

CHAIRMAN HAYEK: Thank you. We'll start at the other end this time. Matthew.

MARMSTRONG: I don't have any questions yet, but I might come back. Give me a second. Go ahead, Bob

FORD: Thank you. Mr. Powers, I want to congratulate you. You're making presentations shorter.

POWERS: I'll keep trying to improve in that regard.

FORD: One question I have, if the Ballwood ... Ballwin annexation proposal and the Wildwood annexation proposal was approved, it would create an island and some pockets there. How difficult would it be for services of St. Louis County to deal with those, that island and pockets?

POWERS: Well, I think those proposals alone are not going to change things markedly because basically we serve these areas from the north as it is right now so our routes of travel aren't really changed. But over the long run, if additional urban development occurs in this valley, it further isolates those rural areas to the south and makes it more difficult to serve. St. Paul Road, Ridge Road, to the south, large non-urban areas which are low density, people ... a large area though but very low density population. As those areas become more remote, they will become more difficult to serve.

FORD: Okay. You talked about the maintenance projects that are planned for this area. Would you give me an overview of the process of planning a maintenance project? It's not

just something that comes up and two weeks later you go out and do it. What is the overall view... I know some people have the tendency to think, "Oh, they're doing this maintenance now because there's an annexation proposal." But there's more to it than that.

POWERS: Yeah, there's a ... there's actually ... the streets are all rated and graded, if you will, and then street maintenance projects are put on a priority basis. We do have a member of the Highway Department, Pat Palmer, who will, if you would like, will give you a short description of how that works.

PALMER: I'll make it short.

FORD: Sure

PALMER: We have 3,100 lane miles of roadway, and we have people that go out and rate these streets on a two-year basis. We take all this ... we rate them on a scale of one to ten, ten being best, brand new condition, one being in a state of total reconstruction. We put all this information into a database, and then based on our budgetary constraints, then we pull this information up and then we ... on concrete replacement projects we attack the worst first. And we don't look at it ... we don't look at it on a regional basis. We look at ... we look at it on a regional basis. We take all of the streets by subdivision that are in the worst condition and work on those. So it's not ... we don't look at political boundaries, we look just at our road network and address those needs.

FORD: So these projected projects that are in this area, the planning for those projects started a year, two years ago?

PALMER: Two years ago, most likely, yes, when we started rating the streets.

FORD: Okay. That's where I was going. Okay. That's all I have. I'm sorry, Mr. Chairman.

CHAIRMAN HAYEK: Marvin.

GELBER: Kiefer Creek Road, would that be continually maintained by the County or Ballwin?

POWERS: It's on the county arterial system and it would continue to be maintained by St. Louis County.

GELBER: That's all I have.

TARMSTRONG: No questions.

CHAIRMAN HAYEK: I'm guessing that the answer to this question is no. Has there been any prior proposals you're aware of for annexation to this area? And I say no, because I guess it's pretty new development so I assume that it's not existed long enough.

POWERS: That's right, yes. The answer is no.

CHAIRMAN HAYEK: Would you agree ... I'm understanding that you agree that Kiefer Creek Road is a natural boundary of Ballwin, but I thought I heard that what they have put up here would also be topographically a natural boundary of a city.

POWERS: That is a ridgeline. The ridgeline ... the answer to your question is yes. It's a ridgeline. The ridgeline I described last week, what we have always considered to be our natural limit to the higher density residential zonings, or at least higher than the Non-Urban zoning, which is low density.

CHAIRMAN HAYEK: Okay. Has the County received any responses even up 'til today, the Planning Department phone calls, voice mails, emails, whatever, concerning this proposal by the city of Ballwin, for or against?

POWERS: Relative ... no. Maybe one or two. Most of the responses that we've gotten has been just by talking with people at the meeting, so no, I can't say we've had the call-ins or the reaction we've had in other areas.

CHAIRMAN HAYEK: Okay. Do you know if the County Police Department currently services the area from Kiefer Creek Road? You know, goes into these areas from that. I guess what I'm trying to figure out is if we allow an annexation of, say, the Wildwood one, is the services coming into these subdivisions from that Kiefer Creek area, not from the other end?

POWERS: We ... Captain Elze, want to speak to that? You know, we do [inaudible - too far from mike] from Wildwood which is over to the left. Our precinct headquarters is on Big Bend [inaudible].

CHAIRMAN HAYEK: I guess that's what I'm trying to figure out if the main ... if the services ... if the patrols, whatever, really come from Kiefer Creek into the area, and then so relatedly is annexations of one or more areas really going affect how the police are able to get into certain areas?

POWERS: Now [coughing in background] the area from Kiefer Creek Road, [inaudible].

CHAIRMAN HAYEK: Right. That's ... is that really the ... your access into this area is from Kiefer Creek Road, right?

ELZE: Yes, sir

CHAIRMAN HAYEK: Okay. That's all I have. Thank you. Johnnie

SPEARS: . No questions

CHAIRMAN HAYEK: Mary

SCHUMAN: Well, since you are a little bit concerned that you sometimes feel like the development arm for the municipalities, let me ask you if there've been any specific inquiries or development proposals for those Non-Urban parcels?

POWERS: [inaudible]

SCHUMANL In this area.

POWERS: I'm sorry, my answer to the question was we do not have development proposals currently on the larger undeveloped tracts in this area. Sorry.

SCHUMAN: Thank you. Thank you

CHAIRMAN HAYEK: Christine.

BREDENKOETTER: Question. Here we go again with the square miles. Sixty-eight patrol officers. How many square miles are they patrolling today?

POWERS: Square miles [inaudible] Third [sic] Precinct?

ELZE: Seventh Precinct has about 80 square miles.

BREDENKOETTER: Eighty? And then I do have one other question for you with police protection. You talk about the backup and the number of officers, that there's a total within the county. Can you ... I think the figure that's been quoted in the past is there's approximately 750 or something... what's ... ?

