

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

MEETING MINUTES

June 4, 1996

COMMISSIONERS PRESENT:

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

COMMISSIONERS ABSENT:

Barbara McGuiness
Willie Weary Jr.

OTHERS PRESENT:

Carl Ramey-Administrator
Steve Martin - Legal Counsel

CALL TO ORDER

The meeting was called to order by First Vice-Chairperson Garino at 6:08 PM on June 4, 1996. The meeting was held at the Lawson Elementary School, Florissant, MO.

ROLL IS CALLED-QUORUM DECLARED

Carl Ramey calls the roll as reflected above, and a quorum is declared.

APPROVAL OF AGENDA

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

APPROVAL OF May 21, 1996 MEETING MINUTES

A motion was made by Commissioner Rehagen to approve the minutes for the Commission meeting of May 21, 1996. The motion was seconded by Commissioner Middelkamp. Voice Vote: Ayes - All Nays - None
The motion passed.

APPROVAL OF MAY 21, 1996 PUBLIC HEARING MINUTES

A motion was made by Commissioner Rehagen to approve the minutes for the Public Hearing for BC9601 and BC9602 held by the Commission on May 21, 1996. The motion

was seconded by Commissioner Middelkamp. Voice Vote: Ayes - All Nays - None
The motion passed.

PUBLIC COMMENT

There was no public comment.

ANNOUNCEMENTS/COMMUNICATIONS:

Mr. Ramey referred the Commission to the additional letters received by the Commission concerning the public hearings held on May 21. Copies of those additional letters were made available to all Commissioners in a packet that night.

Mr. Ramey advised the Commission of his continued contacts with other communities regarding possible boundary changes, including the city of Crestwood. Ramey indicated that other proposals would be forthcoming.

Commissioner Rehagen questioned how the Commission wanted to handle the situation where a municipal official spoke during the Public Comments portion of a Public Hearing. He referred the Commission to the situation at the last public hearing where a City of Florissant official spoke during that period. There was objection from the audience, citing the Commission's procedure of allowing the proposing agent fifteen minutes to present their proposal.

Mr. Ramey indicated it certainly gives the audience the appearance the proposing agent is allowed more time, but ultimately the issue is a policy question for the Commission. Mr. Martin indicated he concurred that how to handle the issue was a policy matter for the Commission, but there was not a legal issue which would bring the public hearing into question.

Commissioner Wojtkowski indicated he felt it was difficult to enforce a policy which would limit or restrict a public official from making an additional comment, particularly if there was no way for the Commission to know in advance the individual was a public official. Commissioner Tretter concurred, feeling it was probably not enforceable and would be limiting an individual's right to make their own comments be known.

The Commission reached a consensus not to formulate a policy which would limit or prohibit comments made by individual public officials associated with the proposing agent.

NEW BUSINESS:

- A. *Receive, file and Set Public Hearing dates for Boundary Change Proposals for:*
 - i. *BC9608 - Annexation of McDonnell Douglas Area- City of Berkeley*

A motion was made by Commissioner Middelkamp to receive and file the annexation proposal from the City of Berkeley (PC9608), setting the date for the public hearing on Tuesday, August 6, 1996 at 7:00 p.m. The motion was seconded by Commissioner Garino. Roll Call Vote: Ayes - Bruer, Eckert, Garino, Middelkamp, Rehagen, Tretter, Wiesehan, Wingron and Wojtkowski Nays - None *The motion passed.*

The location of the hearing will be set after reviewing the locations suggested in the proposal.

- ii. ***BC9609 - Annexation of Kensington Square Area- City of Florissant***
- iii. ***BC9610 - Annexation of Dunn Road- Area 19- City of Florissant***

A motion was made by Commissioner Middelkamp to receive and file the annexation proposals from the City of Florissant (BC9609 and BC9610), setting the date for the public hearing on each proposal for Tuesday, August 20, 1996 at 7:00 p.m. The motion was seconded by Commissioner Rehagen. Roll Call Vote: Ayes - Bruer, Eckert, Garino, Middelkamp, Rehagen, Tretter, Wiesehan, Wingron and Wojtkowski Nays - None *The motion passed.*

The location of the hearing will be set after reviewing the locations suggested in the proposal.

B. Review Public Hearing BC9601 - Annexation Proposal Area West by City of Florissant.

Commissioner Rehagen suggested the Commission consider reviewing each proposal based on the eleven factors required of all proposal under the Plan of Intent. It was the consensus of the Commission to review each proposal on an item by item basis.

- Factor 1* - There were no comments or questions by the Commission.
- Factor 2* - There were no comments or questions by the Commission.
- Factor 3* - The proposal of Florissant's overlaps the proposal submitted by the City of Hazelwood for the Charbonnier Area (BC9604). Commissioner Wojtkowski indicated the additional staffing required in the Area West proposal did not seem to be consistent with the Wedgewood proposal also submitted by the City of Florissant. Commissioner Garino referred to page 5 of the Area West proposal and asked to have that compared to the Wedgewood proposal. Why were the personnel not itemized?
- Factor 4* - Commissioners questioned the consistency of defining public services. For example, sidewalk maintenance and street lighting. Need clarification of street lighting policy, timing and budget. Also, if subdivision has money as indicated at the public hearing, why have they not installed lighting?
- Factor 5* - The Commission questioned the scheduling of street maintenance and the type of maintenance practices used. Also at issue was what will happen to refuse collection in the area.
- Factor 6* - The Commission questioned tax rates included in the proposal.
- Factor 7* - There were no comments or questions by the Commission.

A motion was made by Commissioner Wiesehan to suspend further discussion of the Area West Proposal, because of the pending public hearing and the limited time available for further review. The motion was seconded by Commissioner Wojtkowski. Voice Vote - Ayes - All Nays - None *The motion past.*

A motion was made by Commissioner Rehagen to carry over item 6C. Review Public

Hearing BC9602 - Annexation Proposal Wedgwood By City of Florissant to the next meeting. The motion was seconded by Commissioner Eckert. Roll Call Vote: Ayes - Bruer, Eckert, Garino, Middelkamp, Rehagen, Tretter, Wiesehan, Wingron and Wojtkowski Nays - None *The motion passed.*

ADJOURNMENT

Commissioner Garino made a motion to adjourn the meeting. Roll Call Vote: Ayes - Bruer, Eckert, Garino, Middelkamp, Rehagen, Tretter, Wiesehan, Wingron and Wojtkowski Nays - None *The motion passed.*

This being a memorandum of the activities at this meeting.

Respectfully submitted,

Carl E. Ramey
Administrator