

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

**MINUTES OF PUBLIC HEARING
MAY 21, 1996**

COMMISSIONERS PRESENT:

Ed Bruer
Agnes Garino
Scott Middelkamp
Jack Rehagen
Ken Tretter
Jack Wiesehan
Anna Wingron
Don Wotjkowski

COMMISSIONERS ABSENT:

Al Eckert
Barbara McGuiness
Willie Weary Jr.

OTHERS PRESENT:

Carl Ramey-Administrator
Steve Martin - Legal Counsel

CALL TO ORDER

The meeting of the Boundary Commission to conduct public hearings on two proposals submitted by the City of Florissant to annex unincorporated territory was called to order by Chairperson Wingron at 7:00 PM on May 21, 1996.

PUBLIC HEARING - BC9601 - AREA WEST ANNEXATION PROPOSAL

A. CONVENE PUBLIC HEARING

Chairperson Wingron convened the Public Hearing for BC9601, a proposal by the City of Florissant to annex an area known as Area West.

B. PRESENTATION BY PROPOSING AGENT - CITY OF FLORISSANT

Mayor James J. Eagen introduced the proposal to the Commission. He indicated that Mr. John Hessel, City Attorney, would be the primary presenter with the Public Works Director, Mr. Lou Jearls providing information on zoning and codes.

Mr. Hessel provided the Commission with an overview of the proposal, as submitted to the Commission on April 15, 1996. He indicated the area was considered by the City as an unincorporated pocket. In the long run the City believes it is in the best interest of the City, the residents and the County to have this area become apart of the Florissant community. The City feels because the nature of the area is a pocket, the City is able to offer easier, more efficient services than St. Louis County is currently able to provide.

Mr. Hessel advised the Commission of the City's action to amend the zoning ordinance to accommodate an "non-urban" zoning classification. This would allow the area to remain in its current state.

Mr. Hessel also indicated that the City was on record in support of reducing the utility tax rate, because of the successful passage of the Capital Improvements Sales Tax. The net effect of the reduction is the resident in the proposed annexation area would probably not pay any more for service than they are currently.

Mr. Lou Jearls, Director of Public Works, reviewed the zoning codes, building codes and property maintenance codes for the City and how they would impact the residents if they were annexed.

C. QUESTIONS FROM THE BOUNDARY COMMISSION

Commissioner Wojkowski questioned the number of households included in the Area West proposal. Mr. Hessel indicated the number of households is 696.

Commissioner Garino asked the City what percent of the proposal was in a flood plain. Mr. Jearls responded that approximately 30% of the proposed area was in a flood plain. The St. Louis County Water Company has a filtration plant in the flood plain.

Commissioner Garino also asked what is the population of the non-urban area? Mr. Jearls did not know the answer to that question.

Commissioner Garino sought clarification of the percentage of commercial area included in the proposal. Mr. Jearls did not know the specific percentage, but it is minimal.

Also questioned by Commissioner Garino was the boundary between the cities of Florissant and Hazelwood. Mr. Hessel indicated the east-west boundary was extended to the center of the Missouri River where it meets the boundary of St. Charles County. Representatives of the City were unable to give an exact distance of that line at that time. It was thought to be approximately 1.5 miles. It was agreed that the City of Florissant would calculate the distance of that line from the point where Hazelwood and the city of Florissant meet to the bank of the Missouri River.

D. PUBLIC COMMENT

Mr. Lee Morgan, 2220 Lindsay, Florissant, MO 63031 indicated there has been little turnover in the area proposed for annexation since the last attempt to annex was defeated in 1994 by a 3 to 1 margin. He questioned the wisdom of having another vote so soon after the last one was defeated. He indicated his preference was to remain in the county.

Mr. Dale Hartmann, 206 Oledel Road, Lemay, MO 63125, expressed concern over loss of revenue to the County. Also, the Commission should consider using a neutral party to validate signatures on any petition.

