

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

**TRANSCRIPT OF
BC0411 PLAN OF INTENT PUBLIC HEARING
VALLEY PARK “Peerless Park” ANNEXATION AREA**

SEPTEMBER 20, 2004

COMMISSION ATTENDANCE:

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

OTHERS PRESENT:

David Hamilton, Legal Counsel

CHAIRMAN HAYEK: Ladies and gentlemen, good evening. I'd like to call to order this Public Hearing of the St. Louis County Boundary Commission on a proposal by the City of Valley Park to annex a certain piece of property currently within the jurisdiction of St. Louis ... Unincorporated St. Louis County.

Before we get started with my little speech, David, would you please call the roll?

HAMILTON: Ted Armstrong

T-ARMSTRONG: Here.

HAMILTON: Christine Bredenkoetter

BREDENKOETTER: Present.

HAMILTON: Ford.

FORD: Here.

HAMILTON: Marvin Gelber.

HAMILTON Thomas Hayek

HAYEK: Here.

HAMILTON: Greg Kloeppe.

HAMILTON Betty Marver.

MARVER: Here.

HAMILTON: Mary Schuman.

SCHUMAN: Here.

HAMILTON: Johnnie Spears.

SPEARS: Here.

HAMILTON: Don Wojtkowski.

HAMILTON Chair, we have a quorum of seven members.

CHAIRMAN HAYEK: Wonderful. Ladies and gentlemen. Good evening. My name is Tom Hayek. I'm the Chairman of the St. Louis County Boundary Commission. I'd like to welcome you to this Public Hearing on a Proposal by the City of Valley Park to annex a certain area currently within Unincorporated St. Louis County. The reason we're here this evening is that the St. Louis County Boundary Commission who's ... several of whose members are in front of you is charged with the responsibility under Missouri State Law and an Ordinance passed by St. Louis County Government to review such proposals and make a determination whether to approve or disapprove that proposal, and I'll talk about that process a little bit in a minute. We are here under a Proposal for an Annexation meaning the City of Valley Park has proposed to annex a certain area which then will mean that the citizens within that area, the businesses will come under the local government jurisdiction of the City of Valley Park. We have up here a map which kind of lays out the area. The northern boundary of the area proposed to be annexed is roughly along the Meramec River and the southern limits of Valley Park. You can see there how 141 and 44 transect through the area and that intersection is there.

The St. Louis County Boundary Commission was created by the Missouri Legislature and this version of it in 1999. St. Louis County adopted an Ordinance establishing the Commission and its Commissioners are then appointed by various government groups. Some of the members are appointed by the County Executive's office. Some are appointed by mayors of municipalities within the St. Louis County, 20,000 Citizens or more. Some by mayors of municipalities, 10,000 to 20,000, and one of us by municipalities of less than 10,000 population, and some are appointed by a joint committee between the municipalities and the County Executive's office.

The law which created the St. Louis County Boundary Commission was intended to do a couple of things. One, it was intended to provide a process so that when there are proposals for transfer of jurisdiction or annexations such as we have tonight, that a thoughtful mechanism will be employed in the planning which goes into these. In other words, do the boundaries make sense? How will this annexation affect the taxes which the various governments including

St. Louis County receive? We are charged with and expected to implement sound public planning policy. The other major premise, a principle upon which we do our decision making is we want to maximize citizen self-determination. In other words, you live in a certain area, we want to maximize the ability for you to decide who's your local government service provider. And I will talk about how you get to do that, frankly, as part of this annexation process.

The Commission reviews these proposals. The City of Valley Park has submitted a formal proposal to the Commission meeting our rules and guidelines for what needs to be contained. These proposals are on file at the Commission offices in Clayton. They're also on file with the City of Valley Park for anyone who wants to look at all the details, maps, they contain, like I said, maps of the area, zoning ... proposed zoning of the area, taxes that will be collected, things of that nature. We have reviewed this. We have a Public Hearing tonight in which the City will make a presentation, the County will make a presentation, and we will hear from you, the citizens.

And this will be my second to last warning on this, if you would like to address us tonight, you need to fill out a Speaker Card, a form in the back of the room. Give it to Mr. Hamilton or Ms. Erwin here at the end of the table, and then I'll call your names up at the end.

Well, we're going to hear from you. You're going to hear from us, so you might as well know who we all are. What I'm going to do is ask each of the Commission members to introduce themselves and tell you who it was that appointed them to the Commission so can know sort of where we're coming from. Starting down with Christine, if you would start please.

BREDENKOETTER: Sure. My name is Christine Bredenkoetter. I was appointed by Cities of other 20,000 population. And I happen to be a resident of the City of Florissant.

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

MARVER: I'm Better Marver from University City and was appointed by the County Executive office.

FORD: My name is Bob Ford. I live in Unincorporated St. Louis County, and I was appointed by the County Executive.

CHAIRMAN HAYEK: Again, my name is Tom Hayek. I'm the Chairman. I was appointed by citizens of cities or mayors of cities greater than 20,000 population and nominated by the mayor of the City of Ferguson.

SPEARS: My name is Johnnie Spears. I live in Unincorporated St. Louis County, and I was appointed by the County Executive.

TARMSTRONG: My name is Ted Armstrong. I represent cities of less than 10,000 population. I live in Frontenac.

CHAIRMAN HAYEK: All right, folks. What we have is a Proposal by Manchester to annex this area. It is what we call asking for an annexing of an approved boundary change ...

ANDERSON: Valley Park.

CHAIRMAN HAYEK: Oh, I'm sorry of Valley Park. I have to get my notes from this meeting.

TARMSTRONG: There's a well-known commercial on TV about that.

CHAIRMAN HAYEK: Is that right?

All right. We are asked to approve these proposals if we find that the proposal is in the best interest of the municipality, if it's in the best interest of the area of Unincorporated St. Louis County affected by the proposal, the same area. And, also if it is in the best interest of the areas of St. Louis County immediately adjacent to that which is supposed to be annexed. There are 11 different factors we review in making this best interest determination that includes does the area make sense as far as how it is laid out. Is it compact? We look at how this will have an effect on the County and the municipality's ability to generate tax revenue. We will look at the effect, the extraordinary effect on the taxes generated within St. Louis County by the change in population or change in local government service. A number of other items, but those are really probably the major ones. There are 11 different ones. I don't want to go into all of them tonight, but we will review those down the road after the Public Hearing tonight. A decision will be reached by the Boundary Commission on this. We must decide no later than April 1st, 2005, whether to approve or disapprove this proposal. If we disapprove the proposal, that means it stops right there. There will be no further votes. There'll be nothing else going on with this specific proposal. If we approve it, that doesn't mean automatically that this area will then come under the jurisdiction of Valley Park. What will happen after that time, a vote will be scheduled. For the proposal to be approved, it will require a majority vote of the citizens within the area proposed to be annexed and a majority vote of the citizens of Valley Park. If one of those two do not come up with the majority vote, the proposition fails and there will be no annexation.

The Agenda for tonight. What we have is presentation by the City of Valley Park. We will then have questions from the Commissioners of those persons making the presentation for the City. A representative of St. Louis County has the opportunity then to make a presentation, also for 15 minutes, and the Commission can then ask questions of them. After that, we will take the public comment. Anyone who has not provided a Speaker Card by the time I start the Public Comment session will not be allowed to speak tonight. After that, we will adjourn.

Housekeeping items: We strongly encourage public comment. As I indicated, this process is focused on maximizing citizens self-determination and so it's very important for us to hear what you all have to say about it. So, you can come and talk to us at the meeting tonight. Alternatively, you may submit it to us in written comment what your thoughts are. If you don't want to talk to us tonight or if potentially a neighbor of yours couldn't make it tonight and would like to inform the Commission of their thoughts, for 21 days from tonight's meeting we will accept written public comment on this proposal. So, you, yourselves can write to us. You can tell your neighbors to write to us. Twenty-one days from today is the deadline we must receive those written comments for them to be included as part of the official record.

If you do speak tonight, you will be given three minute ... be given three minutes to talk. It is plenty of time to get your thoughts across to us. We've held a number of these, and it works out pretty well. I do recommend though that you come up prepared to tell us what you want because if you're not, then the three minutes will go by rather quickly. If you are representing a group such as a division, a subdivision, trustees, you will be given five minutes to speak, but we do ask that you be the person who is designated by the group to speak and not just someone who is part of the subdivision.

The Public Comment portion that you will have ... we will have tonight. It's not a question and answer session with the Commission, but it is your chance to tell us the good and the bad of this proposal, and we really, really want to hear about it.

I think that addresses the major items so, without further ado, if we could hear from the City of Valley Park. Again, you'll be given 15 minutes for your presentation. Mr. Ford, if you'd be so kind as to keep time.

MICHAEL: Good evening. I'm Dan Michael, Mayor of Valley Park. I'd like to welcome the Commission and all the guests here in the audience tonight for taking time to attend this meeting and next, it's my pleasure to introduce our City Collector and Clerk, Marguerite Wilburn, to present the Valley Park portion. Marguerite.

WILBURN: I think, Mr. Ford, that you have something you wanted to wanted to say first before I begin.

C-FORD: Greetings to the Boundary Commission. My name is Chuck Ford [inaudible] the Mayor sort of jumped the gun on me just a little bit. I sort of represent the host here tonight. I'm a third generation Valley Park resident. My kids are fourth generation. I've been on the School Board down here for 15 years. I've lived in Valley Park for the last 50 years. This school district represents a symbolic growth, a symbolic improvement that Valley Park has undergone in my lifetime. We've always said we're poor, but we're proud out here. We're still proud, but we're not necessarily poor anymore. This annexation proposal that the City is about to present to you we believe is a measured, reasonable response as a major step for Valley Park to continue to improve its growth, its image, its reputation, and its ... its existence. We think it's critical, and we believe that the criteria that your chairperson said that you were under is going to be met by what you'll hear in the next few minutes. And now, the City Clerk will come on back up.

WILBURN: Ladies and gentlemen of the Boundary Commission, I too want to welcome you to Valley Park. It's my goal in the next 14 minutes to give you an overview of our proposal and some sound reasons why it makes sense for Valley Park, for St. Louis County, and for the 50 residents living in what was formally Peerless Park. Keep in mind, this area was once the City of Peerless Park. In the area there are 50 residents and 27 housing units, all but three are condo multi-family complexes. The dark area outlines the 526 acres in this proposal. It all flows around the interchange of Interstate 44 and the rebuilt Highway 141. Please note that the proposed area to be annexed is only adjacent to Valley Park. There are no other municipalities involved so it makes a lot of sense it should become a part of Valley Park.

