

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

**MEETING MINUTES
December 17, 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
JACK WIESEHAN	P
ANNA MARIE WINGRON	P
DON WOJTKOWSKI	P
VACANCY	
VACANCY	

OTHERS PRESENT:

Carl Ramey - Executive Director
Steve Martin - Attorney
Libby Rohlring - Administrative Assistant

CALL TO ORDER

The meeting was called to order by Chairperson Wingron at 6:05 PM on December 17, 1996. The meeting was held at the office of the Boundary Commission, 1516 S. Brentwood Blvd., Brentwood, MO 63144. Commission member Bruer arrived at 6:11. Commission member Saulsberry arrived at 6:40 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 Garino to accept the agenda as submitted. The motion was seconded by Commissioner Wiesehan. 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 December 3, 1996. The motion was seconded by Commissioner Middelkamp. Mr. Ramey noted there were several minor corrections to the minutes previously distributed to the Commission. The corrections were as follows:

- ▶ Page 6, Section C: clarify at the top that a legislative Committee was created with Ms. Wingron, Mr. Rehagen, and Ms. Garino.
- ▶ Page 6, Section A: change the second "they" in the bottom paragraph to read "the Commission."
- ▶ Page 8, Election of Officers: the last sentence should clarify that the nominees were elected.

Voice Vote: Ayes - All Nays - None *The motion passed.*

PUBLIC COMMENT

There was no public comment.

TREASURER'S REPORT

Mr. Ramey asked if there were any questions regarding the November report. Mr. Rehagen asked if the administrative assistant received insurance and why there was no dollar amount reflecting that in November. Mr. Ramey explained that it was his understanding the insurance did not start until December and it would appear in the next report.

Mr. Rehagen asked if computer software had been purchased. Mr. Ramey answered yes, but it is on order, and the cost will be reflected in the next report.

Mr. Rehagen asked about the office furniture they discussed purchasing. Mr. Ramey replied that the furniture had not been selected yet, but he encumbered the money from the 1996 budget to pay for it later.

Mr. Rehagen asked what specifically the insurance for the Commission covered and directed Mr. Ramey to determine the details. Ms. Garino also expressed concern about the Commission's insurance, and whether they were covered by the County. Mr. Frager requested a letter from the County outlining coverage.

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

ANNOUNCEMENTS/COMMUNICATIONS

Mr. Ramey discussed the letter from the City of Chesterfield included in the Commission's packet. The City outlined in the letter their attempts to work on a transfer of jurisdiction with Clarkson Valley.

Mr. Rehagen asked if this procedure could be performed as a simplified boundary change.

Mr. Ramey explained that it is possible. The Commission in the future needs to discuss what information they want included in such a procedure as they currently require a full plan of intent though this may not necessary.

Mr. Ramey passed out a letter from Grantwood Village that formally states their intent to accomplish a simplified boundary change to annex the Whitehaven area and certain properties along Whitehaven Drive. Included is an ordinance authorizing the Chairman of the Board to execute and submit a request for this change.

Mr. Ramey also provided a copy of the letter submitted that afternoon from Joe Eagan, a resident of Crest Aire who restated his desire to be in Hazelwood and not Florissant.

NEW BUSINESS

A. *Professional Services Agreement re: Executive Director*

Ms. Wingron explained the Personnel Committee of Commissioners Frager, Saulsberry, and herself, changed the format of the agreement with Mr. Ramey, the terms and fees for the following year. The major additions are a rollover clause, an indemnification clause that Mr. Martin examined and agreed to, and a clarification of his independent contractor status.

Ms. Garino asked if the Commission is voting to approve a two year contract. Ms. Wingron replied yes. She based the contract on the money available in the budget and the savings in social security, life and medical insurance by hiring an independent contractor. She explained the compensation chosen was considered competitive with other City Manager positions, and to ensure he remains with the Commission.

Mr. Rehagen expressed concern about number 3, item 2, the two month notification period, and whether this is adequate time to find a qualified replacement. He stated three months would be preferable. Mr. Wiesehan agreed with Mr. Rehagen. Ms. Garino reminded the Commission they had this discussion last year, and in comparison with similar types of agreements, more time would be an extraordinary requirement.

Mr. Wiesehan asked Mr. Ramey if three months would be acceptable. Mr. Ramey responded he felt three months would be too long, stating 60 days should prove sufficient time to move forward in the process for finding a replacement.

