

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

**MINUTES OF MAP PLAN PUBLIC HEARING
VILLAGE OF BEL NOR, VILLAGE OF BEL RIDGE,
CITY OF CHARLACK AND CITY OF NORMANDY
September 13, 2000**

COMMISSION ATTENDANCE:

Commissioners	Present (P)/Absent (A)
MATT ARMSTRONG	P
TED ARMSTRONG	P
JANE ARNOLD	P
BOB FORD	P
AGNES GARINO	P
TOM HAYEK	P
DEE JOYNER	P
GREG KLOEPPPEL	A
ILENE ORDOWER	A
JOHNNIE SPEARS	P
DON WOJTKOWSKI	P

OTHERS PRESENT:

Daniel Krasnoff - Executive Director
David Hamilton - Legal Counsel

CALL TO ORDER

Mr. Wojtkowski called to order the meeting of the Boundary Commission at 7:00 p.m. on September 13, 2000. The meeting took place at the University of Missouri-St. Louis, J.C. Penny Center, Normandy, Missouri. The purpose of the hearing was to conduct a public hearing

regarding the following map plan submissions: the Village of Bel-Nor, the Village of Bel-Ridge, the City of Charlack and the City of Normandy.

1. Opening Remarks by Chairman

Mr. Wojtkowski instructed members of the public who desired to address the Commission to fill out speaker cards and return them to Mr. Krasnoff. Mr. Wojtkowski said speaker cards would be accepted through the final presentation. Individuals were given three minutes to speak while those representing organizations were given five minutes to speak.

The Commission was established by House bill 1967, which was passed into law on June 27, 2000. Part of that law required municipalities interested in annexation in unincorporated St. Louis County submit map plans by July 1, 2000. Map plans designated areas in which municipalities might want to pursue annexation in the future. The law provided that the Commission hold hearings on the map plans after which the Commission could comment on the map plans or encourage negotiation of map plan boundaries between submitting entities. On April 15, 2001, municipalities could proceed with annexations within the previously submitted map plan boundaries. If proposals were submitted the Commission would conduct separate reviews of those proposals and hold new public hearings. The sole purpose of the Commission in reviewing such proposals was to determine whether the proposals should go on the ballot for the voters to consider. The purpose the hearing, therefore, was not to hear actual annexation proposals, but instead to hear descriptions of the map plans submitted to the Commission.

2. Presentation of Bel-Nor

The City Attorney, Mr. Kevin O'Keefe, presented Bel-Nor's map plan. He appeared on behalf of the Village's trustees. The Village was considering its options with no definitive plans to submit annexation proposals and no time frame for doing so. The map was a product of the statutory requirements only. The Village still needed to determine the interest both in the area delineated in their map plan and the interest among their own citizens. The Village believed it had the capacity to extend service to larger areas and that there was a community of interest between the Village of Bel-Nor and those in the map plan area.

Questions from the Commission

Ms. Garino asked the how large was the population of Bel-Nor's map plan. Mr. O'Keefe responded that the area was largely made up of cemeteries and that the land area and population were disproportionate to one another. There were great differences in land use between the Village and the map plan area, making the prospect of annexation theoretical.

Ms. Garino asked about the area to the south of the Village's map plan and the reason for its inclusion. Mr. O'Keefe stated that the goal was to leave no unincorporated areas within the map plan vicinity.

Mr. Ted Armstrong asked what the advantages were in annexing a cemetery. Mr. O'Keefe said

it was to leave no unincorporated pocket. There was no economic advantage to the Village annexing the cemetery.

Mr. Ted Armstrong then asked if this was a defensive measure in case another entity proposed an annexation in the area. Mr. O'Keefe responded that options to act affirmatively were preserved. The statute required a municipality to include an area within its map plan if it wanted a say in future boundary changes.

Mr. Ted Armstrong asked for a reiteration as to why the south portion of the map plan was included. Mr. O'Keefe said it was to avoid any gaps in municipal coverage should the area generally be annexed by different municipalities. In the past boundary commissions were concerned about small gaps of unincorporated land left unchanged after annexations took place.

Mr. Ted Armstrong asked whether there had been conversations between Bel-Nor and other nearby cities regarding unincorporated areas. Mr. O'Keefe said there had not been any such communication.