The important point we want to make is that this area is Valley Parks' front door. At one time in the far distant past no one cared. Today, the residents of the new Valley Park care a great deal. Communities work hard to make their front door speak to what the community represents. This area does not represent what Valley Park is today. A major part of our concern for our future is that the widening of Highway 141 literally destroyed what we did have of a downtown. We lost critical businesses that make a community tick. And, sadly, we are landlocked and have no areas to restore these or grow other businesses. That's why this annexation is so very, very important to Valley Park. We have an exciting new community with a bright future. A key to bringing it altogether is to create a shining new front door that we can all be proud of and giving us the chance to bring in new businesses. This plan will do just that.

What are the benefits of the proposed annexation plan? As you know, and we are reminded of every day, this area is currently a hodgepodge of development. It's not planned well. It's unsightly. It's an embarrassment to Valley Park. It should also be an embarrassment to the County. Candidly, much of the area creates and continues to create a negative image of our community despite the fact that this is a new Valley Park. In stark contrast to the image of our community, there is a new Valley Park. New homes, new businesses, upscale communities are springing up. We are transitioning to a younger urban population. To paraphrase a recent TV commercial, "This is not your father's Valley Park."

Simply stated, this annexation will first enhance Valley Park overall and, second, financially help St. Louis County. Third, it will be of substantial benefit to the residents and businesses now in the area. Let me explain. Let's look at the benefits to Valley Park, St. Louis County and the residents of the area.

First, the benefits to Valley Park. I've said this several times, but it bears repeating because it's crucial to us. Annexation will allow our community to create a new community front door seen by hundreds of thousands of motorists driving past us on the Interstate every day. Because this area will have a major economic impact on Valley Park's future, the City will make it a top priority which means it will get a lot of our attention right now to clean up what's there. And in the future, instead of being ignored or allowed to grow haphazardly, which has been the case in the past, it will continue to be a high priority for planning and development. It's an outstanding area for development because of its location, location, location, and the revenue and renewed commercial interest in Valley Park that this area will generate will provide us the revenue to create a new downtown for our community which we lost when Highway 141 was improved. Right now, Valley Park's growth potential is limited because we're landlocked. This area offers the potential for new and exciting commercial development that will allow us to recoup the businesses we lost to Highway 141 construction and, most importantly, will allow us to regulate growth at our community's front door, an important element for any community. With new economic growth, we'll be able to equalize the economic disparity that exists now with our neighbors, and new sources of income means we'll be able to provide more and a better level of service for our residents which will benefit everyone's quality of life. Our projections are that our community could see a general revenue increase of over a quarter of a million dollars annually of which at least 28 percent will go right back into the area to provide services for the residents and the businesses.

Now let's look at the benefits to the area to be annexed. We'll continue contracting service with the County Police Department, but we'll be able to add additional officers to our patrol force. By having a dedicated police force that patrols only the City of Valley Park area, residents and businesses will see enhanced police protection. The area will have our city's growing parks and recreation services available to them. And for the commercial businesses in the annexation area that continue to have storm water flooding, we will conduct a comprehensive study to determine the best solution to remedy the problem. For the 50 residents in the condo units, we'll take over their parking lots and immediately upgrade them. We'll take over their street maintenance and put the parking lots and streets on a regular maintenance schedule. We'll take over the electrical street lighting cost they are now paying. They will get two years of free trash collections. They'll get free snow removal, and the use of the Valley Park Municipal Library System. As we encourage new growth in the area, the area's residents and businesses will benefit from the larger tax base of the entire community which relates to improved services for them. And, for all these enhanced services and support, the residents of the annexed area will

only be paying \$0.21 cents a day more in taxes. That's \$6.37 a month, the cost of one Subway sandwich and a soft drink. That's a reasonable cost by any standards.

Now, let's look at the benefits to St. Louis County. Most importantly, the annexation is revenue neutral for the County. Actual tax loss annually would be \$36,796.00, but that is more than offset by the increased fees Valley Park will pay to the County for expanded police service. However, an important consideration for the County is the new economic development to be fostered in this area will ultimately mean more tax revenues for both our City and the County so one could argue that eventually the County will see more revenue from the area than it's receiving now. On top of that, the County actually saves money because Valley Park will now be providing these services which the County will not have to provide.

Let me conclude by highlighting a few of the many reasons why this Commission should say yes to our annexation proposal. The area is adjacent to Valley Park. There are no other communities wanting to annex it. We are not gerrymandering the area to make it fit some crazy criteria, and our City can easily and effectively provide it with quality municipal services. The annexation will substantially enhance the lives of the current 50 residents of the area, and isn't that what government is all about? The annexation will bring order to what is currently commercial chaos in the area. St. Louis County will not be hurt financially. In the long term, because of the potential for economic development in the area, all the residents of Valley Park will see long term benefits as new tax revenues are generated, and because we are landlocked, we'll see for the first time some potential for serious new commercial development which has its own long-term benefits to our residents and those now living in the Peerless Park area. And, for us, most importantly, it will let us create a positive front door to our community which is unfortunately had a negative image for too many years, an image, by the way, that's only sustained as people drive through on Interstate 44 and they see the Valley Park exit sign. Then they see the mishmash at that interchange and bingo, that's the Valley Park image of yesteryear reinforced. Having control over this area should help us change that negative image. We are in truth a new Valley Park. We have great schools as a result of millions in new spending for new facilities authorized by our voters. We have new upscale subdivisions with homes selling at prices never thought of before in Valley Park. New businesses continue to come to Valley Park. And with the new levee being built to stop the historic flooding, people feel comfortable living here, investing here, and being proud to call Valley Park their home. It wasn't always that way.

I hope that this presentation has made our central point: Allowing Valley Park to annex the former Peerless Park area is a win-win for everyone, our community, St. Louis County, and especially the residents and businesses in the currently unincorporated area.

Thank you for your attention. And, can we answer any questions right now?

CHAIRMAN HAYEK: Thank you, mam. Yes, I believe you can. Mr. Armstrong, would you be kind enough to start us off.

T-ARMSTRONG: I only have a couple of questions. In your Plan of Intent in Section 1 of the third paragraph, it says, "In deference to the former residents of Peerless Park who sought disincorporation, Valley Park omitted five properties." Will somebody please point those out to me on this ... on the drawing that you had." Can we get back to the ... the purple plan?

It says they are along Valley Park Road, all in the Ward's Acres subdivision. If you could help me identify that, I'd appreciate it.

Here, why don't you look at May I suggest that you look at this map. This might help you.

SPEAKER: [too far from microphone]

T-ARMSTRONG: Buder Park on the southside of 44?

SPEAKER: It's on the southside of 44 and east of the proposed annexation area. There are residences here, here and here that are omitted. [Inaudible] in the former Peerless Park area. There are single family residences over here that were never part of Peerless Park [inaudible] also from [inaudible].

T-ARMSTRONG: Okay. The ... one of the tests, and I think you probably heard our Chairman mention this is whether the proposal results in what we would call logical boundaries and I'll be honest with you, it's tough for me to see that there are any logical boundaries to what you propose there. I mean, for example, it looks as if the Meramec River is very definitely a logical boundary between Valley Park and Fenton and Unincorporated St. Louis County. Similarly, it ... you could also make an argument that 141 and 44 are ... would be logical boundaries. But what you've got there leaves me a little cold in that respect and maybe you could explain to me how that would satisfy the logical boundary test.

SPEAKER: Well, I guess we go back to 1935 when Peerless Park was incorporated and we remained that way until 1999. I don't know if our argument is we said that City had illogical boundaries or not. Again, we certainly parallel the boundaries of Peerless Park other than those people who clearly gave St. Louis County on the end date, they clearly didn't want to be incorporated any more. Although there is a subdivision [inaudible] Allen's Valley Subdivision in the area [inaudible] huge tracts and they were not ... the subdivision

T-ARMSTRONG: Excuse me, point that out to me. Point out the Allen ...

SPEAKER: Well, Allen's Valley is almost the entire area up here, the Allen Subdivision. Ward's Woods ...

VOICE: We can't hear you.

SPEAKER: Ward's Woods had several of these homes

SPEAKER: Take the microphone.

SPEAKER: But these aren't subdivisions with subdivision associations, assessments, and the like. This area is primarily a commercial area other than three single-family residences which are in the ... area.

T-ARMSTRONG: Describe to me, if you will, the ... the ... what is going on in what you call the Peerless Park properties which is the south of the river and the west edge of this proposed annexation area. What's included in that?

SPEAKER: It ... on the very southernmost boundary ...

T-ARMSTRONG: I'm sorry ... excuse ... north of 44, south of Meramec River, right there.

SPEAKER: In here ...

T-ARMSTRONG: Yes.

SPEAKER: Right. These are large tract areas. There's a commercial sand and gravel mining operation in this area. A very large demolition landfill, a compost factory, and some ... some industrial and commercial uses scattered around.

T-ARMSTRONG: Where is the landfill? Point out the landfill?

SPEAKER: I believe the landfill would be this area right here. No, I take that back. This would be the landfill. Believe this large tract.

T-ARMSTRONG: All right. Those are That's all I have. Johnnie, can I have my Plan back though?

SPEAKER: [inaudible]

T-ARMSTRONG: Thank you.

SPEAKER: No questions, Mr. Chairman.

CHAIRMAN HAYEK: There was a comment made about a levee, and I guess what I'd like to know is where's the levee going up and what area is it designed to protect and I guess then maybe the follow-on, is that going to be changing whether the area's protecting is going to be designated from no longer being flood plain status to ... in other words, is the levee going to protect an area so it's now developable, when it's developable when it's not currently?

MARTIN: Mr. Chairman, I'm Eric Martin, the City Attorney, by the way.

CHAIRMAN HAYEK: Sure. Thank you, sir.

MARTIN: The levee is a 3.1-mile-long levee built up to the hundred-year flood event, and the US Army Corp of Engineers is the general contractor. The City is a local sponsor. Just generally it starts to the west of town and parallels the river and then goes around the lower downtown end of town back up to the railroad tracks, 3.1-miles in length. The area is primarily residential as you can see by the subdivision tract lots and larger industrial areas. The area since 1982 when the City became a participant of FEMA and established the insurance rates' maps, has not seen any significant development that's [inaudible].

CHAIRMAN HAYEK: So, the levee's not affecting the proposed annexation area.

MARTIN: Not at all.

CHAIRMAN HAYEK: Okay. I guess my next question then as far as the area, and I'll agree with Mr. Armstrong, if the argument is that we're trying to create the front door to Valley Park, it seems like the intersection of 44 and 141 is the front door and so I'm still not understanding. I mean it's all Unincorporated St. Louis County now. Peerless Park ceased to exist. It's ... it's ... it's gone. It's not there anymore. So, if the guide is that we want to create the front door to

Valley Park, I'm still not following how that area south of 44 is necessary to include in here or why it was included in it. I'm still having a hard time with that.

SPEAKER: Residents.

CHAIRMAN HAYEK: Okay.