Mr. Wojtkowski questioned the nature of the increase in the salary, which he considered unnecessarily dramatic. Ms. Wingron explained it is competitive with other City Manager salaries

Mr. Frager explained that the time period applies to both parties, and believes it is unwise to force any one to stay. In the contract there is no penalty if he does not perform the necessary work, and it would not prove beneficial to force anyone to stay who wants to leave. Also, if the notice is increased, it lengthens the time the Commission has to fulfill the terms even if they want to change or renegotiate the contract.

A motion was made by Mr. Rehagen to table the item. Mr. Wojtkowski seconded this motion.

Roll call vote Yes: Middelkamp, Rehagen, Wiesehan, Wojtkowski. No: Bruer, Frager, Garino, Wingron. *The motion failed.*

Mr. Bruer moved to place this item at the end of the meeting. Mr. Wiesehan seconded the motion. Roll call vote Yes: Bruer, Middelkamp, Wiesehan, Wingron, Wojtkowski. No: Garino, Rehagen. Abstentions: Frager. *The motion passed.*

OLD BUSINESS

A. *Discussion and Decision re:*

- *BC9607 - Annexation Proposal Area IV - City of Sunset Hills*

Ms. Garino confirmed that nothing remains outstanding on this proposal, that the City provided the copy of their ordinance, and the Commission is satisfied.

Mr. Wojtkowski stated he weighs heavily the input received at the public forum, and judging from the positive response at the public hearing and the proposal he feels it is in the best interest of the area being annexed as well as Sunset Hills. It is obvious Sunset Hills did an excellent job convincing this area and in complying to the needs of the Commission in regards to the TGA.

Ms. Garino stated it will close up this area, the boundaries fit, and the area seems to belong to the City. There is similarity in housing and it will not divide or include only parts of subdivisions.

Mr. Rehagen made a motion for approval of proposal BC9607. Mr. Middelkamp seconded. Roll call vote Yes: Bruer, Frager, Garino, Middelkamp, Rehagen, Wiesehan, Wingron, Wojtkowski. *The motion passed.*

B. *Discussion and Decision re:*

- *BC9606 - Annexation Proposal South Industrial Area - City of Hazelwood*
- *BC9612 - Annexation Proposal McDonnell Douglas - City of Berkeley*

Mr. Wojtkowski began the discussion by stating that he does not feel the Commission, judging from the previous week's discussion, is ready to vote on this issue. Perhaps more time for deliberation is necessary, and he moved to table this agenda item. The motion failed for lack of a second.

Mr. Wojtkowski referred to the factor that treats the "extraordinary" effects on the County, and explained that clearly these are two proposals that would create such an effect. This was the only annexation the County spoke against, and he supports Ms. Fowler's position that it would significantly redirect the tax base of the County, and it should be the last area considered for incorporation.

Ms. Garino stated that she has deliberated at length on these proposals, and especially after the developments over the weekend, she finds the future definitely remains uncertain. But part of the World headquarters for McDonnell Douglas is already in the City of Berkeley and this annexation would help the City and in the long term help all of St. Louis County. The definition of extraordinary is vague and this tax loss only represents less than ½ percent of the County budget. Berkeley lost a lot over the past fifteen to twenty years through no fault of their own, and the Commission must consider the long range impact for the entire area. Berkeley's proposal is far more reasonable than Hazelwood's because they are taking more area, made concessions in their tax structure, and already include a significant portion of the Company in their corporate boundaries.

Mr. Bruer explained his difficulty with this decision as he wanted to help Berkeley but after studying the material they were given, he must vote no, because he does not feel this money will cure the problems that ail this community.

Mr. Middelkamp stated he did not distinguish a difference between the two proposals, and found a problem with the extraordinary impact on the County. Not in the percentage loss of revenues to the County, but in the large net profit to either City. He agreed with Mr. Wojtkowski that it should be the last property annexed.

Mr. Wiesehan agreed with all the comments. He reviewed the history of Berkeley's problems beginning with the airport clearance, and remarked that Berkeley demonstrated troubles before all of those negative impacts. It has always struggled to survive, and throwing extra money their way is a gamble. It does not guarantee they will pull themselves out of their problems. Hazelwood's proposal he interprets strictly as a tax grab.

Mr. Frager explained that in looking at the criteria of the statute, and in considering the best interest of the three areas, he sees Berkeley's proposal as beneficial to all St. Louis County. In contrast to Hazelwood, Berkeley made an effort to lessen the tax impact on the company, and demonstrated a real need for the resources. He stated it is important they receive a chance to address the problems of a declining tax base, etc. and become more self-sufficient. He stated that the allowed deterioration of North County will cost all County taxpayers more in the long run.