Ms. Joyner asked if there were any discussions with residents in map plan areas. Mr. O'Keefe said there had been no substantial dialogue.

Mr. Matt Armstrong asked if thought was given to the order in which annexations might take place. Mr. O'Keefe said there had not been any thought regarding that matter.

Ms. Garino asked if any pockets in the unincorporated area surrounding Bel-Ridge, Bel-Nor and Charlack, were not included in the Village's map plan. Mr. O'Keefe said there were none and that any pockets left were the result of an error in drawing the map.

Mr. Wojtkowski reiterated that Bel-Nor had not looked into a long-term strategy. All that was done in the map plan was to protect the Village's right to take action if the city chose to do so in the next five years. Mr. O'Keefe said that was true. He said Bel-Nor was completing a three-year capital improvement program and was in the process of retiring debt. These actions would give the Village greater capacity to expand services in the near term. As the economics changed, the likelihood of consideration of expanding the Village's boundaries would increase.

3. Presentation of Bel-Ridge

The City Attorney, Mr. Kevin O'Keefe, presented Bel-Ridge's map plan. Mr. O'Keefe reminded the Commission that the Village had recently sought to annex the community known as Carsonville. He said there was a community of interest between the two areas. The defeat of the proposal at the August 8, 2000 elections, however, meant there were no short-term plans to resubmit for the annexation of Carsonville. He said Bel-Ridge would like to have increased dialogue about the future of the two areas.

The Village included an area south of Carsonville in its map plan to preserve its options. In light of the Carsonville defeat there could be more interest in the south portion of the map plan. No

proposal would be submitted anytime soon. Many of the reasons for interest from Bel-Nor also applied to the south portion of Bel-Ridge's map plan.

Questions from the Commission

Ms. Garino asked if the area north of Carsonville was unincorporated. Mr. O'Keefe responded that the area to the north was part of Berkeley, Normandy, Bellerive Acres and Cool Valley.

Ms. Garino asked what the population of the area was. Mr. O'Keefe responded that it was approximately 2000.

Ms. Garino asked if the Village had a long-term growth plan. Mr. O'Keefe said it had been the annexation of Carsonville, that a new growth plan was not in place.

Mr. Ford asked if Bel-Ridge still sought to annex Carsonville in the long term. Mr. O'Keefe said there was still a desire to do so. Because Carsonville had rejected the idea of annexation there was no desire from Bel-Ridge to force Carsonville to do anything against the citizen's will.

Mr. Ford said Bel-Ridge was sent a message in the lopsided defeat of its annexation proposal. Mr. O'Keefe responded that the Village still felt the conditions that made annexation mutually beneficial were in place. Changes in the Carsonville area due to the acquisition of land by UMSL, however, might change the Village's perspective in the long term.

Ms. Garino asked what percentage of the Carsonville was owned by UMSL. Mr. O'Keefe said he was guessing but that it was in excess of 20%. Mr. O'Keefe deferred to Mr. Powers from St. Louis County Planning for a response. Mr. Powers said he did not know the answer.

Mr. Wojtkowski asked if Bel-Nor and Bel-Ridge were communicating with one another regarding future annexation proposals. Mr. O'Keefe said neither community had any long-range plan for annexation and both villages knew that he was the other village's city attorney.

Mr. Ted Armstrong asked who could vote in an election on property owned by the University. Mr. O'Keefe replied only residents, not landed owners, could vote.

Mr. Ted Armstrong asked what was the primary reason Carsonville rejected annexation. Mr. O'Keefe replied there was adverse publicity and Bel-Ridge did not adequately convey its message to the residents of Carsonville. Mr. O'Keefe added that residents may have been afraid they would be asked to "clean up" their property.

4. Presentation of Charlack

The City Engineer, Mr. Rob Porter, and the Police Chief, Mr. Tony Umbertino, presented Charlack's map plan. Mr. Porter said he had been with the City seventeen years while Mr. Umbertino was with the City twenty-one years. Mr. Porter said they accidentally left the area to the southeast out of the map plan. They did not intend to leave any pockets in incorporated areas. He said portions of the lots on the easternmost end of Charlack were also partially in

unincorporated St. Louis County. The map plan area was served by the Charlack Police Department and received other services from Charlack. He disagreed with Mr. O'Keefe regarding the benefits of having cemeteries within city limits. By annexing the cemeteries more public improvement grant funds would be available to the City because it would have more mileage of State roadways within its boundaries. He said they would like to work with neighboring areas in making changes that would be the best for all concerned.