ELZE: Seven hundred commissioned and ...

BREDENKOETTER: Seven hundred commissioned officers in St. Louis County. Could you tell me out of those 750 commissioned officers, how many of them are on Department of Justice grants that are due to expire?

ELZE: Are you talking about like school resource officers...?

BREDENKOETTER: I'm talking about any kind of Justice Department grants. If the grant goes away, you lose the police officer or we're going to have to find county revenue to pay for him.

ELZE: I don't have that information, Ma'am, I'm sorry.

BREDENKOETTER: Okay. That is something I'd like to know in the future. I'm sorry.

KLOEPPEL: No questions.

CHAIRMAN HAYEK: [inaudible] Mr. Powers, thank you very much for your time.

POWERS: Thank you.

CHAIRMAN HAYEK: All right. Folks, that concludes the presentation portion. We're going to go to the public speaker session. I omitted one comment at the start, and it's probably the most important one, so I'm going to make it now briefly, and it's been alluded to in these presentations. We will approve or disapprove this proposal. If we disapprove it, that's the end of it. It doesn't happen ... nobody votes on anything. If we approve it for this area to become part of the city of Ballwin, it will require a vote by a majority of the residents living within that area and a vote of the majority of the residents of the city of Ballwin. If either one doesn't come up with the majority in favor of the annexation, it will fail. Both the majority of the residents in the area and the residents in Ballwin, which is kind of an important point I left out. All right. With that being said, what I will do is I will call your name, please come up. Three minutes. We'll time you. I will call the person's name who's coming up, and then the person who's on deck to use a good baseball analogy at this time. First person will be Mr. Kurt Herrmann, and after Mr. Herrmann will be Michael Berry.

HERRMANN: Ladies and gentlemen of the Commission, I thank you for letting me speak. And I'd like to thank the neighbors along Kiefer Creek Road for being interested in what's happening. Before going through the comments, may I go to the map to point out something that I'm rather familiar with?

SEVERAL: Sure. Please do.

HERRMANN: These lots here which you say Ballwin kind of abandoned or they're not part of this, in my younger day, I was able to get to this parcel on horseback. Today, I would not dare try it. It is very steep. It is inaccessible from this area. There's no way to get to it. And when this property was sold, the builder said there's nothing he can do with this other than three-acre parcels. And all of this does have sewers and water, it has all the utilities. This portion down here does not. You asked the question of Tom whether this property may be sold. Well, I feel pretty healthy and in my lifetime, I don't think it will be.

CHAIRMAN HAYEK: All right.

HERRMANN: My name is Kurt Herrmann. I'm a 50-year resident of St. Louis County residing at 1011 Kiefer Creek Road with my wife, Dee. And during that time, I have never had a problem with St. Louis County nor have I had an issue with St. Louis County. They've done a good job. But I would like to convey to you ladies and gentlemen of the Commission and to my neighbors along Kiefer Creek is that I think we should seriously consider this opportunity to become part of Ballwin for some of the following reasons. During the past 50 years, I have also owned property in Ballwin, and I've made my living there. Having been very active in West St. Louis County Chamber of Commerce and having the privilege of serving on the Ballwin Business Retention Committee, I've become very familiar with City Hall, become very familiar with the philosophy of City Hall, and during those 50 years, I need to give you a few examples of St. Louis County. It's become smaller and smaller. Particles of land, particles of real estate have been chopped away, and I guess my biggest concern is how long can they provide these services. Also during these 50 years while I was involved in West St. Louis County and the city of Ballwin, I'd like to give you one example of how responsive the government of Ballwin is. They formed a committee of business people who do not live in Ballwin and don't necessarily vote in Ballwin. They wanted an open communication line between the business community and the residential community, and from this committee came suggestions such as to make the front desk and lobby of City Hall more user friendly, and they did. They have more and better street lighting.

CHAIRMAN HAYEK: Mr. Herrmann?

HERRMANN: Yes.

CHAIRMAN HAYEK: I'm sorry sir. It's three minutes a speaker. We've got a

pretty long list of people tonight so I appreciate your comments so thank you, sir.

HERRMANN: Okay. Just one more comment? I spent most of the time up there. A couple of seconds.

CHAIRMAN HAYEK: Okay. We've got a long list.

HERRMANN: A good many of us go to church in Ballwin. Most of us patronize Ballwin businesses. All of us have a Ballwin address. Let's take this opportunity to not only be associated with Ballwin, but let's legitimize our address and become part of Ballwin.

CHAIRMAN HAYEK: Thank you, sir.

HERRMANN: Thank you.

CHAIRMAN HAYEK: Next up will be Michael Berry and after Mr. Berry, David Robinson. Three minutes, sir

BERRY: Thank you, Mr. Chairman, committee members, friends, neighbors. First to the Commission, I hope you'll give us the opportunity to vote on this. I can't imagine living in a community where you would not give the residents the opportunity to vote on this kind of a thing and let the majority rule. But just a couple of things. I live at 830 Timber Glen Lane in Forest Ridge Trails subdivision. I've lived there for eight years with my wife and my three kids, and want to make it clear I'm speaking only for myself and for them. Last week there were several people who got up and spoke and they said, "I think I speak for everyone else in my subdivision." And I would just say that anyone who claims to speak for others in their subdivision to please have a petition with signed names on them because I can assure you that nobody speaks for everyone. Certainly, no one speaks for me, my wife ... well, nobody speaks for my wife.

CHAIRMAN HAYEK: Folks, let's ...

