

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

**MEETING MINUTES
October 29, 1996**

ROLL CALL

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

OTHERS PRESENT:

Carl Ramey - Executive Director

Steve Martin - Attorney

CALL TO ORDER

The meeting was called to order by First Vice-Chairperson Garino at 6:20 PM on October 29, 1996. The meeting was held at the office of the Boundary Commission, 1516 S. Brentwood Blvd., Brentwood, MO 63144. Commission member Saulsberry arrived at 6:30 p.m.

ROLL IS CALLED-QUORUM DECLARED

Carl Ramey called the roll and a quorum was declared.

1. Old Business

First Vice-Chairperson Garino introduced the next five agenda items as the second review under the Second Step of the Commission's review process. This review is intended to consider the response(s) received to the questions raised by Commission members during the first review under the Second Step of the review process.

A. Discussion re:

i. BC9612 - Annexation Proposal McDonnell Douglas - City of Berkeley

Ms. Christina Flynn, Director of Economic Development for the City, introduced Mayor Ted Hoskins and Acting City Manager as being present to answer any questions the Commission may have regarding their presentation. She stated she would respond to the Commission's questions regarding the creation of the special tax district, while the Mayor would respond to the issues surrounding the budget.

Ms Flynn stated that it is legally possible to create the special tax district. Although in actuality it can not create such a district when the area is outside the city limits, once annexed their charter would allow for the creation. The special district would be governed by State Statute.

She stated further there would be no change in the tax structure for the existing McDonnell Douglas campus. The City has been in contact with McDonnell Douglas officials and have made them aware that the existing campus would not be included in a new tax district.

Mr. Martin asked whether the authority to create the special district is implicitly or expressly allowed in the charter? Ms. Flynn provided Mr. Martin with a copy of a memorandum previously provided to the Commission that outlines the City Attorney's position regarding legality.

Mr. Frager asked how the Commission can know that the City will in fact implement the district. Ms. Flynn stated the City has the legal means and the moral commitment to implement this plan. The City would not want to jeopardize the present good working relationship with McDonnell Douglas. Mayor Hoskins stated the City Council is supportive of the annexation. They would be willing to commit in writing to the Commission, if that is the Commission's desire, on their plan to create the new business tax district. Steve Martin indicated that based upon his brief review of the statute and the memorandum from the City Attorney, it appears the City has the authority under the charter to create the process to implement the statute to create the special tax district.

Ms. Garino asked whether the City has any other special business districts. Ms. Flynn stated they do not have any other districts.

Mayor Hoskins reviewed the budget issues raised by the Commission. Mayor Hoskins distributed an analysis of the City's budget and how they planned to balance the budget by the year 2002. The method the City planned to use to balance the budget included a combination of revenue enhancement through the passage of the *use tax* and expenditure reductions through attrition and cut-backs. Positions in the police and fire departments will be eliminated by attrition. Refuse costs will be monitored more closely. By Fiscal Year 1999 the anticipated expansion of Lambert Airport and the extension of

Metro-Link would have a positive impact on the City's growth. Mr. Frager asked what was the City's fiscal year? Mayor Hoskins replied that it began July 1.

Mr. Rehagen asked what was the City's reserve? Mayor Hoskins stated it was approximately \$1.9 million. Mr. Rehagen asked how the City can afford to lose police and fire personnel, even through attrition? Mayor Hoskins stated that the complement of fire and police personnel has been based on a population and service area greater than what currently exists in the City. The reduction in population which the City has been experiencing over the past several years will allow the City to do this.

Mr. Rehagen asked how the City will use the new revenue derived from the annexation. Mayor Hoskins stated it was their intent to use the funds to help stabilize the community's infrastructure. Mr. Rehagen asked whether there were any considerations regarding a merger with another city. Mayor Hoskins responded that there were none at this time.

Mr. Rehagen also asked about available land for economic development. Mayor Hoskins stated that the airport buy out has prevented the City from seeking economic development in those areas.

Mr. Tretter asked whether the cutback in fire service would affect the City's fire rating. Mayor Hoskins stated the reductions would not affect the City's fire rating.