Mr. Umbertino said he was community oriented. In his three years as Charlack's Police Chief crime had decreased by 35% and grants for better police protection totaling \$250,000 had been received. By annexing the area on the map plan there were opportunities for added service provision. He said there was ongoing discussion with residents in the unincorporated area and that the residents were concerned and wanted change. There was one individual who wanted to distribute petitions regarding annexation by Charlack. The City's residents had lower crime rates and higher property values than those in the unincorporated area to the east. He said the pocketed nature of the area led to neglect by St. Louis County. Annexation would offer relief to the County. The City monitored the area and responded to police calls, often more quickly than the County police. The goal of the Charlack's Police Department was to, lower crime, raise property values and help provide a good quality of life to people in the area.

Questions from the Commission

Mr. Spears asked if the annexation area would connect directly to Charlack. Mr. Umbertino said the area did adjoin the City and annexation would resolve split parcels. Mr. Porter said the Evangelical Children's Home was also a neighbor. Although the Home was not a "moneymaker" for the City, activities there affected Charlack.

Mr. Ford asked for elaboration about the differences in the crime rate in the St. Louis County/Charlack border area. Mr. Umbertino said Charlack police "scan" for crime in the area. There had been many calls-for-services with high profile crimes committed in the area. Charlack was a fail-safe and 90% of the time they respond first to police calls.

Ms. Garino asked if the entire eastern boundary was characterized by "split" parcels. Mr. Umbertino said part of the area included a strip mall with the Evangelical Children's Home. The "split" parcels were next to the Children's Home.

Ms. Garino asked if there were other facilities in the area beside the strip mall and Evangelical Children's Home. Mr. Umbertino responded that there were no other large facilities. Ms. Garino summarized land uses in the map plan area: cemeteries, strip commercial, the Children's Home, apartments, and some single-family houses.

Ms. Garino asked if the map plan split any subdivisions. Mr. Umbertino said there were no split subdivisions.

Ms. Garino asked if there was a time frame to submit a proposal. Mr. Porter said there should be discussion between communities. Mr. Umbertino said there had been discussion with St. John.

Ms. Garino asked if there had been discussions with map plan area residents. Mr. Porter said there was discussion with the street immediately to the east of Charlack's border. Mr. Umbertino said residents had voiced support for annexation to the Charlack police.

Mr. Hayek asked if there had been any discussions with residents in the north portion of the map plan. Mr. Umbertino said there had been no discussion with that area.

Mr. Hayek asked for clarification of the monetary benefit of having state highways extending through a municipality. Mr. Umbertino said he was disagreed with Mr. O' Keefe, and that for certain amount of state highway length a jurisdiction was eligible for municipal grants. Grants were distributed by population, square footage, and state highway linear footage. Cemeteries would help provide square footage and linear footage to help increase grant eligibility. Mr. Umbertino said the City had been turned down for municipal grants before because it lacked the necessary square feet, lacked linear feet of state highways and had too small a population.

Mr. Ted Armstrong asked how much added length there would be in State highway mileage if the cemeteries were annexed. Mr. Umbertino estimated four or five miles.

Mr. Matt Armstrong asked what area the Charlack Police Department served. Umbertino said east to Hanley, including the northern "spike" that extended to Bel-Ridge. Mr. Umbertino estimated Charlack would need to double its police force to service the map plan area. This could be accomplished through federal COPS grants.

Mr. Matt Armstrong asked how difficult it would be to service the area left out of the southeast end of the map plan. Mr. Umbertino responded that the area was completely separate, and they would have to travel on St. Charles Rock Road and then south on Pennsylvania to gain access.

Mr. Matt Armstrong asked how many families lived in the multi-family apartments. Mr. Umbertino responded that Lackland Apartments had approximately 100 units and that the Charlack Police Department regularly patrolled the apartments.