BERRY: But anyhow, just two quick things. Thirty-seven and ten. There's probably going to be some people talk about taxes tonight, the incremental one percent tax on motor vehicles. If you plan on spending \$40,000 dollars on motor vehicles over the next three years, that's up .37 cents a day. I don't like taxes more than anybody else, but .37 cents a day, \$11 dollars a month of HBO or if you can get

it for that. Ten ... if you look at the subdivisions that are up in the green, I planned on doing a detailed analysis of property values to compare property appreciation rates, and our subdivision's in the white there, and those in the green from St. Louis County records, but unfortunately, I have dial-up and it was too slow, and maybe one of the first things our aldermen can do in Ballwin is talk to SBC and figure out why we can't get DSL in our area, but it's my belief if you do the numbers, even if being annexed by Ballwin has just a slight positive impact on our property values, if it increases it by one-third of a percent a year over those three years, that would be about a 10 to 1 return on your .37 cents, and even if you don't play golf, even if you don't go to the Aquatic Center, even if you don't go to the Point, even if you don't go to any of the parks in Ballwin, I can't imagine why you wouldn't want to let us vote on this. Thank you.

CHAIRMAN HAYEK: Thank you, Mr. Berry. Next up is David Robinson. After Mr. Robinson will be Scott Garner.

ROBINSON: Thank you very much. I am also a resident of Forest Ridge Trail subdivision. I am also a trustee in the subdivision, but I don't speak on behalf of the residents. I'm here just as another interested citizen in the area in white up there. Just to repeat some of the comments that I made last week. First of all, I think that I certainly don't have enough information on which to base any kind of informed decision as to whether is better for me and my family or worse for me and my family. So that's consideration number one. The other thing I'd like to mention is that in Mayor Jones's presentation or I think maybe Mr. Aiken addressed it. He said there were three criteria that they look at. The first one that he mentioned was "Is this proposal in the best interests of the annexed, the people in the annexed area?" And I would submit that there's been very little information presented as to whether that is indeed the case. Thirdly, I will speak as a trustee here and mention to you that I've had multiple occasions and opportunities to interact with representatives of our county government from the police, to Mr. POWERS, to the soil and conservation and in every instance, the response has been rapid, it has been appropriate, and it has been just what I would expect. The County's done an excellent job in terms of maintenance of our roads, snow removal. I am still looking for rationale for why this would be of benefit to me and my family. Thank you very much.

CHAIRMAN HAYEK: Thank you, sir. Next up is Scott Garner, and after Mr. Garner will be Bill Geiler.

GARNER: Good evening

CHAIRMAN HAYEK: Good evening.

GARNER: Two months ago I bought a new car, and what led up to me purchasing this new car was at least two weeks of researching what kind of car was going to be best for my family. Then I spent a week going to different dealerships and test driving them. I even had one dealership give me a car for 24 hours. Now, a car is probably one of the second most largest purchases we as Americans make, our houses being number one. We got this letter from Ballwin late last week, and it was very informative. I have to say that Ballwin did a much better job than Ellisville at presenting their case, but it's still not enough. You know, if Ballwin would like give us 30 days to be a honorary Ballwin person and let us try out their equipment and their facilities, I'm all for it. But they haven't really done a good enough job at this point for us to make informed decisions, and I would like to, our subdivision at least, to have the opportunity to talk amongst ourselves and make that decision because there's different ... I learned new again today, which you didn't mention at the meeting before, was that there's two separate votes and it has to be one ... and if one of them is negative or doesn't pass, then the whole thing ... which wasn't explained to us before. So every time, the more we talk, the more we learn. I just wish you'd give us the opportunity to talk amongst ourselves, hold a meeting with our subdivision and learn more. I'd rather not have you do anything at this point in time. Just let this thing die or ... and actually if you had my vote, I'd rather go to Wildwood. Thank you.

CHAIRMAN HAYEK: All right. Thank you, sir. Next up is Bill Geiler, and after Mr. Geiler will Charles Gatton

GEILER: Thank you very much. Please don't get concerned, I've only got one page of notes. I want to thank the Commission for coming out and listening to the people on the soap box, and the Mayor of Ballwin, and also the presentation by the County. I've got several questions which I'd like to get cleared up before I go into the positive portion. Who's going to take care of the fountains, the five fountains we have on Kiefer Creek? This summer several of them haven't been working for some time, and it gets muck on the water, and mosquitoes just love that water when it's not being disturbed by fountains. Is Ballwin going to take care of this portion or is the subdivision going to take care of it? The other thing is sales tax. Did I hear something about sales tax which is there going to be more sales tax or less sales tax? I'm not

sure. Pardon.

[inaudible]

GEILER: Any way ... pardon. No more sales tax. What about property tax? Is that going to change? Real estate tax. Will that change?

[inaudible]

GEILER: Zero. Okay. Okay. The next thing I have is we're in the unincorporated portion of Ballwin. Our address is Ballwin. We go to church with the people in Ballwin. Our Post Office is located in Ballwin. I've heard many favorable comments about the Police Department in Ballwin. Ballwin's got one of the finest exercising facilities that I've seen in many, many places. They've got a terrific golf course, nine-hole golf course. It's in great shape. It's been kept like that for some time, and they've got good management there. And I've been associated with the people from ... citizens of Ballwin several times a week for, this has been going on for years, for four-five years, and they've always got very favorable comments about the city of Ballwin and the services they have about picking up the leaves and picking up the garbage, and they keep the area very well manicured, and everything is always in great shape.

Another thing that I'm concerned about is what about the codes in Ballwin? Do they have a code where you can't park on the street or you can't park your boat on the street or can you leave it there for a day or two or what kind of codes does Ballwin have in that respect?

CHAIRMAN HAYEK: Mr. Geiler, you can talk to the city guys maybe at the end of the meeting and we'll work all those things out.

GEILER: Yes, sir. In view of the information that I just mentioned, I'm really in favor of being annexed by Ballwin providing it's not an additional financial burden. And that's all I have. Thank you very much.