Mr. Frager asked the City at what point will the reserves be exhausted? Mayor Hoskins stated that although the budget reflected an annual deficit, their spending patterns kept the actual expenditures in line with revenue collected. Ms. Garino asked what the history of reserves over the past three years has been. Mayor Hoskins stated it has been about the same. Mr. Ramey asked the City to provide the Commission with a five year retrospective of actual annual revenues versus expenditures during that period. The City agreed to provide that information.

Mr. Frager asked what types of things the City would do with the new revenue to reverse the negative trend in population loss. Mayor Hoskins stated that improvements to a community's infrastructure supports reinvestment in that city. Ms. Flynn stated the city wants to improve the community. People are not leaving Berkeley because they do not want to be in the community, rather it is the affect of outside forces, e.g. the airport buy out. The community's vacancy rate is low and there is not much area to develop.

Ms. Garino asked for clarification on the voting spread on the recent failed attempt to pass the use tax. Mayor Hoskins stated it failed by nine votes. He stated he feels there is an opportunity to go back to the voters and obtain a favorable response.

There were no further questions of the City of Berkeley.

ii. **BC9601 - Annexation Proposal Area West - City of Florissant**

Mr. John Hessel, City Attorney for the City of Florissant, reviewed for the Commission the City's responses to questions raised by the Commission. First, regarding the City's commitment to continuing the Missouri Bottom Traffic Generation Assessment Road Trust Fund, administered by St. Louis County as part of its requirements for future development in the annexation area, the City and County have drafted agreements regarding this matter. The City adopted on final reading a bill (#6745) which commits the City to participate.

Regarding the Commission's question on the population in the non-urban area of

the proposal, the City does not have direct information. Based upon information from the Planning Department of the County, the City extrapolated the non-urban population to be approximately 103.

Concerning the question of what the impact would be if all five proposals currently before the Commission were approved, Mr. Hessel referred the Commission to the prior week's discussion of this same question during the review of BC9602 Wedgwood.

Mr. Tretter asked whether there is any commercial space in the area. Mr. Hessel stated there is one medical building at the far west end of the strip commercial mall at the northwest corner of Howdershell and Charbonier which is not in the City, but a part of this proposal.

Ms. Garino asked whether the City is adopting the traffic generation assessment district exactly or are there changes? Mr. Hessel reviewed the agreement which required the referral to the county of any development. The County would then make a review and advise the City on how much the developer would be required to pay into the fund. The developer at the direction of the City would then make that contribution to the County.

There were no further questions of the City of Florissant regarding the Area West proposal.

iii. BC9604 - Annexation Proposal Charbonier Area - City of Hazelwood

Craig Owens, Assistant City Manager and Donnie Bryant, Finance Director for the City of Hazelwood were present to speak on behalf of the City. Mr. Owens distributed written comments which encompassed responses to the questions raised by the Commission for both the Charbonier and Crest Aire annexation proposals. Regarding the single question asked concerning their commitment to the continuance of the Missouri Bottom Traffic Generation Assessment Trust, the City indicated they had previously adopted an ordinance to support this trust. Mr. Rehagen asked the City to provide a copy of that ordinance. Mr. Owens said they would do so.

There were no further questions of the City of Hazelwood regarding the Charbonier proposal.

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

Mr. Owens reviewed the responses to the Commission's questions raised at the last meeting. Concerning the areas of common interest between the City and the residents of Crest Aire, Mr. Owens cited several examples where there were areas of common interest. Schools, shopping, and street network were cited as examples of common ties among the residents. He noted the housing stock in Crest Aire is identical to the City of Hazelwood in style, age and density. Further, the petition seeking annexation to the City of Hazelwood indicates a strong identification with the City.

Mr. Frager asked how the streets of Yaqui and Tahoe became annexed to the City of Florissant. Mr. Hessel, representing the of Florissant, thought it was a part of a failed annexation attempt, but he was not sure. Mr. Frager asked how long has the Yaqui/Tahoe

area been a part of the City of Florissant? Mr. Hessel stated it had been a part of the City since 1968. He was not sure why the Riverwoods subdivision to the north of Yaqui/Tahoe failed to be included in Florissant. That area is clearly in Hazelwood.