SPEAKER: You have to have residents in the area proposed for annexation. I believe there's actually one resident in the area, and they live in some storage ... onsite manager for storage units. All the residential area is in the high part on the south side.

CHAIRMAN HAYEK: So that area was pretty much included so that you could make an annexation proposal that would go to a vote?

SPEAKER: Precisely, together with ... it was a city for 65 years almost, and they had a sense of community.

CHAIRMAN HAYEK: I have a question also about the police service. I guess I'm trying ... I didn't I guess understand. Valley Park will ... will contract with St. Louis ... or currently contracts with St. Louis County for the provision of services, right?

SPEAKER: That's correct.

CHAIRMAN HAYEK: And if you annex this area, you will keep County Police services in the area because they currently patrol it, right?

SPEAKER: Yes, sir.

CHAIRMAN HAYEK: But there was a discussion about how there will be a police service specific to this area. It almost made it sound like ... I mean is there going to be a separate police department established or is it just part of the contract says, "These officers will stay in this area" period.

SPEAKER: Part of our contract is the provision of a specific number of officers. Currently, I believe we have 10. Peerless Park during its last year of being an incorporated entity had a contract of ... I believe it was some \$64,000. We would anticipate at least that if not more. That represented, I believe, one fulltime officer at least more than 8-hours a day in that area. But no, the officer would not be specifically dedicated to the annexed area. It would be an officer at large with the Valley Park unit of the St. Louis County Police department, but these are dedicated officers for the City of Valley Park. In other words, they're not routinely pooled [pulled] into Unincorporated St. Louis County by contract.

CHAIRMAN HAYEK: And the proposal we have has a pretty specific number about the cost of the County Police contract in 2004. Did you solicit a bid from St. Louis County or ask them how much will you charge us to provide an officer in this area? I guess I'm trying to find out where was this number obtained?

SPEAKER: Is ... \$64,000.00 figure was based on Peerless Park's last year of operation. And no, I don't believe we added an inflationary factor. It's a five-year-old figure.

CHAIRMAN HAYEK: Okay. Okay. And as I'm understanding this proposal ... I just want to make sure I understand ... you're projecting revenues of ... we'll say in 2004 ... or 2005, maybe the first full year being in existence, revenues of \$265,000 roughly and expenditures of \$70,000 roughly.

SPEAKER: The \$70,000 expenditure was a June figure at the time of the submission. Since that time, we've entered into negotiations with the condominium unit about taking over maintenance and doing some capital expenditures there as well as doing a storm water study. You saw that in the presentation. We did not update that, but I will, following the hearing. Once we get numbers on that, I'll supplement that. But that \$70,000 capital expense is a low number and is not totally accurate.

CHAIRMAN HAYEK: And the revenues that St. Louis County would lose because of this is \$36,000 dollars?

SPEAKER: I noticed from the handout from St. Louis County, that Mr. Powers is indicating maybe it's twice that. Again, these were based on St. Louis County figures and they were based on the old Peerless Park back in 1999 on ... basically, it's utility, the 5 percent utility taxes.

CHAIRMAN HAYEK: I also note that the City, if they annex this area, will rely on St. Louis County for building code enforcement, street lighting, and planning and zoning. That is listed as the provider after the annexation. Are you going to be charged for using those services?

SPEAKER: We have a contract with St. Louis County currently, yes, sir. We are charged.

CHAIRMAN HAYEK: Let me ask this. Is Valley ... and I plead ignorance ... is Valley Park point-of-sale or are they part of the pool?

SPEAKER: It's an AB city.

CHAIRMAN HAYEK: Okay.

SPEAKER: A portion of it is point-of-sales, a portion on the map that would be in the ... in this upper portion was annexed before ... or after 1995, therefore, it's a pooled area. And that probably forms the greatest part of our commercial base is in the area Dougherty Ferry and Big Bend.

CHAIRMAN HAYEK: Last question. There has been comment about how 141's development took out all these businesses.

SPEAKER: Yes, sir.

CHAIRMAN HAYEK: Who was request ... I mean who was in favor of 141 being widened? I mean did somebody push that? Was that all from MODOT? Was the City in favor of it? Was it all St. Louis County? Who ... who drove the bus?

SPEAKER: Highway 141's a state highway

CHAIRMAN HAYEK: Sure.

SPEAKER: ... it's a state highway project. It commenced in ... 1986 or 1987, I think, with the bridge. It has just recently been opened what ... for two years, I guess, as a through highway.

CHAIRMAN HAYEK: And I guess my question is did the City push this issue? Did they want 141 widened as an access point into the city?

SPEAKER: I think the City saw benefits as well as detriments and, obviously, the detriments were losing the commercial tax base. We didn't want it, but by the same token, I guess our pleas to the contrary were ignored over the years.

CHAIRMAN HAYEK: Okay.

SPEAKER: It's progress.

CHAIRMAN HAYEK: Thank you. Robert.

FORD: Yes. Again, the boundary proposal that you're proposing, the subdivisions around that little jagged end to the east or south, whatever direction that is at the bottom of the screen ... did those subdivisions ... were they included in your Map Plan?

SPEAKER: Maybe as a second ... I mean they were not included as this annexation proposal in the Map Plan, no.

FORD: Your original Map Plan just submitted to the Commission.

SPEAKER: But we had no five-phase, I believe, annexation proposal, and this was our phase one, this area that you see in front of you.

FORD: So that area was included in your ... in your Map Plan, maybe not in this phase, but it was included?

SPEAKER: That's correct.

FORD: Okay.

SPEAKER: I believe that's right.

FORD: And my under ... just so I understand you correctly ... you made those boundaries, with the exception of that ... those few homes ... that way because that was the way Peerless Park was?

SPEAKER: Yes, sir.

FORD: Okay. In your presentation you indicated that it was a win-win situation and that St. Louis County ...

[END OF TAPE ONE – SIDE ONE]

How does St. Louis County ... I mean, how do they save money in that aspect?

SPEAKER: Well, [inaudible] in the field of law enforcement, taking the \$37,000 dollar revenue loss from St. Louis County factoring in a minimum of \$64,000–\$65,000 dollars in new revenue to the St. Louis County Police Department, that's clearly a revenue benefit just in police services. Couple that with no more maintenance on city roadways ... former city roadways, former Peerless Park roadways, no more snow removal, code enforcement, planning services on and on, that's a revenue gain for St. Louis County.

FORD: So, you're not proposing or Valley Park's not proposing to take over those services per se. They're still going to be contracted, but you're saying because St. Louis County isn't paying it, you're paying St. Louis County for those services, that's where they're cutting back their expenditures?

SPEAKER: Absolutely.

FORD: Okay.

SPEAKER: St. Louis County receives revenue from the City of Valley Park ...

FORD: I understand.

SPEAKER: ... under all those. They are simply a service provider at this juncture.

FORD: Okay. On the police contract, do you ... how many police officers do you expect to expand to cover the area contractually?

SPEAKER: You know, I don't want to put words in the St. Louis County Police Department. I'm not sure. I know it would be a minimum of one and perhaps more in order to ... to fill out shifts. I would assume there would be a minimum of one officer there needed because it's a mile square area for a 24-hour period. So, factoring in vacations and everything else, I wouldn't hesitate ... I would hesitate to address that.

FORD: Okay. Under the Plan of Intent, your tax rates, the residents of the area or the people, businesses, whatever's in the area ... apparently, there's not too many residents, the tax rate would go up to 8.186 or is that the total tax rate that it would go up or ...

SPEAKER: Yes.

FORD: ... all these other ...

SPEAKER: It's .57 cents per hundred.

FORD: Okay. Under your Operating Fund Three-Year History, it shows a Federal Grant that keeps going down. Are you ... is that about to spin out or is that continually going to last or what?

SPEAKER: Federal Grant, yeah, that is a CDBG money that is a continuing yearly allotment that this city participates in with St. Louis County being the administrator. It's only \$20,000 some odd thousand dollars a year.

FORD: Oh, two years ago it was \$53,000. I just wondered [two talking at same time] spin down or ...

SPEAKER: No, it's expended on an annual basis. What comes in is spent on a project.

FORD: And the expenditures that you gave us are just short of \$70,000 like Tom stated.

SPEAKER: Yes.

FORD: You don't have any ... that updated figure you don't have any ...

SPEAKER: I will give to you, but we do need to firm up what we're going to do in the condominiums as well as get some costs on a storm water study up and down Elam Road, which is the area where a lot of businesses are experiences storm water problems. We didn't realize that until we talked to the businesses in the past 30 days, 30 to 45 days.

FORD: That's all I have, Mr. Chairman.

CHAIRMAN HAYEK: Betty.

MARVIN: Just wanted you to confirm, you're not dividing any communities or neighborhoods with Allen ... Valley Park in the Allen area, that border is so that you have incorporated the people that live there and it's not splitting any of the neighborhood ...

SPEAKER: Absolutely not.

MARVIN: ... residential area.

SPEAKER: Absolutely not.

MARVIN: And the Eagle Rock Condominiums are incorporated in completely ...

SPEAKER: Yes, mam.

MARVIN: ... into the annex?

SPEAKER: Yes, mam.

MARVIN: Okay. Thanks.

CHAIRMAN HAYEK: Mary.

SCHUMAN: Exactly where are the Eagle Rock Condominiums?

SPEAKER: Where the blue border is, a little square area, and that's where there are 24 condominium units in this area. It would be on the eastern border of the proposed annexed area.

SCHUMAN: Is that also known as Ward Acres on this colored ... or Ward Woods ...?

SPEAKER: I believe it was Ward Woods until obviously when a condominium went in it was a re-subdivision, so the subdivision is now Eagle Rock Co subdivision, I believe.

SCHUMAN: Okay. So, you know, we mentioned ... I think we were all, you know, asking why the lines were drawn, you know, down 141 to ... and picking up Peerless Park Plaza, and I think you mentioned that there was a resident down there, but there, you know, it didn't have to go down there to pick up residents since the condos are further north on 141, closer to ... you didn't need to take that funny little strip down ...

SPEAKER: To the south down here?

SCHUMAN: Yes, all the way to ... it says Peerless Plaza on this nice colorful map that we have.

SPEAKER: Right. Again, it was part of Peerless Park. One would assume that they were a part of a community for a good reason.

SCHUMAN: Okay. I did have another aspect I was kind of interested in. It said on the southwest corner of Interstate 44 and 141, there was a former TIF development that Peerless Park apparently initiated or did ...

SPEAKER: That's correct.

SCHUMAN: ... and then St. Louis County maintained it as a TIF Development and then this would, if annexation went forward, this would proceed then as a planned ... or be treated as a planned development commercial. Would the TIF incentives still stay in place or ...