CHAIRMAN HAYEK: Thank you, sir. Next up will be Mr. Charles Gatton and after that, Robert Schaefer.

GATTON: I would like to thank you, Commission members. My name's Charles Gatton. I live on 647 Lemonwood, which is right behind the school here. I am

also an Alderman in the Fourth Ward of Ballwin, which is the Ward that would absorb these subdivisions into the political entity of this Ward should they decide to become part of the city. Contrary to some of the impressions you may have, we have had a number of discussions with residents regarding annexation by the city. It is the policy of the city ... not exactly a written policy, but still it's our standard operating procedure that we do not aggressively seek annexations. We have residents come to us and ask to be part of our community. And that's true in this case as well. A little less than two years ago I was ... I began communication with residents of these subdivisions who invited me to speak at a subdivision meeting and present life in Ballwin, which I did. My understanding is that after that meeting, they voted to become part of Ballwin. Since that time ... at that time, we weren't about to pursue that because we were in the middle of Old Towne, the new aqua center and a number of other things. Our plate was full. And we had the moratorium, and to correct the date, the moratorium ended December 31 of 2003. So if there's any confusion, we're not under a moratorium. Once the moratorium expired, I did talk with some of the residents and reopened the communication, just told them that we would welcome a petition should they wish to submit one. And at that time, I heard that they were okay with the way they were, but they would consider it. So we have had an ongoing series of communications. We do not market our city to people, they have to ask us. So I hope that clears up that confusion that you might have.

As a representative of the city government I would like to extend an invitation to all residents of these areas to visit our facilities. We'd be happy to provide tours at any time. They don't need to make an appointment, but it would be nice, and we'd be happy to let them visit with us and see what being part of the city is about. Thank you.

CHAIRMAN HAYEK: Thank you, sir. Next up is Robert Schaefer and after Mr. Schaefer will be Lisa Esrock.

SCHAEFER: I'm sorry. It's Robert Schaefer.

CHAIRMAN HAYEK: Yes, sir.

SCHAEFER: Okay. I think I'm the sixth, absolutely the sixth person from Forest Ridge Trails, and I think it was said by yourself that there hadn't been any positive comment. Well, I don't think anybody had asked for it at this point. But let me be ... let me speak for myself and two other families that are not here, and also for my wife, which could be a risk.

But I see another 17-18 people from our neighborhood. I think we are asking to go into Ballwin, to be annexed. I know there's one person who stated he thought there was no good reason. Some of the concerns are, and I heard it said that there no problem with snow removal with St. Louis County. Okay, we're in Forest Ridge Trails, we're on the top of that hill. And we have extensive, and some of the other people in here will reflect that we have very bad problems with snow removal. We are the very last people to get snow removal, sometimes at four or five or six in the afternoon. We've had accidents. We have a very steep hill on that crest of that hill. I'm afraid of a child being killed so what kind ... even though you can't answer a question, we would want to know what kind of snow removal? Are we going to be last on the list? We're in Forest Ridge Trails. Will our sons who are in high school still be able to go to Marquette High School? I don't think that will change. Our indentures do pay for the electric to UE for our street? Okay, since we'll be paying it to Ballwin, we would be concerned about keeping our indentures ... having them drop a little to reflect that. You've answered what percentage we need. Let's see ... I think we had one other question. We have a few other questions from some of my neighbors which might tie in with what the man said earlier. Will any of the codes change as far as where we have our sprinkler systems located in our yards? On our street we don't have enough room for a sidewalk. As long as we have 75 percent voting against a sidewalk, you would not have to have one is what we presume, and what kind of taxes will be on any of the utilities that we don't know about. And I think that's all the questions I have, but, you know, let me say that we are going to give a positive comment that my wife, several families, and then we have another 17-18 people here from Forest Ridge Trails that I think will probably ... most of them may want to go with Ballwin, so I just wanted to make that clear. Thank you.

CHAIRMAN HAYEK: Thank you for your comment, sir. Next up is Lisa Esrock and after that, Dee Vogt.

ESROCK: Good evening. My name is Lisa Esrock. I hadn't intended to speak tonight, but in light of some of the comments I wanted to at least get up and let you know that I would like to see us formalize our community. My family definitely functionally lives in the Ballwin Community. We belong to the Point. We belong to the North Pointe. My children play for the Ballwin Athletic Association. They go to school in Ballwin, and we go to church in Ballwin. I wanted to address talking about ... you talked about a petition, that there hasn't been a petition for Ballwin. My understanding was that there was a moratorium on annexation in Ballwin and that the petition wouldn't really have done us any good. There has been, from my understanding, considerable interest in the city of Ballwin and being annexed by Ballwin. In talking to many people in our areas, I have not heard

anyone say negative comments about the annexation. Most people were happy to know that there was annexation being considered for our area. No disrespect to St. Louis County, but most people would rather be incorporated, but Ballwin is my choice. It's the choice of many people that I have spoken with, but I would rather be St. Louis County than Ellisville or Wildwood if it cannot be Ballwin. I'd like to see us be able to have an opportunity to vote on the proposal. I think that that's the only way that you're going to be able to get a good understanding of how many people would like it. I didn't many hear many positive comments about Ellisville. I know that I did send my card back to Ellisville, and we've never have gotten any more correspondence from them since the original note card that went out. And I've never heard anything from the city of Wildwood at all. Thank you.

CHAIRMAN HAYEK: Thank you, 'mam. Next up is Dee Vogt. After Ms. Vogt will be Tom Tracy.

VOGT: Good evening, and thank you for your time. My name is Dee Vogt, and I too am a member or resident of Forest Ridge subdivision. The Ballwin's interest at area in question has many residents who belong to churches, Holy Infant Parish, Woerther Elementary, Selvidge Middle School, Girl Scouts, Boy Scout Units, our mailing addresses, all of which are located in the city of Ballwin. Many of us are active in the city of Ballwin. I and my husband have owned a home in Ellisville and a business, both of which I chose to sell in order to get out of Ellisville.