Mr. Saulsberry also had difficulties, as an unincorporated County resident, he considered the consequences of a significant tax redistribution, but also looked at how the County should be in ten years. He sees pockets of impoverishment without access to the resources needed to change their position. He attempted to find a balanced perspective between the loss of revenue to the County verses the gain of revenue to Berkeley. He is familiar with such areas, and feels it is not a gamble, but providing funds to people with good ideas who want to improve their community and take advantage of growth potential. He sees many economic opportunities open to this City, and feels this revenue would be beneficial.

Mr. Wojtkowski stated the charge of the Commission is for orderly incorporation in the County, not to serve as a funding mechanism for municipalities. They need to consider annexations by cities that can keep their finances in balance, not try to fix cities that can not. There are no assurances that this money will be used effectively to help the City and prevent the spreading blight.

A motion was made by Mr. Wojtkowski to approve proposal BC9612. Mr. Bruer seconded the motion.

Ms. Garino stated that there is never proof that any City will do what it proposes with the revenue from the annexation, so is it appropriate to start that precedent with Berkeley?

Mr. Wojtkowski replied it is a balance between revenues and expenditures and this is the only proposal where no services are rendered. Hence it is an infusion of a large amount of capital.

Ms. Garino countered that the County does not provide services either.

A motion was made by Mr. Bruer to call the previous question. The motion was seconded by Commissioner Wojtkowski. Roll call vote Ayes: Bruer, Frager, Garino, Middelkamp, Rehagen, Saulsberry, Wiesehan, Wingron, Wojtkowski. Nays: None. *The motion passed.*

Roll call vote on approval of BC9612: Ayes: Frager, Garino, Saulsberry Nays: Bruer, Middelkamp, Rehagen, Wiesehan, Wingron, Wojtkowski. *The motion failed.*

A motion was made by Mr. Bruer to approve BC9606. The motion was seconded by Mr. Wojtkowski.

Ms. Garino stated that Hazelwood made no effort to convince the Commission that this proposal is in the best interest of any party involved.

Roll call vote: Ayes: None Nays: Bruer, Frager, Garino, Middelkamp, Rehagen, Saulsberry, Wiesehan, Wingron, Wojtkowski. *The motion failed.*

C. Discussion and Decision re:

- **BC9601 - Annexation Proposal Area West - City of Florissant**
- **BC9604 - Annexation Proposal Charbonier Area - City of Hazelwood**

Mr. Rehagen asked for a final clarification of the unincorporated pocket situation involved in these proposals. Mr. Ramey explained that the Florissant proposal is an unincorporated pocket therefore the vote by residents in that area is combined with the votes of the annexing City. The Hazelwood proposal for the Charbonier area is not an unincorporated pocket. If approved, the Hazelwood proposal will result in a smaller unincorporated pocket because Florissant would be rejected as an overlapping proposal.

Mr. Wojtkowski pointed out that there are a number of anomalies involved in this proposal. It combines a high density area with a low density non-urban area. The most significant land owner in the low density area has been very vocal in favor of annexation into Florissant, but the residents of the high density area have been very vocal against annexation. As no one in the area will have a vote that counts, it is important to consider their feelings, and not vote over the discomfort of the people concerned.

Mr. Frager agreed that he does not like the way the law is written regarding the unincorporated pocket vote, but that is a separate issue that they are not able to decide on in addressing these proposals. He is concerned about the unincorporated pocket the Hazelwood proposal would leave, and he feels the Florissant proposal will create a straight, clean boundary line.

Ms. Garino offered a different view on the combination of high and low density area. She was impressed that the City is willing to take on the burdens of both a high and a low density service area. She feels the Florissant proposal is more contiguous and it meets all the factors. Mr. Wiesehan supported the Florissant proposal because it follows the factors and the law where Hazelwood leaves a pocket.

Mr. Wiesehan moved to approve the proposal BC9601. Mr. Middelkamp seconded the motion.

Mr. Wojtkowski referred to the criteria established by the law to require a high density area for unincorporated pockets in order to exempt non-urban areas. He felt this would allow large tracts of land to be annexed as a pocket against the intentions of the law.

Ms. Garino pointed out the undeveloped land represents tax money down the line without cost to the City in the short run.

Mr. Bruer stated he was against Florissant's proposal because the people in that area will not have an opportunity to vote on their fate, and because they expressed their desire not to be annexed to Florissant.