SPEAKER: Actually, we are ... we are ... we are entertaining negotiations with Drury Development Corporation. They have a representative here tonight. We are ... have not finalized anything, but the substance is is that because there's new municipal taxes, this would actually enhance their development because new revenues would go into the TIF that would not otherwise be there under St. Louis County. In other words, the City has an extra layer of sales tax, a half-cent storm water and a half-cent capital improvements that would be captured by their TIF. The more money goes into the TIF, they can retire their notes earlier and develop more. Their development is not nearly complete, and I think they have 15 years, 15 to 18 years, I believe, left on that TIF.

SCHUMAN: Thank you.

CHAIRMAN HAYEK: Christine.

BREDENKOETTER: I'll pass.

CHAIRMAN HAYEK: All right.

ARMSTRONG: I have one. I'm sorry.

CHAIRMAN HAYEK: Sure.

ARMSTRONG: [inaudible] What is the ... there's a vacancy right in the middle of Valley Park on the west side. What is that?

SPEAKER: Over the years when Valley Park annexed that area was bypassed.

ARMSTRONG: Why?

SPEAKER: Well, part of the ownership is the Archdiocese of St. Louis. It's a cemetery. Another portion is a Pauper's Cemetery. I believe there is a four-acre tract that is vacant and there may be one to two single-family residences in it. They have always contracted with the City of Valley Park for sanitation and trash services. It is indeed an Unincorporated pocket.

ARMSTRONG: And was not included in your Map Plan, your initial Map Plan?

SPEAKER: It may have been included in our Map Plan ... I cannot recall offhand.

ARMSTRONG: Okay. I realize it doesn't have any bearing, but my curiosity was killing me.

SPEAKER: Yeah. In other ... I mean, generally, the larger tracts are cemetery.

ARMSTRONG: Okay. Thank you.

CHAIRMAN HAYEK: Thank you, Mayor.

SPEARS: I have a question.

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

SPEARS: That area right to the left, it zigzags in and out. Is that ... no, up, right up farther, yeah, right there, no down a little. Right opposite of the area you just spoke of.

SPEAKER: In this area?

SPEARS: Yeah, on the border there. It zigzags in like an "M" or a "Z". What is that?

SPEAKER: That's just the municipal boundaries of Valley Park.

SPEARS: I mean what's in-between the U-shaped area?

SPEAKER: In this area?

SPEARS: Yeah, that same little area you pointed to there. It's ...

BACKGROUND: ... Valley Park [inaudible]

SPEAKER: Marguerite, what's this large tract?

SPEARS: Okay.

SPEAKER: Well, I'm thinking this is ... well ...

[BACKGROUND CONVERSATION]

SPEAKER: Well, it's just an undeveloped tract of land as far as I know.

[BACKGROUND CONVERSATION]

SPEAKER: Yeah, it's got to be Hanna Road and that's maybe common ground for, I guess it was a condominium.

SPEAKER: I think there's condominiums over there. I'm really not sure, but it is Unincorporated Valley Park ... I mean Unincorporated St. Louis County as Valley Park is, of course, on this side.

SPEARS: Okay.

CHAIRMAN HAYEK: Okay? All right. Thank you very much.

My last warning on this, folks. Anyone who wants to speak to the Commission please fill out a Public Speaker's form and give it to Mr. Hamilton or Ms. Erwin at the end of the table because once we start the Public Speaker or Public Hearing portion, which will be after St. Louis County's presentation, we won't accept any more cards.

CHAIRMAN HAYEK: Mr. Baker, if you would be so kind.

BAKER: I'm Jim Baker. I'm the Chief of Staff to the County Executive, and I'm going to give the presentation on behalf of the County this evening. We have a number of our County officials in various departments that are with us tonight. I won't go through the process of introducing them. I'm going to be low-tech tonight for a couple of reasons. From the standpoint of the Commissioners, you probably know my slides now as well as I do, and I'm really going to focus on just a few issues this evening.

I'd like to start out by saying that we in the County are very proud of the new Valley Park that they've talked about this evening as well. As part of St. Louis County, we work very closely with Valley Park. As you heard this evening, we're one of their major contract service providers. We provide police service. We provide public works service so we're very familiar with them and their [inaudible] and we're very happy about the way their city is ... is going forward. But I will tell you, however, that from our perspective, from the St. Louis County's perspective, we really think that this annexation proposal is maybe perhaps the best illustration in the ten that we've recently gone through about what the Boundary Commission is all about and what your mission is about. Certainly, we understand, and, in fact, I would ... I would say from Valley Park's perspective, we want to commend them on being very up front about the situation and what's motivating the annexation. They feel they've lost a commercial corridor with the development of 141. Their proposal indicates they're looking at deficit balances, deficit budgets, and they're looking for a way to remedy that, to gain some additional commercial/industrial land and to balance the budget, and we understand that. And, certainly, from Valley Park's perspective acquiring and annexing this industrial/commercial land that used to be part of Peerless Park gives them a better tax base. Essentially, since their tax rates are higher, it generates even more revenue than is now being generated in St. Louis County, and from the City's perspective, this can really

be financially a fix for their ... for their financial dilemmas. All of that we understand. The problem is none of that fits into the purposes of an annexation in front of the Boundary Commission and for a lot a different reasons. Again, if we start out from the basic premise ... and I'll get back to some of the boundary issues that we talked about because we think those are an issue. But if we start out with one of those ... with ... with one of the fundamental premises here, from the standpoint of the annexed area, nothing really is going to change. Right now, they're getting services by the County Police Department, by the County Public Works Department, and after the annexation, they'd get those same services.

Now we heard tonight's a little bit different than the proposal. In fact, the biggest emphasis of this, if you'd look at the estimate of annual expenditures of the annexed area, Valley Park is indicating that they plan to spend about \$9,000 dollars above and beyond County contracts in this annexed area, \$9,000 dollars a year, and they say that's going to cover street maintenance services, road maintenance, street lighting, snow removal, grass cutting, and et cetera, all within that \$9,000 dollars. Well, what that tells us is there's not going to be that many services going in. They've also indicated in their Plan of Intent that there's no capital projects intended. Now, they may have made some adjustments. They talked about negotiating with some of the condominium areas, but basically, this is not ... it's a status quo proposal. We're going to take over that area and we're going to provide the same services that are being provided now largely through St. Louis County with about \$9,000 dollars of our own services added in. And what do the people in the annexed area get in return. Well, they get .57 cents per hundred dollars assessed valuation higher property taxes. Remember, as we talked about before, yes, that's an \$8-dollar overall tax rate, but local government right now they're paying 58.5 cents per local government, county government. They're going to almost double that. They're going to add another .57 cents onto that for local government and they're going to increase the sales tax rate by 1 percent. That doesn't appear to us to be a very good bargain for those people in the annexation area. Again, I will give Valley Park a lot of credit. They've made it very clear why is this area there, why does it have such strange boundaries ... because they have to garner into that industrial area some residents in order to have a vote. And yes, that is similar except for the few that they've cut out to the boundaries of Peerless Park, but we all remember Peerless Park was disincorporated and one of the practical problems was this was an area that was largely commercial/industrial with just a handful of citizens that were generating the government in that area. We have the same types of practical problems in bringing things to a vote here. The impact of those tax increases is going to fall primarily on the businesses in those industrial/commercial area and the people who would be voting would be the residents. By far, this is an area that predominates industrial/commercial types of uses. And not too dissimilar to what we talked about in the Manchester proposal, what we're really having is grabbing a bite of the Unincorporated County that includes almost exclusively industrial/commercial uses which generate higher tax revenues than the surrounding residential area, and the only part that we've included is about 27 dwelling units in this ... in this annexation area. So, it's not balanced. It's not compact. It jumps over the Meramec River which, by the way, every other municipality that touches upon the Meramec River uses the Meramec River as a boundary. This would be the only municipality that crosses the Meramec River. So, we see just a number of those instances in not making ... not making sense, from the standpoint of the annexed area and from the standpoint of St. Louis County.

Now, I'm not going to belabor our revenue estimates are significantly different than theirs. Overall, not just in the utility taxes, but we're also projecting revenues from fees and finds that are lost in the Municipal Court process because of the areas annexed. All of those would go into the Valley Park Municipal Court instead of the County Municipal Court, and so we're actually

estimating close to \$170,000 dollars in revenue losses, and we'll provide that all to you in writing. The truth is that's not really the core problem here.

Again, the core problem that we see is we've got an issue here with illogical boundaries. We've got an issue where we're capturing only commercial ... primarily commercial and industrial land and, by the way, some of the ... we're real thrilled too ... we worked with Valley Park when they tried to do this ... this project for the levee, but if you noticed, that levee is not protecting this area at all. It's protecting north of the Meramec River, and, in fact, arguably because the improved levee on the north side of the river, the south side, if anything, is going to be disadvantaged and more prone to flooding. And yet, the purpose of this annexation very clearly is to draw that revenue across the river to benefit the residents on the north side. So, given all those types of things, our premise is not that Valley Park shouldn't look for ways to remedy their solution, but the way to do it is not to reach across the river to bring in revenue from Unincorporated County to make ... to solve the budget problem that they currently have. And the remedy is not to draw in an area that doesn't have good sound boundaries and isn't well balanced in terms of the mixture of residents versus commercial versus industrial.

Again, we've worked very closely with Valley Park. We have a certain community of interest in them in this case, but we see it very differently and because of that we would ask you not to put this on the ballot. But this is a specific type of proposal that shouldn't be decided by a few residents in an area that's largely commercial/industrial. And with that, I'm open to your questions.

CHAIRMAN HAYEK: Thank you, Mr. Baker. This time, Christine, we'll start down on your end.

BREDENKOETTER: This is for my education. You're right. St. Louis County provides building code enforcement before and after, you know, et cetera, planning and zoning. How will this differ for the people in ... when they're in Valley Park? Will they still go to the St. Louis County Courthouse or are they now going to go the City of Valley Park and then the City of Valley Park is then going to come to St. Louis County?

BAKER: Well, it depends on the services. Presumably, if you're talking about Municipal Courts, they would go to a local municipal court in the City of Valley Park. Currently, we actually have satellite court services. We have north, south, and west court services.

BREDENKOETTER: It's not court ... I'm sorry ... it's not court services that I'm particularly interested in.

BAKER: Okay.

BREDENKOETTER: It's planning and zoning. For example, right now, they go to a remote unit of St. Louis County or what ... you know, a satellite unit ...

BAKER: One of the satellite centers or Clayton.

BREDENKOETTER: Where are they going to go to now? Are they going to go to the City of Valley Park and then the City of Valley Park will work with St. Louis County?

BAKER: Well, frankly, we're not too clear on that to be honest with you. You're right in their ... in their proposal here they indicate that planning and zoning will continue to be with St. Louis County ...

BREDENKOETTER: But I get the impression as a contracted service so I as a citizen, one of these 50 people, would go to the Valley Park City Hall.

