

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

MEETING MINUTES

July 16, 1996

COMMISSIONERS PRESENT:

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

COMMISSIONERS ABSENT:

Barbara McGuinness
Willie Weary Jr.
Jack Wiesehan

OTHERS PRESENT:

Carl Ramey-Administrator
Steve Martin - Legal Counsel

CALL TO ORDER

The meeting was called to order by Chairperson Wingron at 6:06 PM on July 16, 1996. The meeting was held at the City Hall of the City of Sunset Hills in Sunset Hills, MO.

ROLL IS CALLED-QUORUM DECLARED

Carl Ramey calls the roll as reflected above, and a quorum was declared. Commissioner Wojtkowski arrived at approximately 6:30 p.m.

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 JULY 2 1996 MEETING MINUTES

A motion was made by Commissioner Middelkamp to approve the minutes for the Commission meeting of July 2, 1996. The motion was seconded by Commissioner

Rehagen. Commissioner Garino indicated that on page 4 of the minutes, the paragraph referring to where she sought clarification of the payment made by the City of Hazelwood, it did not specify fire service. A motion was made by Commissioner Garino to amend the minutes of July 2, 1996, by adding the phrase "for fire service," so that the sentence would read as follows:

Commissioner Garino requested clarification of the payment made by the City of Hazelwood *for fire service (correction in italics)*.

The motion was seconded by Commissioner Rehagen.

It was also pointed out that the voting record on the motion by Commissioner Bruer to request staff write a letter to the City of Florissant was incorrect. The correct vote tally should be:

Roll Call Vote: Ayes - Bruer, Eckert, Garino, Middelkamp, Tretter, Wingron and Wojtkowski Nays - *Garino, Rehagen and Wiesehan. (Correction in italics) The motion passed.*

It was agreed to by the Commission to include the corrected roll call vote in the motion to amend. The vote on the motion to amend. Voice Vote: Ayes - All Nays - None *The motion passed*

The vote on the main motion, as amended. Voice Vote: Ayes - All Nays - None *The motion passed.*

APPROVAL OF JULY 9, 1996 COMMISSION MEETING MINUTES

A motion was made by Commissioner Garino to approve the minutes for the meeting held by the Commission on July 9 1996. The motion was seconded by Commissioner Tretter. Voice Vote: Ayes - All Nays - None *The motion passed.*

TREASURER'S REPORT

The Treasurer's report for the month of June was submitted by Commissioner Bruer. A motion was made by Commissioner Middelkamp to accept the Treasurer's Report. The motion was seconded by Commissioner Rehagen. Voice Vote: Ayes - All Nays - None *The motion passed.*

PUBLIC COMMENT

Mr. Fred Hoehn, 10909 Acton, St. Louis, MO 63123-7001 submitted a written statement to the Commission, relating to due process and why he feels H.B. 446 is unconstitutional.

ANNOUNCEMENTS/COMMUNICATIONS:

Mr. Ramey reported to the Commission on his contact with the City of Florissant regarding BC9601 - Area West. Mr. Ramey said that he was requested not to forward the letter until after the City Council had an opportunity to review it informally. The City Attorney of Florissant, John Hessel, reported to Mr. Ramey the City Council's position not to modify their proposal (BC9601 - Area West) by reducing its size. They felt by eliminating that portion which is also being sought by the City of Hazelwood it would not be in the best interest of the one of the major land owners in the area. This owner has indicated her preference to be in Florissant. Having advised the Commission of the

response by Florissant, Mr. Ramey indicated he would forward formally the letter.

Mr. Ramey advised the Commission the County's budget cycle was beginning. Norris Acker of the County had contacted Mr. Ramey to let him know budget forms and calendar would be available later in the week. The Commission discussed the creation of a budget committee. Before the next meeting, Mr. Bruer and Mr. Ramey are to discuss the budget process. A resolution creating a budget committee is to be on the agenda for the next meeting.

Mr. Ramey advised the Commission that late that afternoon he received word from Mark Levin, City Administrator for Maryland Heights of the decision by the cities with population greater than 20,000 to appoint a replacement for Barbara McGuinness. Mr. Julius Frager of Maryland Heights will replace Ms. McGuinness. He will fulfil her unexpired term.

NEW BUSINESS:

- A. *Receive, file and Set Public Hearing date for Boundary Change Proposal for:***
**i. *BC9615 - Annexation of Hanna - Sulphur Spring Area-
City of Manchester.***

A motion was made by Commissioner Garino to receive and file the annexation proposal from the City of Manchester - Annexation proposal: Hanna - Sulphur Area (BC9615), setting the date for the public hearing on Tuesday, September 17, 1996 at 7:00 p.m. The motion was seconded by Commissioner Rehagen. Roll Call Vote: Ayes - Bruer, Eckert, Garino, Middelkamp, Rehagen, Tretter, and Wojtkowski Nays - None *The motion passed.*

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

B. *Discussion of Prior Public Hearing Reviews.*

Steve Martin indicated he was in a position to respond to the two questions raised at the last Commission meeting. Regarding whether the Commission could require a City to participate in the County's Highway Trust Fund, he indicated it would be permissible for the Commission to make such a requirement.

Mr. Martin indicated the more complicated question relates to the voting process for rejecting a proposal. The Rules of the Commission do not provide for the automatic rejection of a proposal. It is possible there could not be enough votes gathered either to approve or deny a proposal. However, it was agreed, if the Commission was unable to approve or deny a proposal within the time period for decision making under the law, the proposal would be deemed denied.

ADJOURNMENT

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

This being a memorandum of the activities at this meeting.

Respectfully submitted,
Carl E. Ramey
Administrator

Approved August 6, 1996