Roll call vote: Ayes: Frager, Garino, Middelkamp, Rehagen, Saulsberry, Wiesehan, Wingron. Nays: Bruer, Wojtkowski. *The motion passed.*

Mr. Wojtkowski made a motion to reject proposal BC9604 based on the prior approval of BC9601 that makes this an overlapping proposal. Mr. Wiesehan seconded the motion. Voice Vote: Ayes: Bruer, Frager, Garino, Middelkamp, Rehagen, Saulsberry, Wiesehan, Wingron, Wojtkowski. Nays: None. *The motion passed.*

D. Discussion and Decision re:

- **BC9603 - Annexation Proposal Crest Aire - City of Florissant**
- **BC9605 - Annexation Proposal Crest Aire - City of Hazelwood**

Mr. Rehagen started the discussion by addressing both proposals as complementary to each other and contiguous to each community. He stated in 1994 Florissant presented a similar proposal to the public and the vote to annex Crest Aire was rejected. The petitions submitted by Hazelwood to the Commission from the residents of the area demonstrated that approximately 70% favor Hazelwood and would be against the Florissant proposal. Owing to the law on unincorporated pockets, the residents would not be able to voice their interests in a vote. Therefore, he felt obligated to vote for Hazelwood and not Florissant.

Ms. Garino clarified that in both proposals the annexation area is considered an unincorporated pocket. She believes that the Florissant proposal offers more logical access for delivery of services, and more contiguous boundaries. The increase in taxes is not unreasonable, and although both are good strong municipalities, the better choice is Florissant.

Mr. Middelkamp agreed that access for services is more logical in the Florissant proposal and it will rectify the split in subdivisions.

Mr. Wojtkowski stated both proposals are relatively equal, and to determine which proposal is in the best interest of the area, the key factor is the desire of the residents. He argued the tax differential is a factor because the City of Florissant will result in a tax increase where the City of Hazelwood will provide a tax reduction. Since the people in the area will not receive a meaningful vote, their opinion must be weighed in the Commission's deliberations.

Mr. Wiesehan stated Florissant is the only clear route in to and out of the area, and as they have promised to lower their utility tax, the tax increase will not be as high as originally proposed. Also, the new community center Florissant built and the park services are directly across from the Crest Aire subdivision, and are much closer than anything Hazelwood offers. Plus, the fees will be lower for them as residents.

Mr. Bruer explained his opinion that their charge is orderly incorporation in the County, regardless of the slight difference in tax responsibilities. The area presents an odd configuration and placing it in Florissant is the only way to correct this anomaly. Their vote will not count either way and the Commission can not know the desires of all the residents from the statements of those who came forward at the hearing or in an outdated petition. For ease of access, Florissant is clearly the better choice.

Ms. Wingron agreed that it appeared a natural to be in Florissant, but on learning Hazelwood was granted permission to service a new subdivision adjoining Crest Aire that will provide them access to both areas, she felt Hazelwood is the better choice, because it is the choice of the residents. The Commission revisited the map of the development and considered the possible routes for access and the practicality of such an alternative.

Mr. Saulsberry stated his difficulties in balancing the desires of the residents with a configuration that is justifiable for reasonable existence. In consideration of this new subdivision that lines up with Hazelwood, he would vote for Hazelwood to meet the interests of the residents.

Mr. Frager felt the decision by the government of Hazelwood to create access for this new subdivision does not increase the accessibility to or the logic for the annexation of Crest Aire. He felt they would not be following their charge if they created a situation where a municipality can not easily service an area.

Mr. Wojtkowski disagreed and stated he feels they will set a bad precedent by ignoring the demands of the residents expressed at a public forum held for that purpose.

Ms. Garino felt that the public hearing and the comments were not ignored, they are only one component of all the information considered in making this decision. She stated, the Commission ultimately must look at the factors, the County comments, the proposal, and the public comment to determine whether they will create boundaries that are reasonable and orderly without causing an unnecessary financial burden.

Mr. Middelkamp made a motion to approve proposal BC9605. Mr. Saulsberry seconded.

Mr. Wiesehan stated Florissant offered greater accessibility.

Mr. Wojtkowski made a motion to move the previous question. Mr. Saulsberry seconded. Roll Call Vote: Ayes: Bruer, Frager, Garino, Middelkamp, Rehagen, Saulsberry, Wiesehan, Wingron, Wojtkowski. Nays: None. *The motion passed.*

Roll Call vote: Ayes: Rehagen, Saulsberry, Wingron, Wojtkowski. Nays: Bruer, Frager, Garino, Middelkamp, Wiesehan. *The motion failed.*

Mr. Bruer made a motion to approve BC9603. The motion was seconded by Mr. Wiesehan.