Mr. Ted Armstrong asked about the timing of a proposal. Mr. Porter said they wanted to meet with the communities and finalize a proposal by May 1, 2001. Discussions with the surrounding areas were ongoing.

Mr. Ted Armstrong asked what authority the Charlack Police Department had to act in surrounding jurisdictions. Mr. Umbertino responded that there were mutual aid agreements between the municipalities and the County that required each entity to respond to life threatening or serious incidents.

Mr. Ted Armstrong said the map was in error in not including the piece at the southeast end. Mr. Porter said that was correct. Although that area was logistically difficult to service, they would be willing to work with the Commission to include it later.

Mr. Ted Armstrong asked Mr. Hamilton if there was a process for dealing with errors in map

plans. Mr. Hamilton said the process allowed for the ability to amend map plans for anomalies that were recognized in the review process. Mr. Porter said Charlack would amend its map plan because it did not intend to leave a pocket.

Mr. Matt Armstrong asked if the City had thought of phasing annexations. Mr. Porter said they had not done so. The City preferred to make a single proposal.

Mr. Wojtkowski asked how many officers were in the Charlack Police Department. Mr. Umbertino said there were fifteen officers.

Mr. Wojtkowski asked if any of the surrounding municipalities contracted with St. Louis County for police services. Mr. Umbertino said all surrounding jurisdictions had their own police departments.

Mr. Wojtkowski said he surmised that when April 15, 2001 came Charlack would submit a proposal. Mr. Porter said that was correct.

Mr. Wojtkowski said the law provided that at least 15% of an annexation area must be contiguous with the boundary of the jurisdiction proposing the annexation. So, the statutory requirement would be a limiting factor. With that in mind he asked what the priority area would be for a first annexation. Mr. Porter said they had received legal advice that the 15% factor was no longer relevant. Mr. Wojtkowski said Mr. Porter was wrong. Mr. Porter said the priority area was bounded by St. Charles Rock Road on the north and North Hanley Road on the east.

Ms. Garino asked why this area was not part of either Pagedale or Hanley Hills. Mr. Porter said he did not know the history, but Pagedale Industrial Court was in the City while nearby residences were not.

Ms. Garino said she was perplexed by the three streets at the southeast corner of the map plan that were not in Pagedale even though the City surrounded it on three sides. Mr. Porter said that was correct and it made no sense to him.

5. Presentation of Normandy

Mr. George Liyeos, the City Administrator, presented Normandy's map plan. Mr. Liyeos began by noting the area at the southeast end of the Charlack map plan was largely a Union Electric substation. He then provided a series of responses to the Commission's questions. He said services required to the area around the nursing home were provided with no financial compensation, and there was a need to add to the City's population. The population was shrinking due to the aging population, University expansion and out-migration. By annexing the nursing home there would be more continuity in the area.

He said there was no need to phase the annexation and they would proceed as soon as possible within the confines of the Commission's timetable. Mr. Liyeos said the City had considered the annexation for some time, but it was not a priority. The City was the best community to service

the area because of its location, the City's services, and the City's responsiveness.

Normandy was the best community to serve the area because it surrounded the nursing home, providing quick response to the facility's needs. Residents would receive added benefits at a nominal price. The City received informal contact from residents wanting to be able to vote in municipal elections.

Mr. Liyeos said the City of Normandy did not border Carsonville. He demonstrated this on the map at the hearing.

Questions from the Commission

Mr. Ted Armstrong asked where UMSL was acquiring property in Normandy. Mr. Liyeos said it was in the vicinity of St. Ann's Lane and Florissant Road.

Mr. Ted Armstrong asked if the residents were not already getting free benefits they would have to pay for if annexation took place. Mr. Liyeos said police services to the map plan area were not a priority unless serious, residents were not allowed to vote in local elections, and they had no say in what went on around them. The owner of the "home" would pay the cost of taxes. Mr. Ted Armstrong said the owner of the "home" would pass on those costs to the residents.

Mr. Joyner asked if the map plan included a single parcel with the nursing home. Mr. Liyeos said that was correct.

Mr. Matt Armstrong asked how many residents lived at the facility. Mr. Liyeos said there were approximately 170 residents.