Ms. June McAllister Fowler, St. Louis County Planning, 41 S. Central, Clayton, MO 63105 submitted a written statement regarding the position of the County towards this annexation proposal. She stated while the County's position on this proposal was neutral, it would not always be that way.

Mr. Elmer Potzmann, 2230 Windsor Drive, St. Louis, MO 63033 expressed comments related to the proposal to annex the Wedgwood area (BC9602). He expressed opposition to that annexation.

Ms. Christy Love, 3170 Charbonier Road, Florissant, MO 63031 indicated she was the owner of property in the area designated as non-urban. She expressed concern that the bluff area remain in its natural state. The area has been placed on the National Register. She raised two questions. The first, was what type of commitment would there be from the City to keep the area non-urban. The second related to how the voting in the area would be handled if it is an unincorporated pocket.

Mr. Ramey responded to the second question by indicating that with the evidence submitted it appears under the law the area in the proposal is an unincorporated pocket. Voting to approve the annexation requires a simple majority vote of those voting in the area to be annexed combined with the city seeking the annexation.

Mr. Ben Bull, 2435 Charbonier, Florissant, MO 63031 discussed with the Commission the work of the previous Commission on a similar proposal. His hope was the Commission would listen to the concerns of the residents.

Mr. Carl T. Klausch, 5609 Nantasket Ct., St. Louis, MO 63128 read and then submitted a written statement to the Commission outlining the position of the South County Citizens Association on matters of incorporation.

E. ADJOURNMENT

Chairperson Wingron advised the public that any further written comments regarding the proposed annexation must be filed with the Commission by June 11, 1996. She also indicated that a copy of the proposal and map is on file for inspection at the offices of the Boundary Commission, 1516 S. Brentwood Blvd., Suite 101 in Brentwood. Additional information may also be obtained by contacting the Commission at 961-7877. There being no further members of the public desiring to comment, the hearing was declared closed by the Chairperson.

PUBLIC HEARING - BC9602 - WEDGWOOD ANNEXATION PROPOSAL

A. CONVENE PUBLIC HEARING

Chairperson Wingron convened the Public Hearing for BC9602, a proposal by the City of Florissant to annex an area known as Wedgwood.

B. PRESENTATION BY PROPOSING AGENT - CITY OF FLORISSANT

Mayor James J. Eagen introduced the proposal to the Commission. He indicated that Mr. John Hessel, City Attorney, would be the primary presenter with the Public Works Director, Mr. Lou Jearls providing information on zoning and codes.

Mr. Hessel provided the Commission with an overview of the proposal submitted to the Boundary Commission on April 15, 1996. He indicated the proposed annexation area was bounded by the City of Florissant on the south, with Coldwater Creek forming a natural boundary to north, east and west. In proposing the annexation, the City was responding to the petition of residents of the Wedgwood area. It is the City's feeling that there is a community of interest between the City of Florissant and the residents of the Wedgwood subdivisions.

Mr. Hessel advised the Commission that the proposal did not include an area to the southwest of the Wedgwood area across Coldwater Creek. The City was planning a separate annexation proposal to include what is known as the Kensington Square Apartments. It was felt this area was an unincorporated pocket, not accessible through the Wedgwood subdivisions and it would not belong in this proposal. This matter is currently before the City Council and will be submitted to the Commission either later this month or the beginning of June.

Mr. Hessel also indicated that the City was on record in support of reducing the utility tax rate, because of the successful passage of the Capital Improvements Sales Tax. The net effect of that reduction is the resident in the proposed annexation area would probably not pay any more for service than they are currently. He indicated that the City was in a position to offer a variety of services and amenities including parks and recreation in an efficient and economical manner.

C. QUESTIONS FROM THE BOUNDARY COMMISSION

Commissioner Rehagen asked how many homes were included in the proposed annexation area. The City could not respond to that question at the time. Also of interest was the City's position regarding installation of street lighting. Director of Public Works Jearls indicated he has not completed an exact study. However, as soon as revenues become available work would begin to provide that service. He anticipated it would take less than five years to complete the work.

