

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

**MEETING MINUTES
June 3, 1997**

ROLL CALL

COMMISSIONER	PRESENT (P)/ ABSENT(A)
ED BRUER	A
JULIUS FRAGER	P
AGNES GARINO	P
DENISE HADDOCK	P
SCOTT MIDDELKAMP	P
JACK REHAGEN	P
CHARLES SAULSBERRY	A
JACK WIESEHAN	P
ANNA MARIE WINGRON	A
DON WOJTKOWSKI	A
LARRY YOUNGBLOOD	P

OTHERS PRESENT:

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

CALL TO ORDER

The meeting was called to order by First Vice-Chairperson Garino at 6:00 p.m. on June 3, 1997. The meeting was held at the office of the Boundary Commission, 1516 S. Brentwood Blvd., Brentwood, MO 63144.

ROLL IS CALLED-QUORUM DECLARED

Carl Ramey called the roll and a quorum was declared.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

A motion was made by Mr. Rehagen to approve the minutes for the Commission meeting of May 6, 1997. The motion was seconded by Ms. Haddock. Voice vote: Ayes - All Nays - None. *The motion passed.*

PUBLIC COMMENT

There was no public comment.

ANNOUNCEMENTS/COMMUNICATIONS

Mr. Ramey informed the Commission that he planned to meet with the Cities of Wildwood and Ellisville to discuss the possibility of a transfer of jurisdiction. He explained that the procedure is considered a simplified boundary change without the petition requirement. Instead, both municipalities need to be in agreement, as the area involved will transfer from one municipality to the other without a vote unless the Commission decides an election is necessary. The subdivision involved is Kiefer Creek Farms, which was incorporated into Wildwood with an informal agreement that it would be transferred to Ellisville at a later date. Mr. Rehagen asked if the entire subdivision is included and how many people are involved. Mr. Ramey stated he has not yet received the details, and will know more at the next meeting.

Mr. Ramey also announced that he was asked to speak to a group of citizens in South County about the incorporation process. Mr. Rehagen asked if the City of Bella Villa has plans for an annexation. Mr. Ramey replied that the City discussed a simplified boundary change to annex a self-contained street with approximately thirty homes.

Mr. Ramey mentioned that the legislative committee should begin meeting again in July in anticipation of the joint discussions with the County and the Municipal League which will start after Labor Day. At some point in the process, the legislative committee will also need to confer with the Rules Committee to share information.

NEW BUSINESS

A. Receive, file, and affirm the public hearing date for BC9702 - First Baptist Church Annexation Area - City of Fenton

Mr. Ramey indicated that although this is a simplified boundary change, he was advised that the proposal has generated interest from other property owners in the community. Mr. Rehagen asked if that interest is favorable or negative. Mr. Ramey responded that he doesn't know, but the property is under contract for the potential development of a Dierbergs shopping center. The developers requested the City submit the proposal for annexation, and have indicated they are not interested in developing the area if it remains in St. Louis County. Mr. Youngblood asked if the developers had previously submitted a plan to St. Louis County. Mr. Ramey responded that he is unaware of any prior attempt. Ms. Lori Fiegel, from the St. Louis County planning department, answered that the developers did not come to the County.

Mr. Rehagen made a motion to receive, file, and affirm the public hearing date for BC9702 to be held June 17, 1997 at 7 p.m. in the Council Chambers of Fenton City Hall. Mr. Wiesehan seconded the motion. Voice vote: Ayes - all Nays - none *The motion passed.*

OLD BUSINESS

A. *Approval of Summary and Decision for BC9616 - Northeast Area - City of Ferguson*

Ms. Garino indicated that the final page of the document is the only significant difference from the draft finding. She asked if anyone had any concern about the language used in the decision or if anything else needed to be included. She expressed her initial concern with the wording used in reason number four which attempted to summarize the different issues discussed regarding the financial impact. But after consideration of alternative language, she concluded this was the most accurate description of the various issues raised.

Mr. Middelkamp made a motion to approve the Summary and Decision for BC9616. Mr. Rehagen seconded the motion. Roll call vote: Ayes - Frager, Garino, Haddock, Middelkamp, Rehagen, Youngblood. Nays - none. Abstentions - Wiesehan. *The motion passed.*

B. *Discussion re: unincorporated pocket issue*

Mr. Frager asked what exposure the Commission risks if they take the position in the future that the boundaries considered for purposes of defining an unincorporated pocket will only be municipal or county boundaries. Mr. Martin explained that the definition for an unincorporated pocket is clear in the legislation, and the Commission can not add preconditions. The proposal determines the territory to be considered an unincorporated pocket, and the Commission can not restrict what boundaries are selected.

Because the definition could not be altered, the committee focussed instead on how to handle the creation of unincorporated pockets in the remaining territory. They decided not to establish a firm policy, but instead recommended that the Rules require a proposing agent to provide information regarding this issue. This requirement would also serve notice to the proposing agents that the Commission will evaluate the information and weigh it according to all of the circumstances involved in the particular proposal.

The next step for the committee will be to determine specifically what kind of information they will require in the Rules, and how they will guide the proposing agent in examining this issue. The information provided will also be reviewed internally because the Commission can not request proposing agents to make unreasonable assumptions. Mr. Rehagen asked how a proposing agent would respond if they do not know how this issue would effect their proposal. Mr. Martin explained the rule will force them to address this issue from the beginning, and explain their choice of boundaries to the Commission's satisfaction.

Mr. Frager asked if the Rules Committee will address the issue of who will verify the petition for a simplified boundary change now that the County has indicated they are no longer able to perform this service. Mr. Ramey stated the issue is on their list for discussion. Ms. Garino asked if the Commission could receive a copy of the Committee's list so that they know what issues will be discussed and can follow their progress.

ADJOURNMENT

Mr. Rehagen made a motion to adjourn. Mr. Middelkamp seconded the motion. 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 July 1, 1997