Mr. Matt Armstrong asked why this annexation had not taken place before. Mr. Liyeos said Normandy had not been able to devote the time necessary to propose an annexation. He said twenty years before Normandy failed in an annexation effort because the owner won a judgement in court based on the "ten-acre rule." The ten-acre rule was no longer in place.

Ms. Garino asked if Normandy provided snow removal up to the facility. Mr. Liyeos said that was true. Ms. Garino asked where the closest areas were that St. Louis County police had responsibility. Mr. Liyeos said Norwood Court and Pasadena Hills were the closest places with one police officer serving the area. Both Norwood Court and Pasadena Hills were east of Bermuda Road.

Mr. Spears asked if the map plan area was near "the church." Mr. Liyeos said it was just across the street.

Mr. Wojtkowski said the map plan would be interesting because the definition of a "pocket" was based on "dwellings" per acre. He suggested when a proposal was submitted that Normandy attempt to aggressively build a relationship with the owner and those living in the facility. Mr. Wojtkowski said to be a "pocket" put tremendous pressure on the Commission to

make a decision because voters didn't have much chance to determine their own fate.

6. *Presentation of St. Louis County*

Mr. Glenn Powers, the Director of Planning, spoke for St. Louis County. He said they were not proposing agents and the County was neutral regarding the map plan submissions. St. Louis County would base its judgement on the desires of the residents within the areas. The County would be happy to continue to provide services if the residents would like that. The County could not include these areas because their population was less than 2,500, a restriction in state law.

Questions from the Commission

Mr. Ford said under state law an area with more than 2,500 people could be part of Established Unincorporated proposals but did the areas under consideration have enough people. Mr. Powers said they lacked the necessary population to be Established Unincorporated Areas.

Ms. Garino asked why the area to the southeast of the Charlack, Bel-Nor, and Bel-ridge had remained unincorporated. Mr. Powers said he was unaware of the specific history. He wondered if there was another way to deal with it. He felt the area was more appropriately part of one of the municipalities that did not file a map plan.

Mr. Ford asked if there were contract services provided to municipalities in the area. Mr. Powers said he would provide a list of Public Works and Police Department services contracted for by municipalities in the area.

7. Public Comment

Michael Nolting, 4016 Cranberry Lane

In recent years there were three annexation attempts, two by Bel-Ridge and one by Cool Valley. He noted the wide margin by which the annexation was defeated in Carsonville and the narrow margin by which it succeeded in Bel-Ridge. He said it was defeated because the residents of Carsonville liked St. Louis County service, particularly the Police Department. Police and the neighborhood watch officers dealt efficiently with drug dealing and trash pickup. He expressed concern that with UMSL buying property the area's population would dwindle to a size small enough to be considered a "pocket."

Don Muehlenkamp, 3746 N. Hanley Road

He felt St. Louis County provided good services and that the Police Department in Bel-Ridge was in trouble. He felt the extra truck that was to be provided by the Bel-Ridge Public Work's Department would be inadequate. He asked if after April 15, 2001 Bel-Ridge could bring a proposal. He said residents of Carsonville had to devote substantial time to fighting annexation proposals and were tired of doing so particularly when the proposals were defeated by such wide margins.

Mr. Wojtkowski said Bel-Ridge could not make a submission for two years after April 15,

2001.

Eileen Voss, 8705 Alva

She asked for clarification as to her ability to ask questions. Why was Bel-Ridge not precluded from making a proposal for five years instead of two. She said she thought the area had approximately 2000 residents, but the area was decreasing in population. She said the proposal failed even though Bel-Ridge sent people door-to-door to gain the support of Carsonville residents.

Michael Belton, 4033 Cranberry Lane

Mr. Belton had lived in Carsonville since 1982. He felt St. Louis County was very responsive and was tired of dealing with annexation over and over again. He protested Mr. O' Keefe's remark about "cleaning up" Carsonville. They did not want to be annexed.

Robert Dody, 2525 Spencer

Mr. Dody thought an annexation proposal had to extend to the closest municipal boundary. Mr. Wojtkowski said that 15% of an annexation area had to be contiguous with a jurisdiction's boundaries.

8. Adjournment

At that point, the meeting was adjourned.

Respectfully Submitted

Daniel Krasnoff
Executive Director

Approved.