Mr. Middelkamp stated he does not want to leave this area sitting out as an unincorporated pocket.

Mr. Wojtkowski stated that St. Louis County remained neutral through this process, yet expressed their commitment to maintain service in this area and indicated no problem with the current situation.

Roll Call Vote: Ayes: Bruer, Frager, Garino, Middelkamp, Wiesehan Nays: Rehagen, Saulsberry, Wingron, Wojtkowski *The motion failed.*

The Commission discussed the procedures regarding the status of the proposals at this point. Under Robert's Rules of Order, the motion can be reconsidered during the same meeting but if not, both proposals die and will have to be resubmitted by the municipalities.

E. Discussion and Decision re:

- **BC9602 - Annexation Proposal Wedgwood Area - City of Florissant**
- **BC9613 - Annexation Proposal Kensington - City of Florissant**

Mr. Rehagen opened the discussion by confirming that the residents in Wedgwood will receive a vote, but as the Kensington area is an unincorporated pocket their vote is blended.

Mr. Wiesehan stated that the people should have an opportunity to vote on this proposal since the County raised no objections.

Mr. Wojtkowski raised a concern regarding the increase in taxation which would be significantly diluted by the City's promise to rollback their utility taxes. If the Commission accepts this promise in good faith, they should continue to focus on whether that promise is kept.

Mr. Rehagen made a motion to approve BC9602. Ms. Garino seconded the motion. Roll call Vote: Ayes: Bruer, Frager, Garino, Middelkamp, Rehagen, Saulsberry, Wiesehan, Wingron, Wojtkowski. Nays: None. *The motion passed.*

Mr. Bruer moved to approve BC9613. Mr. Wiesehan seconded the motion.

Ms. Garino stated her approval of a proposal that eliminates a small pocket.

Mr. Wojtkowski explained that usually he held reservations on the unincorporated pocket vote especially when there are property owners who object. But in this instance, the

only property is an apartment complex with an absentee landlord. The residents are not property owners hence are more flexible in their living situation; if they object strongly to living in Florissant then they can move without liquidating an asset.

Mr. Wiesehan stated his opinion that the City will watch the property better due to their close proximity.

Mr. Saulsberry confirmed that the rollback in the utility tax applies here as well.

Roll call Vote: Ayes: Bruer, Frager, Garino, Middelkamp, Rehagen, Saulsberry, Wiesehan, Wingron, Wojtkowski Nays: None *The motion passed.*

F. Discussion and Decision re:

- **BC9615 - Annexation Proposal Hanna-Sulphur Spring - City of Manchester**

Mr. Wojtkowski made a motion to table this agenda item. The motion failed for lack of a second

Mr. Wojtkowski stated he feels it is inappropriate to address the item at this time because it was placed on the agenda in the waning moments of the previous Commission meeting without conforming to all the steps in the decision making process.

Mr. Bruer remarked that the City made the concessions asked, and addressed all the issues raised by the Commission. The proposal is wanted by the residents and the City has a good government and submitted a good proposal, in addition to which they fulfilled the requests for changes.

Mr. Rehagen agreed it represents a clean change and the City accepted the TGA and fell in line with all the Commission's requests. Internally the proposal seems straight forward.

Ms. Garino asked if they had all the information they needed to make the decision. Mr. Ramey responded that this depended on the comfort level of the Commission.

Mr. Bruer made a motion to approve. Mr. Saulsberry seconded the motion. Roll call Vote: Ayes: Bruer, Frager, Garino, Middelkamp, Rehagen, Saulsberry, Wiesehan, Wingron. Nays: Wojtkowski. *The motion passed.*

G. Professional Services Agreement re: Executive Director

Mr. Bruer made a motion to renew discussion of item A which was held over from the beginning of the meeting. Ms. Garino seconded the motion. Roll call Vote: Ayes: Bruer, Frager, Garino, Rehagen, Saulsberry, Wiesehan, Wingron, Wojtkowski Nays: Middelkamp *The motion passed.*

Mr. Rehagen returned to the issue of notice, and restated the importance of three months instead of two due to their past experience in finding a replacement. He realized the Commission addressed the compensation based upon an analysis of City Manager positions, but feels they are different positions and thinks the Commission should re-examine the compensation levels.

Mr. Bruer disagreed because he finds the positions similar in that the Director must be familiar with all aspects of City management in analyzing the proposals and in coordinating with both the County and the municipalities. He thinks three months would prove helpful, but questions the validity of such a request.