BAKER: Yeah. We typically, we do provide some contracting planning and zoning services, but they're not usually a plethora of all planning and zoning. In other words, we do studies for some cities and so on and so forth, but that's not usually part of our contacted-out package. We certainly could work that out with Valley Park, but we're not clear on exactly how that's going to happen.

BREDENKOETTER: So, you really, so based on what you just said, you don't really ... we don't really know what that means when we ...

BAKER: Right, and to be honest with you, we're not sure exactly what that means ...

BREDENKOETTER: Okay.

BAKER: ... in that proposal, but certainly we would be willing to work with them on providing those services, but it's not our impression that we have a specific ... an understanding of exactly how that would work.

BREDENKOETTER: And the same thing with building code enforcement, I mean will they, you know, I understand that, you know, for example, St. Louis County does not require residency permits, but does the City of Valley Park require residency permits. I am assuming that they ... once these people, if they were the City of Valley Park, they would then have the protection of a residency permit which is not common through the rest of St. Louis County.

BAKER: I can't tell you off the top of my head whether Valley Park has residency permits. We do by contract provide some of those services in municipalities even though in the County ... generally in the Unincorporated County, we don't require those ourselves, but we do contract with some municipalities. The way those services work [are] a little bit different and this is one of the reasons that we do it. Typically, what we do is rather than charge a fee to a Valley Park or some other municipality, we collect their ordinance-generated fees come directly to us and offset the services so since we do have residential inspectors and code inspectors that do that, if they want to have [a] occupancy permit program, we simply collect the fee that they charge, and we do the inspections. So, that can be done in a variety of different ways, and people can access through the municipality. In some cases, they may access directly to us in Clayton, and so on and so forth, but I don't honestly know off the top of my head whether Valley Park currently has [a] occupancy permit program.

BREDENKOETTER: And this isn't ... this isn't a property ... for what little residential there is, the 27 units, this isn't a property preservation district by St. Louis County?

BAKER: No, not currently. No.

BREDENKOETTER: Okay. And the residential today, could it easily by the County if it stayed part of the County be easily rezoned to make this whole area commercial? I mean is that something ...

BAKER: Well, I think ... I think regardless whether you're in Valley Park or you're with St. Louis County, you're going to go through ... you'd have to go through some kind of ... of process to rezoning, and the existing residences, it would be very unlikely that would happen, but if there's current land that's classified residential and somebody came in and made a proposal to rezone it, they would go through a process whether they go through with the County or they go through it with Valley Park. It would be ... it would be a similar process, but under different supervision generally in terms of what planning commission is involved, and so on and so forth. That's one of the reasons why I say we're not really clear on what they're talking about in terms of St. Louis County planning and zoning because typically we would not have the County Planning Commission making decisions in a municipality, if you follow me?

BREDENKOETTER: All right.

BAKER: Okay. So, we could provide the staff support for that, but typically most municipalities have their own planning and zoning type of board and whether we would staff it for them or not, most of them would not want us to defer that to ... to our Planning and Zoning Commission, which is appointed differently and has representation through the County instead of just in the municipality.

BREDENKOETTER: And as far as the police protection go, I understand that today they contract, Jim, with you, and they're proposing to contract with you in the future, and excuse my ignorance because this is like Memphis to me, I'm so far north, but what is the next municipality that is over so at some point in the future if there was another municipality that had police services, they could either contact ... contract with that city or in effect start their own police department, correct?

BAKER: Well, what would be the nearest, Fenton?

BREDENKOETTER: Fenton?

BAKER: But I'm talking about that has their own department. Manchester.

BREDENKOETTER: Manchester is the closest?

BAKER: Yeah.

BREDENKOETTER: I'm just curious because ...

BAKER: I mean, Fenton's nearby, but we contract with Fenton too ...

BREDENKOETTER: Right.

BAKER: So, there's the same. Probably, Manchester or Ballwin. Yeah.

BREDENKOETTER: Oh, so that ... okay, so there is quite a ...

BAKER: Yeah.

BREDENKOETTER: Oh, Ballwin, all right. Okay. Thank you. I'm just curious.

BAKER: And the police figures again ... was brought up. They don't come from us. The \$58,000 figure that's in here is or \$59,000 is from a Peerless Park contract for some five years ago. Certainly, that number's probably pretty much outdated.

BREDENKOETTER: Thank you.

CHAIRMAN HAYEK: Mary.

SCHUMAN: Okay. After what Valley Park has gone through over the years of floods, I'm really, you know, very glad that work has begun on a levy, but I was a little bit concerned about your comment that it could be creating possible disadvantages to the area on the south.

BAKER: Well, when I say that, I'm not ... first of all, I'm not suggesting, and I'm not an expert in that area. It is routinely argued, and we've seen this in areas where St. Louis County has done levee development; for instance, out in the Chesterfield Valley where the argument is made a levee on one side of the river creates greater risk on the opposite side of the river and that contacted St. Charles. All I'm saying is that clearly this annexed area did not benefit by that levee development. I have no reason to believe that they're going to be disadvantaged, but they clearly didn't benefit by levee going up on ... development going up on the other side of the river.

SCHUMAN: Well, as a follow-up to that, what I was really kind of getting at was that I would assume that St. Louis ... St. Louis County would have some very strong interests in this, particularly, isn't there a major transfer, trash transfer station in this area?

BAKER: There is.

SCHUMAN: Or are ... I ... you know, you could maybe fill me in and educate me a little bit on the trash transfer station issue here.

BAKER: Well, there is one and certainly floodway and flood protection is important to that. There is nothing that we have that indicates that that's at risk in this case; however, part of the plans in many of those areas, because they often are in low-lying areas because they tend to be industrial areas and so on and so forth, have plans to ... in order to remove any material during periods of high water on a temporary basis, those types of facilities usually aren't in operation. This is an area that it's not uncommon to have high water in some degree of flooding along the low-lying areas and, therefore, your use of those areas has to be scrutinized fairly carefully. And that was ... that was also one of the issues that I think is ... is covered both in their materials and probably will be in ours and one of the criticisms of Peerless Park was they didn't have much in the way of flood plan regulation and they're now under some ... much more heightened degree as they became part of St. Louis County. And Valley Park has indicated that they would ... that they intend to continue that too, so I'm not trying to suggest any thing otherwise. I think regardless of whether this would be Valley Park or St. Louis County, there would be a heightened level of regulation than there was under the Valley Park jurisdiction years ago.

SCHUMAN: Would there be any change in the future of the land uses or the trash transfer usage in terms of roads if Valley Park annexed this area? Is there ... in other words, is there a difference of opinion on this usage and ...?

BAKER: I can't speak for Valley Park on that issue. I know that one of the things that ... that we're now underway and doing, which doesn't have an immediate impact, we have a study underway in this 141-corridor adjacent to some of those trash transfer stations because there's been a concern of traffic impact in the surrounding roads. And that study itself is about a \$98,000-dollar study which just for purposes of order of magnitude, that's more than the proposed budget for the entire annexation area under Valley Park's budget. We don't know what recommendations may come back from the study. Obviously, if it proposes to make some modification, generally speaking, the County would intend to go forward with those modifications. Whether that impacts Valley Park's ability to service the area, I can't say because at this point we don't know what recommendations might be coming out of, but they're clearly not among the budgeted items here, but they couldn't be because we don't know what they are yet.

SCHUMAN: Thank you.

CHAIRMAN HAYEK: Betty.

MARVIN: There was a slide in their presentation that showed in part of the unincorporated area that was not kept up and was derelict cars, and I ... I was curious to what is the County's responsibility and why would that be a problem in that area?

BAKER: Well, I can't tell you. I can't really comment on the particular slide, but I can tell you this in terms of ... and I don't care what area we're in ... there're always areas where you have to be very concerned about the keeping up of the property, and it is not uncommon for that to be a heightened level in some of the low-lying areas because both ... they become more difficult to access, they also tend to be overgrown, and so on and so forth. Now, we have ... although as was mentioned earlier, this isn't a conservation area. Our Neighborhood Preservation Unit is available throughout the area. The big difference between our housing conservation area is people in a particular group in a particular area have basically decided to put upon themselves an occupancy permit at a higher scrutiny level than would be elsewhere. We actually ... that unit serves through the Unincorporated County. They just don't have occupancy permit jurisdiction unless there in a Housing Conservation District. So, you know, again, I can't comment about that particular slide. I don't know where it is and know what particularly the problem is, but we would ... it would be our jurisdiction to address those types of issues. And the other thing that we all deal with in this particular area is many of the land uses, the hodgepodge-type zoning that was criticized here, we probably wouldn't take much issue in. This was the City of Peerless Park for about 50 years, and we probably would also say it was somewhat hodgepodge zoning. Whenever anybody takes over that ... us, during the last five years of Valley Park, many of those uses are grandfathered in so over time we would hope to make that a lot better in terms of the zoning response and the uses, but it's not something that happens overnight and, certainly, whether the jurisdiction is Valley Park or the jurisdiction of St. Louis County, you look to avoid that type of appearance of the property. I mean, it's our front door too.

CHAIRMAN HAYEK: Robert. The area that proposed, the Peerless Park area, is that mostly flood plain or ...?

FORD: Well, I don't know ... do you know it's mostly?

BACKGROUND: [inaudible]

FORD: Okay. All right. Does St. Louis County have certain regs as far as what can go into a flood plain, et cetera?

BAKER: Yeah, there are.

FORD: And how does that differ from Valley Park to your knowledge?

BAKER: I don't ... do you know that there's ... probably Glenn would be the best.

POWERS: Well, when Peerless Park disincorporated, we were obligated under State law to take the zoning that they had so that's ... we have to preserve the land use [inaudible] in use at the time. In terms of the flood plain, your question again was regarding the flood plain, correct?

FORD: Right. Right.

POWERS: We have a flood plain overlay district so if a piece of property is in the 100-year flood plain, you can do what the other zoning allows. For instance, if it's flood plain industrial or flood plain commercial, however, in order to do those what are otherwise permitted uses in that zoning district, you have to raise the property, you have to reclaim it from the flood plain. So, you take the example, the trash transfer station, when that was constructed, that was constructed on land that was filled out of the 100-year flood plain for the most part. Those were not the conditions that were in effect when Peerless Park was in existence.

BAKER: Glenn, I think he had asked Valley Park. Is there a material difference?

FORD: To your knowledge does St. Louis County differ from Valley Park in that aspect?

POWERS: I believe Valley Park is a member of FEMA, and I think they probably do require filling and reclaiming of ground, yes.

FORD: Nothing else.

CHAIRMAN HAYEK: Right. Mr. Baker, you, in your presentation, made some indication that the City of Valley Park was facing deficit spending or a deficit, and I guess I'm trying to figure out where that came from. Maybe I'm just not seeing it because I see their ...

BAKER: So, a deficit fund balance.

