

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

**MEETING MINUTES
July 9, 1996**

COMMISSIONERS PRESENT:

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

COMMISSIONERS ABSENT:

Barbara McGuinness
Scott Middelkamp
Willie Weary Jr.

OTHERS PRESENT:

Carl Ramey-Administrator

CALL TO ORDER

The meeting was called to order by Chairperson Wingron at 6:05 PM on July 9, 1996.
The meeting was held at the office of the Boundary Commission in Brentwood, MO.

ROLL IS CALLED-QUORUM DECLARED

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

APPROVAL OF AGENDA

Chairperson Wingron indicated that the purpose of the special meeting was to conduct a work session to review proposals. It was not to be a business meeting. The Commission may from time-to-time refer questions to those in attendance from the City that is proposing the boundary change or the county. 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.*

NEW BUSINESS:

A. Review Public Hearing BC9603 - Annexation Proposal Crest Aire by City of Florissant

Mr. Ramey advised the Commission that Steve Martin and he had been working on a method for collecting information which could be used by the Commission and staff in formulating their decision and developing a final finding. Mr. Ramey presented to the Commission such a document which paralleled the eleven factors and the criteria found in the Rules. It was the consensus of the Commission to have staff continue to develop the substantive analysis document for each of the proposals.

Commissioner Rehagen asked for clarification as to whether there would be a reduction in the utility tax because of the City's recent adoption of a capital improvements tax. John Hessel, City Attorney for Florissant, responded that the City has already adopted an ordinance making that commitment. He indicated the Commission would be provided a copy of the ordinance.

Commissioner Rehagen sought clarification of the Traffic Generation Trust Fund. Lori Fiegel, St. Louis County Planning Department, advised the Commission it was the County Highway Department's desire to come to one of their meetings to explain in greater detail the Fund and its need in the County. Mr. Rehagen asked whether there was anything in the Crest Aire area which would be subject to the trust fund. Mr. Hessel said he was not aware of anything.

Commissioner Rehagen also asked whether there would be any conflicts between communities regarding snow plowing. Mr. Hessel felt there would not be any problems.

Commissioner Garino asked what the percentage roll back would be in the utility tax. Mr. Hessel said the City has not made a determination at this time. The rollback could range as high as 3%. Mr. Ramey indicated that based upon a standard \$2,000 annual utility bill, which is used by the County in their calculations, a residential property could save in the neighbourhood of \$60, if it was a 3% rollback.

Commissioner Wiesehan referred to the suggestion in the County report that the Commission requires a proposing agent to include the Traffic Generation Trust Fund in their proposal. Is it appropriate for the Commission to make that a requirement? It was the consensus of the Commission to refer this question to the attorney for his consideration.

Commissioner Garino questioned how the estimate for expenditures was developed. Mr. Hessel indicated it was based upon an analysis of the area compared to the budget. He indicated their willingness to consider other methodologies if it was the desire of the Commission.

Commissioner Garino observed that the expenditure data for Florissant and Hazelwood differed. Even though Crest Aire is the same area for both proposals, the cost centers differed. She questioned how to reconcile the expenditure data between the two cities.

Commissioner Eckert asked Lori Fiegel if the loss in revenue was a net or gross loss. Ms. Fiegel indicated it was a gross loss in revenue. Mr. Eckert indicated he was more concerned with the net loss of revenue and not the gross. The Commission indicated they had not resolved the issue of obtaining such a number from the County.

Jack Rehagen asked of the representatives from Hazelwood, whether the merchant license fees in this area applied to equipment. Ed Carlstrom, City Manager of Hazelwood, replied the fee on equipment relates only to manufacturing. It would not apply to the types of businesses in this area.

Commissioner Garino asked the City of Florissant how they arrived at the city being 56% adjacent to the Crest Aire area. It seemed to be more than 56%. Mr. Hessel said they did not include the area along Howdershell Road when calculating the adjacency percentage.

Commissioner Rehagen questioned the County as to whether the repair of sidewalks was on a schedule or on demand. The County was to look into that question.

Commissioner Garino questioned the County as to the report from the County Parks Department and their statement that there was a \$12,000 cost in service, if the area became annexed. Ms. Fiegel responded it was really the cost of the loss of revenue and not a cost of service.

The Commission discussed developing a timeline for decision making much as they did in the previous reviews of proposals. It was the consensus of the Commission that the Crest Aire proposals be subject to the same timeline as Area West and Wedgwood.

A question was raised as to the voting requirements for approval of a proposal. Mr. Ramey indicated the Rules required the presence of eight commission members to vote on a matter, with six affirmative votes necessary to approve a measure. There was discussion as to what happens if you do not have six affirmative votes to pass, does the measure fail? Are you required to have a motion to reject a proposal? These questions were referred to Steve Martin.

Commissioner Tretter questioned whether there was flexibility in refuse service for the resident. Will they be limited to a particular hauler(s)? Mr. Hessel indicated the City does not limit a resident to a particular hauler. Mr. Carlstrom indicated Hazelwood has but one hauler.

Commissioner Wojtkowski asked whether there was a way of placing on the ballot the question of which city the resident/voter preferred. Could it be structured so as to allow them the option of Florissant, Hazelwood or neither?

Commissioner Eckert indicated he had a difficult time voting on an unincorporated pocket. He felt the way the law is drafted, the resident in that area does not have a say as to whether they want to be annexed or not.

Commissioner Tretter questioned what weight prior elections and petitions had in the decision making process.

Commissioner Bruer asked whether a commissioner could morally vote against something because they disagreed with the law.

Commissioner Wojtkowski felt a commissioner could not vote a particular way based upon their disagreement with the law. However, you could factor in a sense of the public when considering whether it is in the best interest of the area to be annexed.

B. Review Public Hearing BC9605 - Annexation Proposal Crest Aire by City of Hazelwood

In response to a question from the Commission, Mr. Carlstrom explained that even though there was a petition from the area indicating their desire to go to Hazelwood, Hazelwood was not able to place it on the ballot. This is the same petition included in their proposal. The City of Florissant was given the opportunity to place on the ballot the vote to annex Crest Aire. The City of Florissant was rejected at the polls.

Commissioner Rehagen asked whether the City of Hazelwood had a capital improvements tax. Mr. Carlstrom indicated they did and would begin to receive money in October.

Commissioner Garino questioned why there was no cost center for police service for this area. Mr. Carlstrom indicated it was not a significant cost factor because of the low demand in the area.

Commissioner Garino asked whether there could be further clarification of the cost for fire service.

Commissioner Rehagen asked whether there were any zoning issues which would require a resident or business to go before the Board of Adjustment. Mr. Carlstrom indicated there were none to his knowledge.

Commissioner Wiesehan asked whether the City has any influence on fire service from the fire protection district. Mr. Carlstrom indicated the City did not.

Commissioner Rehagen asked what was the City's current cash reserve. Mr. Carlstrom indicated he preferred a cash reserve in the neighbourhood of 15% of budget. At the present time their reserve is \$1.4 to \$1.5 million. They try to keep the cash balance level.

Commissioner Wingron questioned whether the Board of Election Commissioners had the ability to structure a ballot which would give the voters an option to select Hazelwood, Florissant or neither. Mr. Ramey indicated he was not sure whether it could be done, but that it could be looked into.

There being no further questions or comments, the review of BC9605, Crest Aire - Hazelwood was concluded.

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