Mr. Tretter asked whether the proposed development, immediately to the south of the Crest Aire area would be similar in price and style to Crest Aire? Mr. Owens indicated it would be more similar to the Riverwood Trails subdivision which lies to the south of the proposed subdivision.

Regarding the cost of providing police service within the City's current financial capacity, Mr. Owens reviewed a written report which was provided to the Commission. He indicated the City was not planning on adding staff or equipment to service this area. Their analysis was based on the police activity of a similar area in Hazelwood, near to Crest Aire.

Mr. Tretter asked what would happen to the City's police department if the grant money for the additional police officer runs out. Mr. Owens stated the City is committed to maintaining the officer after the grant runs out.

Ms. Garino stated the City of Hazelwood's cost for police service is significantly different than that offered by the City of Florissant. Is the City secure with the estimates provided the Commission? Mr. Owens responded that he felt comfortable, maybe more so than using just a percent of budget approach.

There were no further questions of the City regarding BC9605 - Crest Aire.

v. BC9603 - Annexation Proposal Crest Aire - City of Florissant

Mr. Hessel reviewed the City's written response to the question of commonality between the City and Crest Aire. He pointed out there exists a great deal of common interest between the residents of Crest Aire and the City. Streets connections, schools, churches, adjoining neighborhoods that are nearly identical are all factors which create a common interest between the residents and City. Mr. Hessel stated that the situation was not the same between the residents of Crest Aire and the subdivision to the south, Riverwood Trails. The two areas are not connected and the style of homes differ.

Ms. Garino asked how the City approached budgeting the cost of police service. Mr. Hessel stated the City used a percentage of budget, as that had been acceptable to the prior commission.

Mr. Tretter asked whether the County is able to track calls for service. Ms. Lori Fiegel of the County Planning Department responded that their estimate is approximately 500 per year in this area.

Mr. Saulsberry asked what impact the new area would have on the police budget. Mr. Hessel stated the budget would be at the same level.

Ms. Lori Fiegel of the County Planning Department commented on the County's written response to the Commission's inquiries. She stated the County remains a willing provider of municipal type services and that it would be feasible for the County to continue to provide cost effective and efficient services to Crest Aire. Even if the Area West territory became incorporated, the County would remain a willing provider of services to Crest Aire.

Mr. Frager asked how the County calculates its cost for delivering services to these areas, in particular police. Ms. Fiegel responded that it seems the police are more easily able to cost their service. This is not the same for all eleven departments.

Regarding the status of escrow money already placed in a Traffic Generation Assessment Trust Fund, the County will address that matter along with other questions of the

Commission when they address the Commission at the meeting of November 6.

There were no further questions regarding BC9603 - Crest Aire annexation proposal.

B. Review Proposal Review Scheduling

Mr. Ramey gave a brief overview of the schedule of Commission meetings through the beginning of the new year. Since the time the schedule was agreed to, conflicts have arisen for some Commission members. The Commission reviewed their schedules and the meeting dates to determine whether there were possible conflicts. Of concern to some members was the possibility that there might not be enough members present to vote. The Rules of the Commission call out that eight members must be present to vote on any proposal. At this time, not knowing what other conflicts may arise, certain dates were of concern. The Commission discussed alternatives, including reducing the number of members required to be present to vote from eight to either six or seven.

Mr. Wiesehan made a motion to direct the Executive Director to give public notice to reduce the number of members present to vote on a proposal from eight to seven. Further, this matter shall be placed on the agenda of the next meeting as the introduction of such amendment under the Rules. The motion was seconded by Mr. Jack Rehagen. Roll Call Vote: Ayes, Commissioners: Bruer, Frager, Garino, Middelkamp, Rehagen, Tretter, Wiesehan, Wingron Nays: None Abstentions: Commissioner Saulsberry

ADJOURNMENT

Commissioner Wingron made a motion to adjourn the meeting. The motion to adjourn was seconded by Commissioner Rehagen. 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