

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

**MEETING MINUTES
July 2, 1996**

COMMISSIONERS PRESENT:

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

COMMISSIONERS ABSENT:

Barbara McGuinness
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 6:00 PM on July 2, 1996. The meeting was held at the office of the Boundary Commission in Brentwood, MO. Chairperson Wingron arrived at 6:10 and assumed the role of chair.

ROLL IS CALLED-QUORUM DECLARED

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

APPROVAL OF AGENDA

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

APPROVAL OF JUNE 18, 1996 MEETING MINUTES

A motion was made by Commissioner Wiesehan to approve the minutes for the Commission meeting of June 18, 1996. The motion was seconded by Commissioner

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

APPROVAL OF JUNE 18, 1996 PUBLIC HEARING MINUTES - BC9604 and BC9606

A motion was made by Commissioner Rehagen to approve the minutes for the Public Hearing for BC9604 and BC9606 held by the Commission on June 18, 1996. The motion was seconded by Commissioner Bruer. Voice Vote: Ayes - All Nays - None *The motion passed.*

PUBLIC COMMENT

Mr. Jim Booher, 10516 Wisteria, St. Louis, MO 63126 spoke on behalf of the Citizens to Incorporate Sappington-Concord. He submitted a written statement which gave the Commission notice of their intention to submit to the Boundary Commission a proposal to incorporate the City of Sappington-Concord. He indicated his intention to have a pre-submittal conference with the staff to review what is necessary to submit a proposal. Commissioner Wingron indicated that he should contact Mr. Ramey to arrange such a meeting.

ANNOUNCEMENTS/COMMUNICATIONS:

Mr. Ramey advised the Commission of his continued contacts with other communities regarding possible boundary changes. In particular, the City of Manchester was in the midst of adopting the necessary legislation to annex an area to their south.

Commissioner Wingron raised the question of whether the Commission wanted to consider adding additional meeting time to review proposals. It was the consensus of the Commission that it was difficult to have meaningful dialogue in reviewing a proposal when the meeting began at 6 p.m. with the business portion only to adjourn before 7 p.m. when the scheduled public hearing would begin. It was agreed that additional work sessions needed to be added to the schedule of the Commission. It was the consensus of the Commission that in addition to the regularly scheduled meetings in July and August, the Commission would also have work sessions on July 9, July 30 and August 27. The work session would begin at 6 p.m. and be devoted to the review of proposals. The Commission would continue to have a business meeting prior to the public hearing. The starting time for that meeting would also be 6 p.m., unless a different time was required.

NEW BUSINESS:

- A. *Receive, file and Set Public Hearing date for Boundary Change Proposal for:*
 - i. *BC9612 - Annexation of McDonnell Douglas Area- City of Berkeley.*

Mr. Ramey advised the Commission of the necessity to reaffirm the scheduled date for the public hearing for the City of Berkeley's proposal to annex McDonnell Douglas. This proposal along with the City of Florissant's proposals for Kensington and Dunn Road required such reaffirmation. He indicated this would give the communities an opportunity to correct certain discrepancies in the proposal process, i.e. financial information in the Kensington proposal and notification of the County in the case of the McDonnell Douglas proposal. At that point, notices of the public hearing had not been published. Both proposing agents had submitted written notification of their resubmittal of the proposal as originally submitted along with any corrections. The dates originally selected for the public hearings in these cases were still valid. Mr. Ramey advised the only changes would be the dates for official submittal and the case numbers. The case numbers previously assigned would no longer be used.

A motion was made by Commissioner Garino to receive and file the annexation proposal from the City of Berkeley - Annexation proposal: McDonnell Douglas Area (BC9612), setting the date for the public hearing on Tuesday, August 6, 1996 at 7:00 p.m. The motion was seconded by Commissioner Rehagen. Roll Call Vote: Ayes - Bruer, Eckert, Garino, Middelkamp, Rehagen, Tretter, Wiesehan and Wojtkowski Nays - None *The motion passed.*

Receive, file and Set Public Hearing date for Boundary Change Proposal for:

- ii. BC9613 - Annexation of Kensington Area- City of Florissant.***
- iii. BC9614 - Annexation of Dunn Road - Area 19 - City of Florissant.***

A motion was made by Commissioner Garino to receive and file the annexation proposals from the City of Florissant (BC9613) and (BC9614), setting the date for the public hearing for Tuesday, August 20, 1996 at 7:00 p.m. The motion was seconded by Commissioner Wiesehan. Roll Call Vote: Ayes - Bruer, Eckert, Garino, Middelkamp, Rehagen, Tretter, Wiesehan 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

The Commission continued its review of the Area West annexation proposal. Lori Fiegel of the St. Louis County Department of Planning submitted letters the County received from residents in the Area West, Wedgwood and Charbonier areas. The County had asked that these letters be forwarded to the Commission. Ms. Fiegel indicated the letters were generally in opposition to annexation.

Commissioner Rehagen began the review by referring to the eleven factors the Commission must consider in reaching a decision on a proposal. The Commission at

their June 4 meeting had completed a review of the first seven factors.

