

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

**MEETING MINUTES
October 15, 1996**

ROLL CALL

COMMISSIONER	PRESENT (P)/ ABSENT(A)
ED BRUER	P
JULIUS FRAGER	P
AGNES GARINO	P
SCOTT MIDDELKAMP	P
JACK REHAGEN	P
CHARLES SAULSBERRY	P
KENNETH TRETTER	P
JACK WIESEHAN	A
ANNA MARIE WINGRON	P
DON WOJTKOWSKI	P
VACANCY	

OTHERS PRESENT:

Carl Ramey - Administrator

CALL TO ORDER

The meeting was called to order by First Vice-Chairperson Garino at 6:03 PM on October 15, 1996. The meeting was held at the office of the Boundary Commission, 1516 S. Brentwood Blvd., Brentwood, MO 63144. Commission member Wingron arrived late at 6:25 p.m.

ROLL IS CALLED-QUORUM DECLARED

Carl Ramey called the roll and a quorum was declared.

APPROVAL OF AGENDA

A motion was made by Commissioner Rehagen to accept the agenda as submitted. The motion was seconded by Commissioner Middelkamp. Voice Vote: Ayes - All Nays - None *The motion passed.*

APPROVAL OF MINUTES

A motion was made by Commissioner Rehagen to approve the minutes for the Commission meeting of September 17, 1996. The motion was seconded by Commissioner Middelkamp. Voice Vote: Ayes - All Nays - None *The motion passed.*

A motion was made by Commissioner Rehagen to approve the minutes for the Public Hearing of September 17, 1996. The motion was seconded by Commissioner Middelkamp. Mr. Ramey noted there were several minor corrections to the minutes which were previously distributed to the Commission. The corrections were as follows:

- ▶ Page 2, Section B: the number of votes cast was *158* not *108*.
- ▶ Page 3, Section B: the City's rate (utility) is *4.5%* and not *4%*.
- ▶ Page 4, Section C: in the next to last full paragraph, the second sentence should read as follows: "Mr. Leavitt responded they plan to deal with short term issues, but certain problems remain the responsibility of the MSD, for example the *upstream storm water from Ballwin, and how it drains to Manchester.*"
- ▶ Page 5, Section C: in the first full paragraph, the second sentence should read as follows: "Mr. Leavitt *said they do have ordinances and the residents would have the opportunity to comply with the new regulations.*"
- ▶ Page 8, Section D: in the second full paragraph, the first sentence should read as follows: "Mr. Joseph D. Smythe, Jr., 832 Sugar Hill Drive, Ballwin, MO 63021-6610, stated he previously served *as vice-chair for incorporation in the southern area.*"
- ▶ Page 9, Section D: in the last full paragraph, the third sentence should read as follows: "He added that he was a County *officer for eighteen years*, worked in this area, and feels confident in the accuracy of their times.

Commissioner Garino also recommended a change in the minutes on Page 7, the fourth full paragraph, first sentence in the comments of Mr. Pettus, with the deletion of the word *forum* after the word election at the end of the last full sentence.

It was the consensus of the Commission to include these changes. Voice Vote: Ayes - All Nays - None *The motion passed.*

A motion was made by Commissioner Rehagen to approve the minutes for the Commission meeting of September 24, 1996. The motion was seconded by Commissioner Middelkamp. Voice Vote: Ayes - All Nays - None *The motion passed.*

A motion was made by Commissioner Rehagen to approve the minutes for the Commission meeting of October 1, 1996. The motion was seconded by Commissioner Middelkamp.

Commissioner Frager recommended a change to the minutes on page 4, Section E(1) to more accurately reflect the questions being raised of the City. He suggested the following three questions be inserted in lieu of the one question in Section E(1):

- ▶ How can the City of Berkeley legally create a Special Business Tax District before the area is annexed?
- ▶ If upon review the Special Business Tax District can not be instituted prior to annexation, how is the City of Berkeley planning to create a special tax structure to accomplish their purpose in offering the businesses in the proposed annexation a different structure than is present for the rest of the community?
- ▶ Addressed to the Commission's attorney, can whatever the City proposes be done legally? Mr. Frager indicated his desire to have this opinion after the City's response to the Commission.

Mr. Frager expressed his concern that if the Boundary Commission is to consider the amended proposal, that it be assured by the City it can and in fact will institute such a proposal.

It was the consensus of the Commission to accept these changes. Voice Vote: Ayes: All Nays: None *The motion passed.*

TREASURER'S REPORT

Commissioner Garino questioned the cost of audio equipment rental, specifically if it was for one hearing and whether the cost was passed on to the proposing agent. Mr. Ramey indicated it included not only the cost of renting the audio equipment for amplification and recording, with delivery and set-up, but also the technician for handling the system. The expense in question was only for the Crestwood public hearing. He also indicated the cost of the rental was not passed on to the proposing agent. It was considered a cost of doing business for the Commission.

Commissioner Bruer asked whether the Treasurer's Report could be generated on a quarterly basis, rather than monthly. It was pointed out the requirement for the monthly Treasurer's report was in the By-Laws. It was the consensus of the Commission to continue receiving a monthly report.

A motion was made by Commissioner Rehagen to accept the Treasurer's Report for the month of September. The motion was seconded by Commissioner Middelkamp. Ayes: All Nays: None *The motion passed.*

PUBLIC COMMENT

There was no public comment.