Commissioner Garino sought clarification of the status of the Kensington area. Mayor Eagen indicated that the matter was not a part of the Wedgwood proposal and would be submitted as a separate proposal. Also Commissioner Garino questioned the selection of Coldwater Creek as the boundary. Mr. Hessel indicated there was no direct access across the creek to other subdivisions from this area. It appears to be a logical boundary at this time.

Commissioner Bruer asked the City to be more specific as to when the Commission could anticipate receiving the proposal for the annexation of the Kensington Square Apartments. Mr. Hessel indicated that the City Council has already initiated formal action on the ordinance calling for the annexation of this area. He anticipates final action by the City Council on May 28, with submittal either by the end of that week or the beginning of the next week.

Commissioner Wojkowski raised the question of why the Kensington Square Apartments was not included in the Wedgwood proposal as it appears a logical extension of the area. To leave it out would make it an unincorporated pocket. Mr. Hessel advised the Commission the City considered its inclusion, but did not do so for two reasons. Initially the City was attempting to do the annexation as a simplified boundary change. The timing of that effort did not coincide with the filing of the Wedgwood proposal. Also, an evaluation of the street network found it does not connect to the Wedgwood subdivisions in the proposal. Therefore, it is more logically its own proposal.

Commissioner Middelkamp questioned, if it were to happen, would the City want the Kensington and the Wedgwood proposals on the same election ballot. Mr. Hessel indicated that the City would look to the direction of the Commission on when the matters should be placed on the ballot.

D. Public Comment

Mr. Eugene Bernard, 3180 Wellington, Florissant, MO 63033 completed a speakers form, but did not speak.

Mr. William J. McCord, 2067 Retford Dr., Florissant, MO 63033 indicated he was against the proposed annexation. He does not feel the petition submitted to the City of Florissant represented a consensus of the Wedgwood residents. Voting would be split between wards.

Mr. Bob Budenholzer, 2821 Wintergreen Drive, Florissant, MO 63033 spoke in favor of the annexation. He felt being apart of Florissant would offer more police patrol and he would like to have street lights again.

Mr. Lou Hannibal, 3340 Suncrest, Florissant, MO 63033 spoke on behalf of the Suncrest Lane Improvement Association. He indicated no one on their street was approached to be annexed. He raised the question of what happens to the animals living on these larger lots, if they were to be annexed by Florissant? He did not support the annexation.

Mr. Harry Kastrup, 2050 Avon, Florissant, MO 63033 spoke on behalf of the annexation. He felt annexation would be a plus as county services over the years have not kept up.

Mr. Peter Gounis, 2895 Heatherton, Florissant, MO 63033 indicated he is currently a resident of unincorporated St. Louis County, but had been a resident of the City of Florissant. He felt he had a positive experience with the City and feels there has been a deterioration in County services over the years. He indicated support for the annexation.

Mr. Jack Burgoyne, 2923 New Castle, Florissant, MO 63033 raised the question who assumes maintenance responsibility for sidewalks? Does the City of Florissant assume maintenance responsibility for sidewalks as does the County?

Mr. William J. Schott, 2703 Aberdeen Drive, Florissant, MO 63033, spoke against the proposed annexation. He has had no problems with the services provided by the County. He did not feel there was a decline in county services.

Ms. Geri Debo, 415 Humes Lane, Florissant, MO spoke as President of the Florissant City Council. She indicated the City Council was well behind the proposal. Wedgwood

is a part of the Florissant area. They are all neighbors.

Mr. Harold Stewart, 2943 Aberdeen, Florissant, MO 63033 spoke against the annexation, indicating that it was not in the best interest of the community. Annexation would result in additional governmental controls in the community.