We were mailed very clear information from the city of Ballwin which answered most of everyone's questions. If you read the details, the answers are in them. There are many people in our neighborhood that I have talked to that do want Ballwin and none that I have talked to that are interested in the city of Ellisville. Thank you.

CHAIRMAN HAYEK: Thank you, 'mam. Next up is Tom Tracy. After Mr. Tracy will be Larry Rice.

TRACY: Thank you, members of the Boundary Commission. Six points I had. One question, the cost of an annexation election. There's been costs thrown out in the past about elections costing a million dollars a pop. Since I've moved to Missouri 15 years ago, it seems Missouri is very election happy, and I personally don't care to see my tax dollars going in 20 directions like that. So that is a question. Nobody's brought that up, asked that question, whatever, so I wanted to throw that out.

Future annexation proposals. Where does Ballwin expect to go past this point? Do they expect to go into the "Castlewood area?" Ellisville's proposal left off the Kiefer Trails Ridge subdivision to the south of it, and then ... but Ballwin's proposal includes it, but then there's a whole area going down to Meramec River and the Castlewood area. There's a lot of development potentially down that way. People are buying three-acre lots down in that area to hopefully hook in to Wildwood. So that's an important thing.

Our trash costs would be higher with the same hauler. We're using Midwest Waste. We have a negotiated contract written into our indentures in two subdivisions. I'm a member of the Pine Ridge Trail subdivision. There's also the Pines at Kiefer Creek subdivision. These two subdivisions jointly mer ... went together on trash hauling, so for trash to go up, are we going to get more for the trash costs going up?

Police protection. I'm pretty neutral other than my ... I have a concern about police protection currently along New Ballwin Road. My child goes to Holy Infant School, and there's been numerous instances where the police are not monitoring the people that ... it's a two-lane road. Traffic backs up. People go into the southbound lane to head north to get to Manchester Road. I think the police need to do a better job there, maybe even put in a flashing light. The city needs to look into that.

Outlet A which is in our subdivision, Pine Ridge Trails subdivision, backs up to Forest Ridge and the St. Paul Road. The Wildwood proposal would possibly give access for homeowners or developers to therefore back into Outlet A, which is ten acres on a hillside. Beautiful hillside, I can see it right from my front door. If they developed it, they can either go through one of the neighbor's yards, literally right next to the house, because of the way the building lines are drawn. They're really going to put a driveway about 4 inches off the side of their house. That's the only way in currently, which makes no sense, but that's the way it's drawn. So that would be a good question, how would Ballwin deal with Outlet A of Pine Ridge Trails subdivision as far any development or planning?

Lastly, the McBride & Son development was aired last week a lot, and I personally don't like it going in because ... but it's a done deal. The question is what will be done with the roads. Will Kiefer Creek finally get reconstructed, and hopefully the county will do that, but right now it's very dangerous. Thank you for your time.

CHAIRMAN HAYEK: Thank you, sir. Good questions. Next up is Larry Rice, and after Mr. Rice will be John Stoeffler. Hope I pronounced that right.

RICE: Good evening, yes, it's not all no's. I'm also from Forest Ridge Trails. I think that was also a favorable comment that my neighbor Tom just gave so everybody so far has been favorable. If I understood what you said, you're going to decide whether to allow us to vote or not. If you vote no, then, you know, all the questions that are open are not going to get answered. I've been in the neighborhood three years. I've got nothing specifically against the County, but I am generally in favor of local government, local management. And I would certainly hope that you would give us the opportunity to vote, which would also give us the opportunity to have all these questions that my neighbors have answered. Thank you.

CHAIRMAN HAYEK: Thank you, sir. Next up will be John Stoeffler, and after Mr. Stoeffler will be Mark Duecker.

STOEFFLER: Members of the Boundary Commission, thank you. I appreciate the opportunity to be here. This is truly democracy in action. I have a couple of concerns. One comment I'd like to make is one gentleman from Forest Ridge subdivision, and I do live there, had made the comment that snow removal was terrible. Well, I moved there two and a half years ago, and unless St. Louis County can get God to come down and keep the snow from falling on the road, they do an excellent job of removing snow. I've never had a problem with that, and we live up on the top of the hill as well. So I don't know what the problem is, but I don't see it as a problem at all. I think Ballwin, Ellisville, and any other city in this county could take a real lesson from Wildwood, those residents who want to be a part of Wildwood. I mean there was no doubt at the meeting last week ... was 100 percent consensus they wanted to be there. Now whether Wildwood went out and they romanced them, I don't know what it was, but they wanted to be.

They expressed an absolute need and desire to be there. I don't see that with Ballwin. Yes, they have some people here who want to be part of Ballwin, and that's fine. I see no reason to be.

And one of my concerns in that regard is they talked about their financial situation. They don't know what it's going to be in four to five years. They don't have a government accounting office to do projections out and see what it's going to be or economists to say what kind of revenue is going to come in within the next four to five years, yet they want to go out and they want to be able to annex a property, yet they don't know what the revenue is going to be. What does that mean? Well, that means potential higher taxes to the residents or it means a higher sales tax, which is what Manchester did when I was part of

Manchester to go through their annexation. I'm sorry, I don't see it. I see it as a problem. I'd like to see more annexations put on hold at least until the economy in this country would get itself on a stronger footing, and since Ballwin has already said that it has, you know, there may be potential problems in this regard, I think there ought to be just kind of a moratorium for awhile, but I think their annexation is prompted by the fact that there was a time limit put on the part of when annexations could be applied for so everybody's hurrying up to get an annexation in. Well, that's the wrong way to do things. Would there be a vote on this from what I see tonight? Probably. I hope that it probably wouldn't be.