CHAIRMAN HAYEK: '01, '02, '03 ... in '01, they operated in excess of \$65,000, goes down to \$58,000, '02, and then jumps to \$203,000 in '03. Seems to me that the City's operating at an excess.

BAKER: I was ... I was referring to their fund balance, their deficit fund balance which is on the ...

T-ARMSTRONG: I hate to tell you, but that's an error.

BACKGROUND: It should be a positive [inaudible].

BAKER: Okay.

CHAIRMAN HAYEK: Okay.

BACKGROUND: [inaudible]

CHAIRMAN HAYEK: Right. So, in fact, the City's operating at a surplus of almost \$200,000 dollars. Okay. So, I guess that's what I'm trying to under ... you know, the City seems to be operating ... the City of Valley Park seems to be operating at an excess of about \$200,000 dollars, and although we haven't seen the figures yet, it's my understanding for the past several years, the County itself is operating at a deficit and is going into its fund reserves.

BAKER: The County has operated the last couple of years ... it has spend more than it's brought in on the annual basis and, but at the time that we started that, we were about \$50 million dollars in surplus position so ... and that's why I say from my perspective and as somebody who deals with the financial side of things, one of the key elements is what your fund balance is as opposed to what your current year is because the expectation is that revenues will change from year to year and so you may see a surpluses or deficits in terms of annual revenues, but the real important thing is where's your financial wherewithal from the long term.

CHAIRMAN HAYEK: Well, I just want to make sure that perception to the people ...

BAKER: And I apologize. I just took the figures as what they said in their report and they were showing a deficit fund balance.

CHAIRMAN HAYEK: Okay. So, for a city that's making money, two hundred and some thousand dollars a year in the plus, about a 10 percent over their expenditures, that's ... it doesn't take as much of an appearance of a grab to help them balance their budget then. Fair statement?

BAKER: Fair statement in terms of ... terms of balancing their budget, I think that's correct. If their figures are here are in error, in terms if they're really positive instead of negative then it's ... then it's not remedying a fund ... a current fund balance, that's correct.

CHAIRMAN HAYEK: And I guess maybe this is potentially a flaw in the Statute, but ... well, let me ask this. Do you know was it ... you know, there's been the discussion that 141 when it got expanded and went up, it ripped out a lot of these businesses, and so I'm trying to ... and maybe there isn't a one or an entity who pushed it, do you have any idea ... was this an expansion prompted by the City? Was it prompted by the County? Was it a State thing?

BAKER: I don't think it would probably be fair to lay that at anybody. It's a State highway as was indicated. And I think, and I would tell you very candidly was it generally something that the County was needed in terms of transportation needs, I think that's true. I think you would have seen a number of municipalities support it and maybe some other municipalities not support it, so I think realistically that would be a difficult one to lay at anybody's seat, feet, one way or the other.

CHAIRMAN HAYEK: Okay. Then, if the City of Valley Park, you know, has this happen to their downtown district, which they did, or to this business district, and they are for their reasons unhappy with how the entrance to the City is now, what's there, and that area's not under their control, I guess what is their option to try and control how the entrance, you know, that exit off of 44 and 141, big sign says Valley Park. How do they control that area then, how it looks? If they're unhappy with the way the zoning's going on and the businesses going up and the way it looks, I mean, they're kind of stuck with "we can't do anything about it so we'll at this area in there, these citizens, and maybe we'll get some control over it."

BAKER: Well, I wouldn't ... the question I would put back to you is that that's not an unusual situation, and why would that be handled with St. Louis County different than it would be any other neighbor? If you were sitting in your city and you weren't happy with something that was happening in an adjacent city because people were entering through that, you'd sit down and talk to them and try to work that out. So the notion of saying the solution to that is to take some of the territory from the neighboring jurisdiction is kind of an odd one to me.

CHAIRMAN HAYEK: Has there been any discussions between Valley Park and the County about this area?

BAKER: Not to my knowledge.

CHAIRMAN HAYEK: Okay. Johnnie.

SPEARS: No questions, Mr. Chairman.

T-ARMSTRONG: Mr. Baker, do you know where the 50 people live?

BAKER: Not specifically. I think as was illustrated there, most of them are around that or probably just to the, I guess it's the southeast of the intersection of 141 and 441.

T-ARMSTRONG: Are you ... I don't want to put words in your mouth, but are you suggesting that that portion of this annexed proposal area was included in order to have some people to vote?

BAKER: Well, I think that's a practical limitation and probably, it may very well go back to the original. I wasn't around in '33 when Peerless Park was created, but in order to incorporate a city, you also have to have residents to vote. So, it may even be a holdover back from that period of time. So, you essentially can't have either an incorporation or an annexation with only commercial land because there has to be some residents to vote. That may be the reason it was originally part of Peerless Park and that may have carried over here, but certainly, I think it's clear that ... that those boundary lines someplace had to incorporate some residents in order for an annexation vote to occur. And the point that I would make is that there's no magic ... you know, Peerless Park exists no more, and so, the logic or not logic, the boundaries need to be correct today whether they were illogical for Peerless Park is really irrelevant. There are choices today in terms of where those boundary lines are drawn, both in terms of how much residents you include and where they are, and in this case, we don't believe that inclusion was logic.

T-ARMSTRONG: The last thing I wanted to ask you is we've talked a lot about the financial impact on the County, of this particular proposal and to some extent on Valley Park. One of the

things that the Plan of Intent, Valley Park's Plan of Intent says that "Generally, much of the entire annexation area is ripe for redevelopment." I think we could all probably agree that this is an area over the next 15 ...10, 15, 20 years ... over some period ... long period of time is going to be radically different in the future. Can you give me some idea of what the ... how ... if we were thinking about that which entity would benefit and which would ... which entity ... between the County and Valley Park, which entity would benefit from that future development ... given ...

BAKER: [inaudible]

T-ARMSTRONG: Excuse me ... given the situation that we have now where St. Louis County is essentially providing most of the services within that proposed annexed area.

BAKER: Yeah, I think in fairness, I think both entities would benefit from development. As we talked about a little bit earlier. This is a flood plain area which has some constraints on development that aren't the case in other areas so you're not going to have all of the variables and all of the options that you might have in another area. The County as a service provider ... we also regardless of whether it's incorporated or unincorporated, that business revenue and those jobs have significant benefits across the board to us in terms of developing it in an area. And certainly, they have an advantage to Valley Park, and I would tell you I think it has an advantage that we work on it cooperatively regardless. If Valley Park doesn't annex this area, they have an interest and obviously want a good development base nearby them as well as in their city as well. So, I really think from that standpoint whether this particular area is annexed or not, both the County and Valley Park have a strong interest in seeing it used for its highest and best use possible, and, you know, again, you know, we could sit here and argue local versus you know, and resources versus ... and I don't know how all that comes out, but this is certainly an area that we're very cognizant of as well. That's one of the reasons why we continued the TIF development and why Valley Park's talking about continuing the TIF development.

T-ARMSTRONG: Thank you. That's all.

FORD: You had indicated ... I just wanted to make sure I understand ... when Peerless Park decertified or whatever you call it, and St. Louis County took over those businesses, those businesses were grandfathered under the Peerless Park planning ...

BAKER: Yeah, the existing uses would be grandfathered under what they were in Peerless Park and regardless of whether they ... whether they fit exactly with what the County zoning requirements are ...

FORD: And that would roll right on over to Valley Park if they ... so, in essence until that business shuts down, they can't change it, technically.

BAKER: Well, we're probably getting too, you know, it's always a ... it's always a danger to get too absolute, but yes, as a general proposition, you have ... if you have an existing use that's been going on when a jurisdiction changes, a jurisdiction is not allowed without some ... without some unusual circumstances of saying, "Hey, sorry, you're going to have to shut down because we don't allow that use."

FORD: Thank you.

CHAIRMAN HAYEK: Christine.

BREDENKOETTER: I have a question about surpluses. For of all, I want to compliment Valley Park. That's a nice surplus. I wish some other places had that. But was the surplus in St. Louis County say by 2001 and since we've now been borrowing from that for general ...

BAKER: The surplus in 2001, off the top of my head, I can't tell you ... it was ... it was several million dollars. Again, you're talking about orders of magnitude however ...

BREDENKOETTER: Right. Obviously.

BAKER: ... because ... because our several million dollars is a lot less than a hundred thousand dollars sometimes for municipalities.

BREDENKOETTER: And how much has that been drawn down? Where do the surpluses of St. Louis County stand?

BAKER: Right now we're ... we would be about \$20 million, something of that nature.

BREDENKOETTER: Okay, and you can't give me an idea where you started with that you've drawn down from? I mean ...

BAKER: Oh, sure. We probably a few years ago had about \$47 million in the General Fund.

BREDENKOETTER: Okay, so you've drawn down approximately \$27 million.

BAKER: Um-hum.

BREDENKOETTER: Okay. And then the next question is you said something about you would beg to differ that there's other areas in St. Louis County where their front door to the area is similar to Valley Park, and I'm sitting here racking my brain trying to think where else I can see this hodgepodge from a major intersection.

BAKER: I'm sorry I don't recall saying that. I said this is also a front door to St. Louis County.

BREDENKOETTER: Right.

BAKER: I didn't say ...

BREDENKOETTER: Well, you said that as a secondary statement.

BAKER: I didn't say that there were other areas ... I'm sorry, I don't remember saying that at all.

BREDENKOETTER: All right. Thank you.

BAKER: Thank you.

CHAIRMAN HAYEK: All right, folks, we now go into the Public Speaker portion. No more forms. Folks, the way this is going to work is I will call up the person who's going to be speaking, and I will also call the name of the person who is next in line ... the on-deck batter, if you will. You will be given three minutes. I'll hold up three fingers when you're done, and please conclude your comments at that time.

The first speaker is Derrick Stanley from the Genesis Group. And after Mr. Stanley will be Dan Wilburn.

STANLEY: Good evening. My name is Derrick Stanley. I am president of the Genesis Group, and I am here tonight to offer testimony on behalf of Fred Weber. Fred Weber last year developed a relay point or a transfer station in the Valley Park area ... or in the Peerless Park area. The transfer station services the southwest portion of St. Louis County. I think these facilities are greatly misunderstood. They are a necessity as we run out of disposal location on this side of the river. It's physically not feasible to transport waste vehicles that pick-up waste at your curb for three or four hours. They have to be able to hit a relay point so that they can efficiently move waste out of the neighborhoods to more distant disposal facilities. We've enjoyed our relationship with the City of Valley Park. They've been good to work with. We ... we do provide their waste disposal services as Fred Weber does for all other municipalities within St. Louis County who collect their own waste. Nevertheless, Fred Weber is opposed to the annexation. The waste transfer issue is a difficult one in St. Louis County. At this point we do not have a county-wide plan on solid waste. It is likely to be a controversial issue as it moves forward further. It is a [regulatorally] very complex issue that seems to be best handled at least at the county level if not a regional level. And that's all I have to say.