Ms. Rebecca Nestor, 3078 Westminster Drive, Florissant, MO 63033 spoke on behalf of the proposed annexation indicating that she feels services in the county are inadequate. She cited good parks and recreation, readily accessible local representation in Florissant and a lack of street maintenance, inadequate snow removal and longer response time for county police by the county as to why she supported annexation.

Mr. John Leon, 2960 Churchill Drive, Florissant, MO 63033 felt it would be beneficial to be in Florissant. It is a safe community with well lighted streets.

Ms. Martha Panetti, 3061 Wintergreen Drive, Florissant, MO 63033 spoke in support of annexation to Florissant. She indicated her support was because of the number of services the City offers, in particular the recreational facilities.

Mr. Stephen L. Marler, 2928 Castleford, Drive, Florissant, MO 63033 spoke as co-chairman of the committee Against Annexation to the City of Florissant. He presented a petition of those against the annexation. He felt property values remain high without being apart of Florissant. The County services are good. The association has funds which could be used for street lighting if that were needed.

Mr. Louis A. Kettenbach, 3050 Churchill Drive, Florissant, MO 63033 spoke in opposition to the annexation proposal.

Mr. Mark Behlmann, 15420 Forte DeFrance Lane, Florissant, MO 63034 spoke in support of the annexation proposal. The City of Florissant is a strong community with good services.

Mr. Rance Thomas, 2480 Wedgwood Drive, Florissant, MO 63033 spoke in opposition to the proposed annexation.

Mr. Sherril F. Glover, 2575 Cambridge Drive, Florissant, MO 63033 spoke in opposition to the proposed annexation. He indicated there was no advantage to joining Florissant.

Mr. R. Greg Baily, 5541 Oakville Center, Suite 103, St. Louis, MO 63129 indicated he was the attorney for the residents against the annexation. He will be presenting to the Commission written comment on behalf of this group within the next three weeks.

Ms. Cynthia Carr, 2355 Wedgwood Drive West, Florissant, MO 63033 spoke in opposition to the annexation. She felt members of the Florissant City Council lacked integrity. She submitted a written statement.

Mr. Fred Carr, 2355 Wedgwood Drive West, Florissant, MO 63033 spoke in opposition to the proposed annexation. He indicated that for such an annexation to occur it should be to the mutual advantage of the City of Florissant, St. Louis County and the residents of Wedgwood. He does not see there to be any advantage to the county or the residents. He also commented, in reviewing the proposal there was an error in the map and the area was

not in the Hazelwood School District, but rather the Ferguson-Florissant School District.

Ms. Karen Hill, 2283 Farnham Lane, Florissant, MO 63033 spoke against the proposed annexation. She indicated she was satisfied with the services of the county. She expressed her reservations regarding Florissant and racial issues. Her experience with Florissant has not been positive.

Mr. Gary Wanner, 2070 Avon Drive, Florissant, MO 63033 spoke on behalf of the annexation proposal. He indicated the residents of Wedgwood have much in common with the residents of Florissant. He indicated he was a member of the Wedgwood Homeowners for Florissant Annexation. He indicated this group did a sampling of 400 homes of which 70% indicated their willing to have the annexation be placed on the ballot for a decision.

Ms. June McAllister Fowler, St. Louis County Planning , 41 S. Central, Clayton, MO 63105 submitted a written statement regarding the position of the County towards this annexation proposal. She indicated while the County's position on this proposal was neutral.

Mr. Richard Orso, 2385 Farnham Court, Florissant, MO 63033 spoke in opposition to the proposed annexation.

E. ADJOURNMENT

Chairperson Wingron advised the public that any further written comments regarding the proposed annexation must be filed with the Commission by June 11, 1996. She also indicated that a copy of the proposal and map is on file for inspection at the offices of the Boundary Commission, 1516 S. Brentwood Blvd., Suite 101 in Brentwood. Additional information may also be obtained by contacting the Commission at 961-7877. There being no further members of the public desiring to comment, the hearing was declared closed by the Chairperson.

Respectfully submitted,

Carl E. Ramey
Administrator