But I think that one of the concerns that you all ought to have is the financial situation that Ballwin has already omitted may be down the road. And I thank you for your attention.

CHAIRMAN HAYEK: Thank you, sir. Next up is Mark Duecker. After Mr. Duecker will be Ray Lempke.

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2]

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DUECKER: ... proposal by Ballwin. One is there's no survey of people. At least Ellisville sent out a survey. Wasn't a very good survey, but they at least sent a survey out. We received nothing. Unless I'm mistaken, there was a moratorium until the end of this year. Ballwin reversed that. I'm curious as to why they reversed it. Is this a ... for a land grab? I mean, this is, according to Mr. POWERS' figures, this is worth a quarter of a million dollars. Would be ... I'm sure Ballwin would appreciate it if you'd just hand the keys over and give them a quarter of a million dollars. I'd sure like it. And the packets, they showed up very late. Yes, they are nice packets. Ellisville didn't do that. But we did receive a packet, but it was less than a week ago. I don't think that's very timely. It seems to be ill prepared at best. And then everyone speaks of

the meetings with the aldermen. I never had a meeting with an alderman. I was never advised of a meeting with an alderman. I was never notified of meetings of a alderman. I would be curious as to all these people here ... to ask anybody to stand up who had meetings with an alderman. I'd be very curious.

UNKNOWN: Our subdivision did.

UNKNOWN: How many you got?

DUECKER: Not very many. No additional police force. Again, here's the keys, here's a quarter million dollars. We're not going to add any police force. We're not going to increase our expense. We're not going to increase our services. And best of all, you have the proposal from Ellisville, which was very negative last week by the majority of people. Again, I speak for myself. I speak for no one else in my subdivision, Forest Ridge Trails, but if you can offer an equal playing field, then you should let Wildwood amend their plan and make all three plans the same, erase all the pockets, make them all the same, and pick one and let the people vote. That would be at least the most fair proposal out there. Thank you.

CHAIRMAN HAYEK: Thank you, sir. Next up is Ray Lempke. After Mr. Lempke will be Terry McDannold

LEMPKE: My name is Ray Lempke. I live 423 Gillham Court in the city of Ballwin, and I am an alderman. I would like to take this opportunity to explain why I feel I wanted to be in the city limits of Ballwin in 1989 when I voted along with many of my friends and neighbors to annex into Ballwin and why I still feel that it's a reason to be in Ballwin. First of all, some questions have come up, and I'll try and answer those.

One is that since 1989 our property real estate tax rate has been set at zero. It was set at zero again this next ... this last year. Could it change in the future? I'm not going to tie the hands of a future board, but one of the things I ran for when I was an alderman was that we would not have a property tax portion in the city of St. Louis [sic]. Somewhat asked about other taxes. The other tax that we generate funds from is our utility tax. The County's utility tax rate is 5 percent and the city of Ballwin's utility tax is 5 percent. So there would be no change there.

We have the internationally award-winning Point, North Pointe, the golf course, our many parks and many different activities, all of which are enjoyed by ... currently by folks outside the city limits for 50 percent more so that if these folks were to become residents of Ballwin, they would receive that additional discount.

While our trash is not free like Ellisville's, we do have a city-wide trash contract and our residents have the choice of once or twice a week pick-up. They do not have a choice, there is recycling. They can use it or not use it, but they pay for it. There is yard waste included in it. And then major appliance such as used washers, dryers, refrigerators,

freezers are picked up under our contract at no additional charge to the residents. The other thing that we do by doing this is that we do keep the number of trash haulers to one so we've got one set of trucks going through the subdivisions rather than multiple trucks and different companies coming through.

Snow removal policy has been and continues to be that we start plowing and it is curb to curb when we finally finish and yes, in the last two-and-a-half years we've experienced some very mild winters, but I can tell you there's many winters in the past that that type of a policy we get out to county roads and the snow plowing and on to Manchester, you can get out of your subdivision and on to other roads, but sometimes we can't move on the other county arterial roads even.

All of our police force is ... from a health and safety standpoint ... all of our police officers from our police chief down to the last person to be hired are trained in CPR and AED use, and for those of you that do not know what an AED is, it is an Automatic External Defibrillator. This is the life-saving device that if applied to someone having a heart attack can save their life. And the reason that we purchased six of these and put them in every sector car plus the sector leader's car ...

CHAIRMAN HAYEK: Mr. Lempke.

Lempke: ... and have them on the road ... Thank you

CHAIRMAN HAYEK: Three minutes. Thank you for your comments

COMMISSIONER: I have a question for the alderman. Mr. Alderman, I have a quick question.

LEMPKE: Sure.

COMMISSIONER: And I'll let you defer to the Mayor on this or anybody else, but I'm looking at tab 9 and this is raised by the man who just spoke before you. The combined revenues and the combined expenditures of the area versus the city. And it looks like your combined revenues on average of \$235,000 from this area, and your combined expenditures on average are \$328,000 to \$340,000. So it looks to me like the city is actually losing money by annexing this area. Can that be explained? I'll be happy to let you defer. Go ahead. Come on up.

LEMPKE: Well, I'm just pointing to Tom Aiken. I believe that I'll defer to Tom. I'll get

in trouble.

AIKEN: I have to be brief.

CHAIRMAN HAYEK: Briefly.

AIKEN: It represents the first year. There's a lot of capital equipment expenditures in that first year. If you look at subsequent years and it's provided in there, you'll see that there's a positive in subsequent years.

COMMISSIONER: Well, not in the first three years ... \$237,000 revenue year '06, \$342,000 expenditure '06. \$239,000, '07; \$357,000, '07.

AIKEN: Well, I don't know. I apologize, I guess I can't address that question now. I'll have to look at it. I don't believe that's correct, either a misprint in there or I'm not giving you the answer that ... or there's something else that's not being included here.