ANNOUNCEMENTS/COMMUNICATIONS

Mr. Ramey reviewed the proposed job description for the Administrative Assistant's position. He also indicated there was an incumbent for the position, Ms. Libby Rohlfling. The Commission raised questions regarding the content of the job description in relation to its title and pay. A motion was made by Commissioner Rehagen to approve the job description as presented to the Commission. The motion was seconded by Commissioner Middelkamp. Voice Vote: Ayes: All Nays: None *The motion passed.*

A motion was made by Commissioner Wojtkowski to approve Mr. Ramey's recommendation to hire Ms. Rohlfling as Administrative Assistant. Voice Vote: Ayes: All Nays: None *The motion passed.*

A brief discussion followed regarding the title of the Administrator and whether it could be changed. A motion was made by Commissioner Wingron to change the title of the Administrator to Executive Director. The motion was seconded by Commissioner Wojtkowski. Voice Vote: Ayes: All Nays: None. *The motion passed.*

Mr. Ramey also reported to the Commission of his recent meeting with the County's budget director regarding the FY97 budget proposal. He indicated there did not appear to be any problems with the Commission's request. Sometime in November there will be a hearing before the County Council, but Mr. Ramey was not aware of a date at that time. Mr. Ramey did ask the Commission to submit any request for reimbursement for the use of their automobile for the period January through October by November 15. Reimbursement requests for November and December should be submitted by January 15 to be included in the FY96 budget.

Mr. Ramey reported of recent conversations regarding the possible transfer of jurisdiction between the cities of Ellisville and Clarkson Valley with the City of Wildwood. He distributed a copy of a newspaper article on that matter as well as the City of Ballwin's interest in annexation.

OLD BUSINESS:

Chairperson Wingron introduced the next four items on the agenda as the first review under the Second Step of the Commission's review process. This review is intended to elicit any questions or inquiries Commission members may have regarding a particular proposal, which will help them in making their decision.

A. BC9601 - Annexation Proposal Area West - City of Florissant

Commissioner Garino asked whether the Commission had received yet the population numbers for the non-urban portion of this proposal. Mr. Ramey indicated the Commission had not, but would include it as a question to the proposing agent.

Commissioner Garino inquired as to whether the cost of providing services in this area is something which could be secured from the county. It was the consensus of the

Commission that this information is probably not available. This was based upon prior Commission inquiries made when Mike Duncan presented the financial picture of the County. No further action was sought on this question.

The Commission engaged in a more general discussion of the redistricting of political wards in a community as a result of an annexation. It was the feeling of the Commission that not only should the Commission know, but also the public what the position of the City would be regarding political representation. It was not necessary to see a map prior to making a decision, but is critical for the City to communicate whether it plans to redistrict or add new ward(s), etc. There was no further action sought based upon this discussion relative to this proposal.

Commissioner Frager felt that the previous discussion regarding representation suggested there were other questions which are informational in nature, but yet would not necessarily be critical to the commission's voting on a proposal. This information would be helpful to the public. It was the consensus of the Commission that Mr. Ramey work at developing a list of informational questions which could then be asked of the proposing agent during the public hearing.

Commissioner Frager asked the following question of the City of Florissant. . . . Is the City of Florissant making a commitment to the continuance of the Missouri Bottom Traffic Generation Assessment Road Trust Fund, administered by St. Louis County as part of its requirements of future development in the annexation area?

Commissioner Wingron indicated her primary question regarding all City of Florissant proposals had been previously addressed in the last meeting. This question related to what changes in their proposal would have to be made if all of the proposed annexation areas were approved.

B. *BC9604 - Annexation Proposal - Charbonier Area - City of Hazelwood*

Commissioner Frager asked the following question of the City of Hazelwood. . . . Is the City of Hazelwood making a commitment to the continuance of the Missouri Bottom Traffic Generation Assessment Road Trust Fund, administered by St. Louis County as part of its requirements of future development in the annexation area?

C. *BC9603 - Annexation Proposal - Crest Aire - City of Florissant*

The Commission engaged in an extensive discussion of the corporate boundaries in and near the Crest Aire subdivision. The Commission questioned how and why the area south of Crest Aire (the streets Yaqui and Tahoe) became a part of the City of Florissant. What is the history of this annexation? Mr. Ramey was directed to meet with the appropriate officials to learn more about this area and any relationship it might have to the Crest Aire proposal.

Commissioner Wojtkowski raised two questions of St. Louis County. Is it feasible for the County to continue to provide cost effective and efficient services to this area? What

would be the County's position on Crest Aire if the Area West territory became incorporated?

Commissioner Garino stressed the need for clearer identification of what the commonality of interest was between the City of Florissant and the Crest Aire area. This was a question also to be asked of the City of Hazelwood.

D. BC9605 - Annexation Proposal - Crest Aire - City of Hazelwood

Commissioner Garino asked what would be the estimated cost of extending police service to this area.

Commissioner Garino asked the following question of the City of Hazelwood. . . . Is the City of Hazelwood making a commitment to the continuance of the Missouri Bottom Traffic Generation Assessment Road Trust Fund, administered by St. Louis County as part of its requirements of future development in the annexation area?

Commissioner Wojtkowski asked of St. Louis County, what the status would be of the escrow money placed in a Traffic Generation Assessment Fund if a community did not pass an ordinance committing to their continuation with the program.

Commissioner Garino asked why there was a difference in the number of acres stated in the Hazelwood and Florissant proposals, and the report of St. Louis County.

E. Discussion re: Process for Acting Upon Approval/Disapproval of Proposals

A motion was made by Commissioner Frager to defer the discussion re: Process for Acting Upon Approval/Disapproval of Proposals until the meeting of October 22. The motion was seconded by Commissioner Bruer. Voice Vote: Ayes: All Nays: None *The motion passed.*

ADJOURNMENT

Commissioner Rehagen made a motion to adjourn the meeting. The motion to adjourn was seconded by Commissioner Wojtkowski. Voice Vote: Ayes - All Nays - None *The motion passed.*

This being a memorandum of the activities at this meeting.

Respectfully submitted,
Carl E. Ramey
Executive Director

Approved November 19, 1996