Regarding Factor 8 - Commissioner Garino inquired what was the County's cost of service to this area. Was the revenue loss a gross or net loss? Ms. Fiegel indicated it was a gross revenue loss. She indicated the expenditure numbers were not readily available, but she would check into the matter.

Factor 9 - No questions or concerns.

Factor 10 - No questions or concerns.

Factor 11 - No questions or concerns.

Commissioner Garino asked whether for purposes of background information, it would be possible to learn what the voting results were of the November, 1994 annexation election.

Commissioner Wojtkowski raised an issue which he felt directly affected this proposal, but also had longer range implications for possible future applications. The process of voting appears to take away an individual area's right of self-determination, when their vote is merged with a larger city who is seeking to annex them under the statutory provisions for "unincorporated pockets." The question of how to give the voter in these areas the right to vote received extensive Commission discussion.

Several questions were raised during this discussion, including:

Should the factor relating to orderly incorporation also include the wishes of the people?

Can or should the Commission have a role or policy on a proposal which as a result of the Commission decision creates an unincorporated pocket?

What impact does the feeling of the public have on the decision making of the Commission?

Commissioner Garino requested clarification of the payment made by the City of Hazelwood for fire service. She also asked for further clarification of the Road Trust Fund.

The Commission discussed developing a timetable for decision making on this proposal. If the issue were to go to the voters in November, it was determined the last day to file legislation calling for the election, with the Board of Election Commissioners, is August 27. It was the consensus of the Commission that they would seek to have a determination on the matter by August 20.

A motion was made by Commissioner Bruer to have a preliminary straw poll for BC9601 on July 30, with a final voter on August 20. The motion was seconded by Commissioner Wiesehan.

Roll Call Vote: Ayes - Bruer, Eckert, Garino, Middelkamp, Rehagen, Tretter, Wiesehan and Wojtkowski Nays - None *The motion passed.*

The Commission discussed the Area West proposal in relation to the proposal submitted by the City of Hazelwood, the Charbonier Area (BC9604). The discussion centered around whether it was feasible to consider allowing Hazelwood the opportunity to annex that area. If the area of the Hazelwood proposal was carved out of the Florissant proposal, the Florissant proposal would no longer be an unincorporated pocket.

A motion was made by Commissioner Bruer to request that staff write a letter to the City of Florissant asking them to amend their proposal (BC9601) to exclude the area included within the proposal submitted by the City of Hazelwood (BC9604). The motion was seconded by Commission Tretter.

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

C. Review Public Hearing BC9602 - Annexation Proposal Wedgwood Area by City of Florissant.

The Commission agreed to continue their review by determining what the outstanding issues were based upon the eleven factors.

Factor 1 - No questions or concerns

Factor 2 - No questions or concerns

Factor 3 - No questions or concerns

Factor 4 - The question was raised as to whether leaving the Kensington area out was in fact contrary to the orderly incorporation of the county. The Commission sought no further information on this question.

Factor 5 - No questions or concerns

Factor 6 - No questions or concerns

Factor 7 - No questions or concerns

Factor 8 - No questions or concerns

Factor 9 - No questions or concerns

Factor 10 - No questions or concerns

Factor 11 - No questions or concerns

Commissioner Garino questioned whether there was a timetable for street lighting to be provided to this area. Concern was expressed that although the commitment was expressed at the public hearing, the timing for installation was not as clearly defined. It was the consensus of the Commission that a letter be sought from the City reaffirming their commitment to the installation of street lighting and a timetable for that work.

Commissioner Wojtkowski raised the issue of sidewalk maintenance and how the City's policy differs from the current level of service offered by the County. It was the consensus of the Commission that more details of the sidewalk maintenance policies of both the City and County be obtained.

There were no further issues raised at this time regarding BC9602.

A motion was made by Commissioner Bruer to use the same timetable for decision making for BC9602 as was previously agreed to by the Commission for BC9601. The motion was seconded by Commissioner Wiesehan. Roll Call Vote: Ayes - Bruer, Eckert, Garino, Middelkamp, Rehagen, Tretter, Wiesehan and Wojtkowski Nays - None *The motion passed.*

ADJOURNMENT

Commissioner Rehagen made a motion to adjourn the meeting. The motion was seconded by Commissioner Bruer 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 July 16, 1996

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

**PUBLIC MEETING
SPEAKER FORM**

DATE: JULY 2, 1996

YOUR
NAME: JIM BOOHER

ADDRESS: 10516 WISTERIA
SAPPINGTON CONCORD

TELEPHONE: 849-1542

COMMENTS:

SAPPINGTON - CONCORD

NAME OF ORGANIZATION:

CITIZENS TO INCORPORATE SAPPINGTON CONCORD

The Boundary Commission welcomes you to this public meeting. Your comments are not only welcomed but encouraged.

If you wish to speak, please complete this form and return it to the Chairperson. At the appropriate time on the Agenda the Chairperson will call your name and invite you to present your comments to the Commission. You will have a maximum of three (3) minutes for your comments.

We would ask you to be as concise as possible in your comments, avoiding repetition. This will help the Commission. Thank you for your attendance and comments at this meeting.