CHAIRMAN HAYEK: Okay.

AIKEN: The initial analysis that we did prior to this thing being put together before the city even elected to proceed this was a financial analysis and that is basically it, and in round numbers the first year was roughly \$60,000 negative and that was primarily due to capital equipment expenditures in the form of snowplows and that sort of thing that had to be made.

Subsequent years ... for subsequent couple of years were about \$60,000 years to the positive, but as I said earlier, it was a declining line so that about eleventh year, those two lines would come together, and that's what I was saying nobody can project out eleven years with any degree of accuracy, I don't care who you hire to do it.

COMMISSIONER: It was a dual point I wanted to make which is nobody's handing anybody a quarter of million dollars, but also I was curious about that discrepancy. So we can deal with that later.

CHAIRMAN HAYEK: Next up is Terry McDannold, and after that is Lisa Longo.

MCDANNOLD: I'll make this quick. First off, city of Ballwin and St. Louis County referred to the low crime rate in that area, and I think that's all due on the part of St. Louis County police and I applaud their efforts on making us a safe community out there. Number two, apparently they must go to my subdivision to plow snow first and that's the reason they

don't get to Forest Ridge Trails. We haven't had a problem with that either. The trash hauler another gentleman brought up. We did negotiate, the two subdivisions, for our trash hauler. We got a good rate, but one of the important things that we did do is we got a smaller unit to hit a private road that we have. That's the question that I want ask here tonight. Mr. FORD brought up a maintenance question earlier. This private road has five homes on it. It's an asphalt road. We have the smaller unit that goes up and down to keep the maintenance, the wear and tear down from us having to replace the asphalt. I'm wanting to know if this private road, if it's going to be accepted by the city of Ballwin for snowplow, for maintenance, be it patchwork, be an oil and chip program. It's not curb and gutter, but it is a big expense of our subdivision, and that's a question I'd like to see answered.

CHAIRMAN HAYEK: Thank you, sir. Next up is Lisa Longo. After Ms. Longo will be Steve Luecke.

LONGO: I didn't think I was going to be tall enough to reach the microphone. I wanted to say that I did go to the meeting last week and I was very impressed with all of you, and it's very obvious that you know your job and you really ask great questions. I think what I gathered from that meeting were a couple of things, and I kind of wanted to point those out. The residents of Wildwood had an opportunity to do their homework. They were very irritated that St. Paul Road got chunked up and that a builder came in, bought that property, and wanted to put 110 homes on that road. And it was very well advertised in the newspaper. There were articles all the time about the arguments that were going on and how the residents were getting in there and talking _with St. Louis County and wanting to get those lot sizes bigger. And I think it went from 110 to 68 and some changes were made. At that point in time, they gathered together, did their homework and decided they wanted to go to Wildwood, which was great, and when they showed up at the meeting last week, they were ready. I didn't have the opportunity to do homework. I can't sit here and tell you the dog ate it because I don't have any excuse. Three years ago we approached Ballwin, Charlie came to our subdivision, which is the Pines of Kiefer Creek, he did a presentation along with the city of Ellisville. And I've been talking with Charlie and I've been talking with Tom for the past three years, and all I knew was that there was a moratorium. I did not want to spearhead annexation and go through knocking on doors, getting teams of people together to go get petitions signed and possibly going into Castlewood State Park with the idea of knowing that if I went back to Ballwin with all my paperwork and months and months and months of work, that I would be told there's a moratorium. So I waited. Charlie called me about six months ago and he said, "We're

ready." I really didn't do anything. I kind of sat back and said, "Well, I really haven't heard a lot of people in my subdivision going either way." I do hear a lot of people saying they are not interested in going to Ellisville, and that is 100 percent guaranteed, and I can probably speak for everyone. When I moved out here, I made many mistakes when I built my house, and the biggest mistake I made was I thought I was in Ballwin. Everything I do is in Ballwin, and I am totally for going to Ballwin, but I am totally not unhappy with St. Louis County. I think there are people that have not had the chance to do their homework. There are people that were surprised by this meeting as I was. It just ... all of a sudden you guys showed up and I didn't even know who you were. I toyed with the idea. I like Ballwin. I use all of their facilities, and I as a resident speaking for myself would love to go there, but I ... I feel from that meeting, at least last week, you ought to give Wildwood the opportunity to vote. You ought to understand that the feeling, at least the consensus was no one's interested in Ellisville, and that you do have people out here who can go either way and haven't had the time to look at this. My biggest deal is I'm interested in preserving the land as it is. I hope that all of you drive out there and look at it. I hope Mr. Herrmann lives for a very long time because I don't want that piece of property sold. It's one of the finest things that you can see when you drive down that street, and you see his horses out there, and the deers eating, and the wildlife. I'm tired of the new construction. I'm tired of the houses and the trucks. So Wildwood had its opportunity. Thank you.

CHAIRMAN HAYEK: Thank you. Steve Luecke. And after that will be Dan Jacobsmeyer.

LUECKE: Thank you for the opportunity to speak tonight. I have several things ... a couple of things about St. Louis County I want to point out to you. Snow removal. I've lived in Forest Ridge Trails for 11 years now. Snow removal. Yes, they're there sometimes, but a lot of times they're not there. I can't tell you how many residents over the years have parked at the bottom of the hill and had to walk about a quarter, three-quarters of a mile up a hill in the wintertime because there was no snow removal. And a lot of times it's at night and sometimes school buses go down that hill and slide sideways. Number two, the response time of St. Louis County Police. I called St. Louis County Police 'cause I was having trouble with somebody right below me down the hill ... I don't know where it was, but they was shooting off a gun, and they'd shoot it off the gun at dusk. And they'd do this every night. And I called St. Louis County Police; 45 minutes later, St. Louis Police arrived. You see this gentleman right over here and his shirt, that's what the policeman looked like. Not the white one, but the other one. What did the policeman say to me? He said, "You see my shirt, sir? I'm not going into those woods for those guys, whoever's shooting it."