CHAIRMAN HAYEK: Okay. Thank you, sir. Next up is Dan Wilburn. After Mr. Wilburn will be Robert Walls.

WILBURN: Yeah, I'm here to read a letter from the company that I work for. I'm representing Mr. Vance that couldn't be here tonight.

"My name is Walter Vance. I am the Vice President of Administration for Midwest Petroleum. One of our stores is a Phillips 66 gas station and convenience store located in Peerless Park. Midwest Petroleum's main offices are located at 6760 Southwest Avenue in St. Louis. We have owned and operated the Peerless Park location for over 40 years. I will be unable to attend the Public Hearing tonight, but I would like to inform the Boundary Commission that we are in favor of the proposed annexation of Peerless Park. We feel a smaller community would better serve our business. Our request for this service would be faster and more personalized. We are also impressed with the Valley Park has nine dedicated St. Louis County officers of their own and a Lieutenant. I am sure that this would improve response time in case of emergencies or to our business and also have our location regularly and daily patrolled. We employ Valley Park residents at this location, and we feel that a lot of our customer base comes from residents and businesses in the Valley Park area, and we are considered [ourselves] a Valley Park community already. As a note, our mailing address is within the Valley Park postal zip code, and our customers are already referred to our location as Valley Park. Sincerely, Midwest Petroleum Company."

I'd like to make this part of the record.

CHAIRMAN HAYEK: Give it to that man at the end. That'd be fine.

MARVIN: What is the location ... the location of the business again?

CHAIRMAN HAYEK: Where is that again, sir?

WILBURN: It sits on the ... it would be the southeast corner of 141 and 44.

CHAIRMAN HAYEK: Okay. Thank you. Next up is Robert Walls, and after Mr. Walls will be Stephen L. Cling, Jr.

WALLS: Good evening. My name is Robert Walls. I've been a business owner and property owner in Valley Park for more than 20 years, and, also, I'm chairman of the board of the Valley Park Business Association. I'd like to read a letter that is ... was approved by the members and board of the Valley Park Business Association.

"On behalf of the members and the board of Valley Park Business Association, I want to inform the members of the Boundary Commission that my organization has been fully briefed by the City of Valley Park pertaining to its annexation proposal. Peerless Park formed a southern entry into the City of Valley Park and creates a first impression that our customers see when they enter this area. We feel the Peerless Park area could certainly be visually improved and orderly developed and redeveloped in an area that can and should occur. We believe the City of Valley Park is well equipped to improve the area and would serve to enhance our business presence and image. Therefor, we support this annexation proposal."

Thank you very much.

CHAIRMAN HAYEK: Thank you, sir. If you'd just give that to Mr. Hamilton. He'll take that letter. We got that already. Okay. Next up is Stephen L. Cling, Jr., and after Mr. Cling will be Charles Wilkin.

CLING: Good evening. My name is Steve Cling for the record. I'm an attorney and I regularly practice in the areas of real estate and land use, and I'm here tonight to speak on behalf of St. Louis Composting and Wholesale Landscaping. They are two businesses in the area. St. Louis Composting sits on 26 acres of property at 39 Old Elam Avenue, and Wholesale Landscaping is on ... operates on 4 acres of property at 102-106 South Elam Avenue. I think these businesses represent the number of the businesses in the area and the fact that they are unique. These are unique businesses in the area. St. Louis Compositing is a composting facility. It actually processes one-third of the compost of the yard waste in St. Louis County. Wholesale Landscaping, as the name implies, is in the wholesale landscaping, vinyl decks, other landscaping products, fencing. These are unique businesses that need special attention and special services. These are not businesses you typically find in small municipalities. They're general uses that quite frankly are not desirable in urban areas. In fact, I would almost suggest that but for revenue issue that these businesses would not be eagerly sought to be in a small municipal area. These services are necessary however. St. Louis Composting provides services to many public entities and civic organizations. Wholesale Landscaping is a desirable business as well. Quite frankly, my clients are very happy with St. Louis County and the way St. Louis County has administered their properties since the takeover. St. Louis County provides comprehensive services as a Department of Health, a highly experienced Planning and Zoning Department, and many other services that are beneficial to these unique businesses out there, and they are well versed in these businesses. I have, on behalf of my clients, dealt with them on several matters. My clients are expressly concerned about increased taxes. That's probably no

surprise. They are concerned about things like public or constant complaints from a very small number of people about their operations. In my practice, I see this a lot. Sometimes you have a couple of businesses that aren't the norm, aren't the, you know, brick façade, that one or two residents will come up and constantly complain to the city and cause these businesses an enormous amount of problems for a very insignificant issue. The County has been very good in dealing with that. I think we can look to Peerless Park, and this has been mentioned before, that that whole episode shows you how politics can enter in small city areas and dominate land use, and that's not, I think, what this area is all about. This is an important area. This shouldn't be subject to condemnation and redevelopment as you see in small municipal areas where they condemn it. We'd ask you to deny the annexation request.

CHAIRMAN HAYEK: Questions?

CLING: I'd be happy to answer any questions.

CHAIRMAN HAYEK: Thank you. Next up is Charles Wilkin. And after Chief Wilkin will be Dennis Behven.

WILKIN: Ladies and gentlemen of the Commission, I'm the Fire Chief of the Valley Park Fire Protection District which is one of the service providers for the current Peerless Park area. Valley Park Fire Protection District has been fully aware of the City's intent to annex this proposed area of the old Peerless Park. And on review of the Valley Park Fire Protection feels that it will be no impairment of services if the City was to annex this in their own community and feels that the provisions of this municipal service by the City of Valley Park should enhance the area and promote more businesses in development with [inaudible] tax base in the future which will aid the Fire District in the long run. Currently, the ... there has not been any new growth over in that area in many, many years, except for the Fred Weber site, which is a very, very nice structure and community. They upgraded that over there over the last six-eight months over there, and it's really enhanced that area very well, and I want to thank St. Louis County for playing a part in that roll. In the long run, Valley Park Fire Protection District often suffers from TIF areas, which currently we do with the City of Valley Park, and if this proposal was put to the voters and annexed into the City of Valley Park, maybe in the future we can see more business come in there and more structures being built and enhance our tax base at the Fire District. Thank you.

CHAIRMAN HAYEK: Thank you, sir. Next up is Dale Behnen from Peerless Landfill and Resource. Anyone here from Peerless Landfill and Resource Recovery. And the next speaker then will be Kim Gardner.

BEHNEN: Hi. Good evening. My name is Dale Behnen, and my husband, George, and I are business owners in this area. We believe that both Valley Park and St. Louis County are capable of governing this area previously known as Peerless Park, but because our business concern themselves with waste management our input tonight on the annexation issues should realistically surround themselves on an evaluation of which is better equipped to regulate waste management. Historically, states have delegated the responsibility of solid waste management to local government. These responsibilities vary considerably from municipality to municipality and they result in difference in population, government philosophies, access to private sector services, and existing resources in different areas. There has been a growing recognition of the importance of integrated solid waste management that strategically involves incorporating waste minimization, waste reduction, recycling, and reuse. Our nation and

especially our metropolitan St. Louis area has noticed the great need for some changes that will represent improvements for our industry as a whole. Increasing demands to address the integrated solid waste management issues will result in significant financial costs on local government. The ability to implement new waste planning, efficient and proactive reduction, recycling, and reuse will ensure necessary industry improvements that must be making a decision of any annexation opportunities in the St. Louis area. All of this cannot be considered complete without realizing the potential negative impact and possible benefits to this area's already established and strong businesses. We must consider available funds for such ventures such as already discussed, the current traffic study where our future and our business is at stake if there are decisions that are made without complete and intricate and expensive planning processes implemented. Peerless understands... our business understands that any business must be sensitive to the local area that houses our business. Handling the communities waste needs makes it even more essential that we take extra care in showing respect to the community that does house us. For that reason, we have extended to Valley Park an invitation to enter into host agreements that will ... three minutes?

CHAIRMAN HAYEK: If you have a letter and you want to drop it off, we'll ...

BEHVEN: I do. I do want to say though just to end it, that we do oppose being annexed because of business and waste management issues.

CHAIRMAN HAYEK: Okay. Thank you.

BEHVEN: Thank you.

CHAIRMAN HAYEK: If you just want to give it to Mr. Hamilton there at the end. He'll take it. Thank you. Next up then is Kim Gardner and then Mr. Powers, if you want.

GARDNER: My name is Kim Gardner and I'm a homeowner in the area proposed for annexation, and I'm here to speak in favor of the annexation. One of the things I'd like for the Boundary Commission to keep in mind as they go through their decision process is the fact that this was a former incorporated area and we can't take that out of the consideration of your decision. Being part of Peerless Park, it was a local community, and it was a decision of the property owners

[END OF TAPE 2]

18 residents did sign to disincorporate the city. This was not a planned decision, and I don't believe it was necessarily the right decision for that area. What resulted is that the homeowners, the landowners, the businesses, even though the businesses may not have a vote, they did have a voice in government, and they lost that voice in having that local government. As a result, St. Louis County was in a unique situation to basically have land brought back into the County which is ... I don't know that this has occurred in any other situation, therefore, having this land taken back out of the County and into an incorporated area would no net loss for the County. It is correct that this is a very haphazardly developed area. So, I'm not commenting on whether Peerless Park was the best government available. It was local government that provided a local voice. There's a lot of discussion about a logical boundary area, and you have to keep in mind the fact that Peerless Park was not necessarily a logical boundary, but placing us back into an incorporated area is a logical decision and it should be done irrespective of the boundary; however, if you look at what the boundary, how it lies, you will that topography has a

lot to do with the decision to include some of those areas to the south and most of the areas that are not included are areas you don't see from 141, only the areas that you do see from 141 which further enhance the effect that Valley Park needs central entrance area to be controlled. We also need to confirm that there is no split in neighborhoods so usually when you're looking at haphazard boundaries, it has to do with neighborhoods being split. This is not the case. And any reference to the fact that Meramec is a natural boundary is irrelevant in this situation. I don't think that should be considered in your decision. The thought that this will not change the situation, it would be status quo, I think is not correct because it's the voice in government that's important to the people in the area. Businesses did not have a voice when this was disincorporated, even though they don't have a voice in going into an annexed area, there's no difference. So, we're dealing with a net zero situation here. With respect to the levee, I know we can't say that it would increase flooding because this has been highly studied and it would be an irrelevant issue any way, but I think we need to look at the fact that St. Louis County's past performance in this area over the last five years has netted basically one major decision for the area and that's a trash transfer station, and I think that you have a pretty good idea of the opinions of that and the traffic study that's resulted. So, in summary, I'd like to say that we're going to have a same position that we used to have except it will be a better government with Valley Park.