Mr. Saulsberry explained he sees the position as one with career growth potential and of significant impact on the Commission. He thinks it is important to have a firm foundation from which to execute their responsibilities. The position requires a planner

with good administrative skills and as a consultant, the compensation must be higher to allow for the absence of employee benefits. His firm has drafted hundreds of similar agreements, and he thinks the length of notice is an aggressive term they achieved and finds the Committee's recommendation sound and reasonable.

Mr. Wiesehan asked if two months represents average notice. Both Ms. Wingron and Mr. Saulsberry responded that in reality, it represents an excessive length of time.

Mr. Frager commented that he did not want to lose the momentum of the Commission by finding a new director nor did he want to lock someone in longer than two months if they choose to renegotiate the contract.

Mr. Middelkamp stated that his problem is with the large increase in compensation from the previous agreement to the current contract.

A motion was made to put the question to a vote. Roll call vote: Ayes: Bruer, Rehagen, Saulsberry, Wiesehan, Wingron, Wojtkowski. Nays: Frager, Garino, Middelkamp. *The motion passed.*

Roll call vote: Ayes: Bruer, Frager, Garino, Saulsberry, Wiesehan, Wingron. Nays: Middelkamp, Rehagen, Wojtkowski. *The motion passed.*

ADJOURNMENT

Commissioner Wojtkowski made a motion to adjourn the meeting. The motion to adjourn was seconded by Commissioner Wiesehan. The question was raised whether the two Crest Aire proposals BC9603 and BC9605 should be reconsidered. According to Robert's Rules of Order, they can not return to either proposal after this meeting. Mr. Wiesehan withdrew his second.

Mr. Frager made a motion to reconsider the Hazelwood proposal, BC9605. Mr. Rehagen seconded the motion.

Mr. Rehagen stated that 70% of the residents in an earlier petition expressed their preference to be in Hazelwood.

Call for a vote. Roll Call vote: Ayes: Bruer, Frager, Garino, Rehagen, Saulsberry, Wiesehan. Nays: Middelkamp, Wingron, Wojtkowski. *The motion passed.*

Mr. Middelkamp stated that the tax reduction Hazelwood offers is not that important because it could easily change in the near future. Such factors fluctuate, but the boundaries will be permanent. The Hazelwood proposal will split a subdivision and that is a permanent problem. The area is surrounded on three sides by Florissant. This area is not directly serviced from a Hazelwood street.

Mr. Bruer addressed the petition mentioned earlier, and stated that it was collected four years ago and is outdated. It only represents a straw poll indicator of the residents' opinions. In the Manchester and Sunset Hills decision, they required a clean boundary, and the Hazelwood proposal does not provide clean boundary lines.

Ms. Garino stressed the permanence of their decision and the consequent boundaries created and the problems these will create for servicing. Mr. Bruer also reiterated the importance of their charge to answer the unincorporated pocket issues in the County and not leave this pocket area stranded.

Mr. Frager mentioned that the subdivisions that currently exist are best serviced by Florissant and they should not make a decision contingent on the future possibility of a planned subdivision adjacent to this area in Hazelwood that might facilitate services.

There was a call for the previous question. Roll call vote: Ayes: Bruer, Frager, Garino, Middelkamp, Rehagen, Saulsberry, Wiesehan, Wingron, Wojtkowski. Nays: None.

The motion to approve BC9605, roll call vote: Ayes: Rehagen, Saulsberry, Wingron, Wojtkowski Nays: Bruer, Frager, Garino, Middelkamp, Wiesehan *The motion failed.*

Mr. Wojtkowski made a motion to adjourn. Mr. Saulsberry seconded the motion. Roll call vote: Ayes: Saulsberry, Wingron, Wojtkowski. Nays: Bruer, Frager, Garino, Middelkamp, Rehagen, Wiesehan. *The motion failed.*

There was more discussion that the charge of the Commission does not require they choose one proposal. If both failed because neither proved acceptable to the majority, then further debate would prove futile.

Mr. Middelkamp made a motion to adjourn. Mr. Wiesehan seconded the motion. Roll call vote: Ayes: Bruer, Middelkamp, Saulsberry, Wiesehan, Wingron, Wojtkowski. Nays: Garino, Rehagen. Abstentions: Frager. *The motion passed.*

This being a memorandum of the activities at this meeting.

Respectfully submitted,
Carl E. Ramey
Executive Director

Approved January 21, 1997