This is like getting towards dusk. He said, "I'm not going in that forest for those people." I mean ... he says, you know, "If I had a red jacket with me, yes, I'd do it, but I'm not going to." I called them out a second time. The second time, "Well, you know, it's legal to shoot a gun in St. Louis County." I said, "It's legal to shoot in the valley down here with these kids up here running around and our dogs and our pets and everything?" And got no response. They've never done anything for us.

As far as Ballwin goes, I'm not promoting Ballwin, but each one of us can go and use all of the facilities in Ballwin that we want and we don't have to join Ballwin. Thank you.

CHAIRMAN HAYEK: Thank you, sir. Dan Jacobsmeyer. And after Mr. Jacobsmeyer will be Bill Pytlinski.

JACOBSMEYER: I'm an original owner in Forest Ridge Trails. I'm at 944 Timber Glen Lane, and I would like to point out on the three lots behind our subdivision, two of them already have access from St. Paul. One's being developed. The center conceivably could have access from Timber Glen, but it hasn't been developed yet. I've only had twice when I had trouble getting down the hill or up the hill so I think the snow removal's pretty good. I'm pretty happy with St. Louis County Police. We have never had, to my knowledge, any Ballwin aldermen at any of our subdivision meetings or we would have known more about it. I was at the Ellisville meeting last week. I don't want to be in Ellisville. I don't know if I want to be in Ballwin because I really don't know about it, but I'm pretty happy in St. Louis County the way we are, and I think that St. Louis County's doing a pretty good job on Kiefer Creek Road. They're going to widen it. They put in a new bridge a couple of years ago. I think the road maintenance looks pretty good. There is an increase in traffic, and there's even going to be more traffic when McBride's subdivision goes in so that expansion on Kiefer Creek Road is very important. I know when the subdivision up the street went in, they had to widen it up there. I don't know. I don't have any real complaints about St. Louis County, I'm just not sure about Ballwin, and I'm pretty sure I don't want to be in Ellisville. And that's it.

CHAIRMAN HAYEK: Thank you, sir. Next up is Bill Pytlinski and then Robert E. Jones.

PYTLINKSI: I also am a resident of Forest Ridge Trails, lived there for 11 years. And I have no complaints about St. Louis County. You know, they talk about the roads and so forth. We've never had a problem. I am one that had to walk from the bottom of the hill to the top of the hill in snow a couple of times, but, you know, that's just part of life. I see absolutely no benefit to annexation. A lot of people are talking about the facilities, the recreational facilities, and that's great for young families. I don't have a young family any more so it

doesn't really interest my wife and myself. I see it as another layer of government and a hindrance to a lot of people. And, once again, a lot of people have said "We don't have much information about Ballwin." I used to live in Ballwin for 14 years. It was a great place to live, but I've been out of Ballwin for 11 years, and my main concern is the financial situation with the recreational complexes. We have two brand new recreational complexes. Five-ten years from now, who knows what it's going to cost to keep ... to upkeep those, to keep them up, rather, and to repair them. So I think it would be a financial burden for the residents to be annexed into the Ballwin area. That's all I have.

CHAIRMAN HAYEK: Thank you, sir. And last, but certainly not least, Mr. Jones.

JONES: Thank you. Members of the Commission, throughout the public comments I made notes, and I had hoped to address a few of the questions that were raised. First of all, with regard to Ballwin's information and its timing with this particular proposal, we had hoped that the information that we supplied to the residents affected would be informational and not confrontational. The information was delivered in a timely fashion in that it was sent out a week prior to this meeting. We all know that many things tend to get lost. They're filed away or not read, and we had hoped that by mailing out as much information as possible as close to this meeting as possible that we would attract the most amount of people to speak tonight, and I have seen quite a few people speak tonight and I am very glad to see that.

Some of the questions that have been raised have to do with the financial capacity of the city of Ballwin to absorb this area, and I can state, having presided over the meetings for the last five and a half years, that the budgeting process is an enormous responsibility, but the city of Ballwin is financially sound. We operate at at least a balanced budget, if not a surplus. We have met our goal of maintaining a 12 to 15 percent in reserve each year by the end of the year. Our budget last year allowed us not only to balance the budget but to give a 4 percent raise to our city employees who were without a raise the previous year while we were able to work our way through some of the woes that all governmental entities faced following significant events in our country's history. So we do want to make it clear that we are a strong, vibrant financial city. We have no property tax. We have set our tax rate at zero since 1989 as Alderman Lempke stated. We have fair codes that are imposed on properties, and we believe contribute to the value of properties in the city of Ballwin. Our utility tax is 5 percent, just like the county. It is true that our map plan does include the Castlewood area, so the gentleman who asked about that, it is possible that at some point we will address this Boundary Commission again with regard to the area known as Castlewood, but to this point the Castlewood area has been generally opposed to incorporation and for that reason it was

not included in this particular proposal. The development of the parcels that are in the large lots and adjacent to the subdivisions tonight, as Tom Aiken stated, would be developed, I believe, in the future in a manner that's compatible with surrounding areas. We do have a true Planning and Zoning Commission in the city of Ballwin. The Mayor and one of the alderman as well as nine other appointed officials sit on that Planning and Zoning Commission, and they recommend development proposals to the city of Ballwin and its Board of Aldermen. Private roads will be taken if they meet Ballwin standards. I would just ask that the Boundary Commission give the people in the affected area a chance to vote and make the decision themselves. Thank you.

CHAIRMAN HAYEK: Thank you, sir. Ladies and gentlemen, that concludes the public comment portion of the meeting and, frankly, concludes the meeting. This meeting is adjourned. Thank you.

Approved: November 16, 2004