CHAIRMAN HAYEK: Thank you, sir. Last two, and Mr. Powers, you're first.

POWERS: Hello. I'm Glenn Powers. I'm the Director of Planning for St. Louis County. I ... what I want to do is just read into the record a letter that was given to your staff earlier from Skip Mange. He is the Third District County Councilperson. He is the County Council Representative for this area.

"Ladies and gentlemen. Because of a scheduled out-of-town trip, it is not possible for me to appear personally before the Boundary Commission at this Public Hearing on the annexation proposal of the City of Valley Park. Thank you for allowing this letter to be read into the public record. I'm very strongly opposed to this annexation for too many reason to completely list in this letter; however, the primary reasons are as follows: (1) This is an ill-advised attempt by the City of Valley Park to annex an area that is overwhelmingly light industrial and commercial, over 95 percent, that will greatly increase their revenue while adding very little to their expenses. This is clearly a land and tax-base grab that benefits only the City of Valley Park and actually has a negative effect on the area to be annexed and the remaining portions of Unincorporated St. Louis County. (2) The City has gerrymandered the boundary in order to take in as much tax base as possible along with as few residents as possible in order to gain voters. Even then, they have purposely left out those adjoining voters who have expressed opposition to the annexation. The light industrial and commercial property owners that make up over 95 percent of the area have no vote in this matter if approved by the Boundary Commission. They are almost unanimously opposed to this proposal. (3) Taxes will be raised dramatically on all property owners especially on the light industrial and commercial property owners who have no vote on this issue. These are net new taxes that benefit only the City of Valley Park. (4) The City has indicated that they will not spend any more money on capital improvements in the annexed area whereas the County currently has a major study costing in excess of \$100,000 dollars underway by the Highway Department for ingress and egress improvements to the area to the west of Highway 141 and North of I44. The ultimate improvements will cost millions of dollars that the City of Valley Park has no means of funding. (5) The statement that no unincorporated pocket will be left as a result of this annexation is not correct. There is an area to the west that includes St. Louis County Lone Elk Park and Simpson Sand and Gravel that is only accessible

along the north outer road of I44 through the proposed annexation area. Chapter 72 of the Missouri Revised Statute states the Boundary Commission shall an annexation proposal only if it finds that the boundary change does three things: First, it must be in the best interests of the annexing city. Second, it must be in the best interest of the area being annexed. Third, it must be in the best interests of the County next to the area. Clearly, this annexation request does not meet the later two. The act of taking revenue-producing property away from the County and moving it into the City while at the same time adding new taxes without added services is not in the best interest of the area being annexed or the adjoining areas remaining in the County. The Commission must act as the voters representing the light industrial and commercial property owners who make up over 95 percent of the proposed annexation area. I strongly encourage you to recognize that this proposal is not in the best interest of those property owners or the adjoining areas of St. Louis County and vote no on this proposal. Sincerely, Skip Mange.

CHAIRMAN HAYEK: All right. You want to give the letter to David, thank you. And I apologize. There were several forms here on the other side of the table which we didn't have so we'll call up those speakers. The first is Bonnie Morris and after Ms. Morris, will be Daniel Adams.

MORRIS: Hello, I'm Bonnie Morris, and I'm a librarian at the Valley Park Community Library, and while the citizens of the proposed annexation will still be able to use the St. Louis County Library as another benefit of the annexation, residents will be able to use the Valley Park Community Library, which is conveniently located in the Valley Park City Hall. Valley Park Library is a small-town treasure. The Library is a member of the Municipal Library Consortium of St. Louis County. The Consortium consists of nine independent community libraries. They are Brentwood, Ferguson, Kirkwood, Maplewood, Richmond Heights, Rockhill, University City, and Valley Park, and Webster Groves. A valid library card ... excuse me, I'm really nervous ... a valid library card from any member library can be used in any other MLC library. This opens up to the citizens of Valley Park a collection of over 600,000 volumes. As an added service, the Library has a Monday through Friday delivery service to ensure interlibrary loans between the MLC libraries arrive in a timely manner for our patrons. The MLC libraries also enjoy metro-wide reciprocal borrowing with the St. Louis Public Library, St. Louis County Library, and the St. Charles City/County Library. Valley Park residents may get free library cards to borrow material at any of these libraries and, as you can see, for a small library we have a lot to offer.

CHAIRMAN HAYEK: Thank you. Next up is Daniel Adams, and after Mr. Adams will be Mike Pennise.

ADAMS: Thank you, Mr. Commissioner. My name's Daniel Adams. I'm the Alderman from the City of Valley Park. I'm here tonight, of course, to speak on behalf of Valley Park, and not to be argumentative, but there have been several things stated tonight that I need to clarify. First, Valley Park will absolutely maintain the planning and zoning function of that area. We have our own planning and zoning commission. There are members here this evening. We will, however, contract for basically what your building commissioner and code enforcement officer would do as a part of that function. So, we do manage our own planning and zoning. Secondly, there's a concern about the river being a barrier, a natural barrier. Interstate 44 by ... by a great deal presents a larger barrier as a boundary than the Meramec River does. There are many communities, Eureka, City of Fenton, which is our neighbor ... they are split by Interstate 44 which does indeed create a barrier, so I really cannot support the logic that that is a reason to deny this. There was concern about our levee and rightfully so, but to understand was engineered by the Corp of Engineers, and there were impact studies done on

what it would do to the surrounding areas. Peerless Park in itself and there was talk about it being a flood plain, the majority of the developable part of former Peerless Park has long since been removed from the flood plain and the same could be said that the impact of their development and raising out of the flood plain would have negatively affected Valley Park; however, it is good that they are out of the flood plain which makes it developable which is good for everybody. And the biggest concern right now is right now everybody assumes that area is Valley Park. The gentleman from Onyx Corporation, although he corrected it, he referred to his business as being in Valley Park. Two other speakers who opposed it [was] a transfer station and a compost developer, and I could understand that. They're in a business, they've got a business going, they will be grandfathers; however, those are not the types of things that you would normally want in your community. I have on numerous times heard stated on the radio that there are odors ... there's an odor going through Valley Park. Now, it wasn't Valley Park. They're going through the area. That's a natural part of what their business is. We accept that. We have to bear the name of having that; we should also have the bear of the benefits of that area. And earlier you asked the gentleman if he had been to the residences. As you know, where those are at ... I've been to those residences, have spoke with those people of the residences, and they are ... you know, they want to be a part of government, but now they're not. They're one little isolated community amongst a development, a large development. There was some interest in running for public office. They can have a say-so if they're part of Valley Park. Another ... some of the businesses, speaking with those. We have a businessmen's association, a business group here ...

CHAIRMAN HAYEK: That's three ...

ADAMS: Okay. Thank you.

CHAIRMAN HAYEK: Thank you. Next up is Mike Pennise. Am I pronouncing that right, sir? All right. You're speaking behalf of Jennifer Vanelli.

PENNISE: Yes, sir.

CHAIRMAN HAYEK: And after that, will be Eric Martin and/or the Mayor of Valley Park.

PENNISE: Mr. Chairman and the Boundary Commission. I'm reading this letter on behalf of Mrs. Jennifer Vanelli who resides at 837 Crescent Ridge with her husband and two children.

"We purchased our home in one of the newer subdivision in Valley Park off of Crescent Avenue in January of 2004 at a sales price of \$200,000. The new homes located behind our home just recently sold for prices of \$250,000 to \$300,000 dollars. These homes were built by McBride Company and were very much in demand. Lots were sold prior to the subdivision evening beginning construction. As you can see, people really do like the area and really want to live here. Valley Park is one of the best kept secrets in West County. Once people live here they never want to leave. Prior to this home, we also lived in Valley Park and upgraded to this newer and bigger home. The reason for this is because we like the Valley Park area and all the services provided to us. It is a small community that really cares for its residents and really made major improvements over the past few years. The City Hall and its employees really cater to the residents and give them services quickly. What I like is when I call City Hall with a problem or a request, I always get to speak so someone by name immediately. Whenever I have to call St. Louis County for a question, I always get passed around or get voice mail and

never get to speak to anyone. Sometimes it may be a few days before I get a response. We are in favor of the Peerless Park annexation and feel that Valley Park needs new businesses. My family already frequents of the businesses in Peerless Park, and I am sure that these residents and businesses would be happy to come into a city where they could get first class service.”

Thank you.

CHAIRMAN HAYEK: Thank you, sir. I have two cards, both say they are speaking on behalf of the City of Valley Park so ... Mr. Michael or Mr. Martin can pick or choose, but I'll ... how about we just hear from one of you.

???: Thank you, Mr. Chair. I can't let some ... some innuendos go unanswered by Mr. Baker particularly regarding the Valley Park levee project. That's a \$50-million-dollar levee project. The Federal Government is paying \$38 million dollars. The City, our small city is paying \$12 million dollars for this project. It's been going on in the funding stage and now the construction stage since 1989. It will be done this coming spring. I promise you every regulatory agency that has any jurisdiction over this levee project has given the City of Valley Park a permit including the Department of Natural Resources, Fish and Wildlife, Federal EPA. There is no rise-induced flooding of this. The Corp of Engineers has to certify that to FEMA before a discharge permit ever, ever was issued in this ... in this project. And it's totally irresponsible, I believe, for Mr. Baker to bring that up. Second of all, as Mr. Adams ably indicated, planning and zoning services are provided by the City of Valley Park. I think the response to that was ... it was thought that the question wanted to know about regulations, zoning regulations for code enforcement, and indeed, we have contracted with St. Louis County in part for planning and zoning code enforcement; however, the Valley Park Planning Commission does, has, and will continue to zone the area in conjunction with the Valley Park Board of Aldermen and we do have an engineer that is a consultant in that. The \$98,000-dollar-corridor study, according to the St. Louis County website starts right here at the corner of Vance Road and Highway 141. The City has never been asked to participate in this study even though it starts here in the City of Valley Park. Vance Road and 141 are two main thoroughfares in this city. That's participation in St. Louis County that's really not participation in St. Louis County decision making. We would certainly would have liked to and have some impact on a traffic study that goes right within our city. Finally, Valley Park wants this area in Peerless Park for the potential for new development. It's not a question of what we're going to take out, it's a question of what we're going to see for the community at large as a whole. In the past five years, I haven't seen much development occur over there, and I will commit to this Commission that Valley Park wants to reverse that trend. Valley Park wants to see that area develop in an orderly fashion. That's why our Plan of Intent has been submitted to this body. We need this area to replace our commercial area. Thank you very much.

CHAIRMAN HAYEK: To both, again, we'll accept written comments from both the County and the municipality for the next 21 days.

I believe that concludes the Public Speaker portion and concludes our meeting. Thank you for coming ladies and gentlemen. This meeting is adjourned.

