

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

**MEETING MINUTES
August 19, 1997**

ROLL CALL

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

OTHERS PRESENT:

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

CALL TO ORDER

The meeting was called to order by Chairperson Wingron at 6:00 p.m. on August 19, 1997. The meeting was held at the office of the Boundary Commission, 1516 S. Brentwood Blvd., Brentwood, MO 63144. Mr. Saulsberry arrived at 6:10 and Mr. Wojtkowski arrived at 6:25.

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 Ms. Garino to approve the minutes for the Commission meeting of July 15, 1997. The motion was seconded by Mr. Middelkamp. Voice vote: Ayes - All Nays - None. *The motion passed.*

PUBLIC COMMENT

There was no public comment.

ANNOUNCEMENTS/COMMUNICATIONS

Mr. Ramey asked the Commission if they had any questions regarding the memo he included in their packets to provide an update on all the recent and anticipated activity of the Commission. As no questions were raised, Mr. Ramey announced the canvass of the vote for the successful Crestwood election would be on the agenda at the next meeting to officially certify the results.

NEW BUSINESS

A. *Receive, file, and set the public hearing date for BC9703 - Landor Annexation Area - City of Bella Villa*

Mr. Ramey distributed the new proposal from the City of Bella Villa for a simplified boundary change. He offered the first regular meeting in October as a tentative date for the public hearing which will be held at Bella Villa City Hall.

Mr. Youngblood made a motion to receive, file, and set the date for the public hearing on BC9703 to be Tuesday, October 7 at 7:00 p.m. Mr. Rehagen seconded the motion. Voice Vote. Ayes - All Nays - None. *The motion passed.*

B. *Recommendation of Budget Committee to Approve Proposed Budget for Fiscal Year 1998*

Mr. Bruer stated that the recommendation represented a minute increase of .06% over the previous year's budget as they only added approximately \$1300. After much discussion, they also recommended a committee be formed to address the future of the lease on the Commission office space which expires at the end of September 1998.

The budget accounted for possibilities of either staying or moving, but the decision should be investigated by a committee. The central issues identified were cost, parking, convenience, and the impact of the development around the building. Though the current location is extremely affordable, approximately \$15 per square foot, there are limitations to the space particularly the size of the conference room and the availability of parking.

Mr. Rehagen, who did most of the footwork on the original lease, recalled that at the time he surveyed other locations, this space offered the best arrangement for cost, access, and availability. He agreed a committee could compare alternative arrangements, and determine whether the cost of this space still outweighs any inconvenience associated with the location.

Mr. Bruer mentioned the possibility of renovations to change the configuration of the office space currently occupied, but Mr. Ramey expressed his doubts regarding that option. He agreed that the limitations of the conference room raised the greatest concern about the present location.

Mr. Rehagen asked if the budget would sufficiently cover the last three months of rent in 1998 if they do change office space, because the rent would probably be significantly higher. Mr. Bruer responded that the budget accounts for the possibility of such an increase. Mr. Ramey stated that another concern was parking, and they also allotted extra funds for a parking space under the building.

Ms. Garino asked when they would have to provide notification for termination of the lease. Mr. Bruer replied that represents another issue the committee would need to determine. Ms. Garino asked if on page three, the budget item discussing software refers to the cost of purchasing an actual program. Mr. Bruer responded that it is for the cost of a program that would provide mapping capabilities. They discussed the program in detail, and though they did not determine that the need exists at this time, they wanted to build in the possibility of such a purchase, and generally account for possible changes and upgrades in the computer needs of the office.

Mr. Middelkamp made a motion to approve the budget as recommended by the Committee. Mr. Bruer seconded the motion. Roll call vote. Ayes - Bruer, Frager, Garino, Haddock, Middelkamp, Rehagen, Saulsberry, Wiesehan, Wingron, Youngblood. Nays - none. *The motion passed.*

OLD BUSINESS

A. Discussion re: BC9702 - First Baptist Church Annexation Area - City of Fenton

Ms. Wingron explained that representatives from the City of Fenton were not present as they confused the date of the August meeting the Commission decided to cancel. She reminded the Commission that as they planned to vote at their next meeting on September 2, that this was the last opportunity to request any additional information they may need in order to vote.

Mr. Ramey mentioned the letter distributed from the County Department of Highways and Traffic responding to the previous issue of whether to extend Country Home Drive through the area. They surveyed the two neighborhoods south of the annexation area that would remain unincorporated County, and a majority in the largest subdivision, Summit Heights, indicated support, though the other subdivision, closest to the area, remained in opposition. The County built this collector street from a point at the south end of the state maintained access road to Summit, with the intention of later using TGA funds to finish the road. But the money generated from that area was not sufficient to improve the road because the property at Summit and Highway 30 developed as a Church and not as commercial property as anticipated. The remaining portion is State maintained as previously discussed.

Mr. Ramey reported that he met with Valerie Adams of the City of Fenton and Don Spencer of the County Highway Department on August 6. The City agreed that the development will generate a need for roadway improvements both on- and off-site, and confirmed their willingness to participate with the County in requiring a TGA. Mr. Ramey indicated that his understanding of the concerns raised by the Commission at the previous meeting, were that if they required the City to participate, they also wanted a similar commitment from the County that the funds collected would first be dedicated to site improvements. He stated that Mr. Spencer gave such an assurance at the meeting, but he has yet to receive this confirmation in writing from the County.

At that time the County had not concluded whether it would extend Country Home Drive, a decision that was confirmed today, but the implication was that the improvements would start at the northern most point of the County maintained road and extend north to the area to be annexed. These improvements will be crucial as the State portion of the road, which provides access to the development, will not sustain the traffic generated by the development or the subdivisions to the south.

Mr. Ramey concluded that although the understanding on both sides exist, he does not yet have official documents confirming that agreement in writing as to how the TGA will be collected and administered. He questioned whether the necessary documents from the City and County will be received in sufficient time to vote as scheduled on September 2.

Mr. Youngblood asked how much money would be generated by a TGA in the annexation area. Mr. Ramey responded that the money is collected on the basis of the number of parking spaces. The developer, in the preliminary discussions, indicated that they would amend the site plan to request a variance to allow smaller, but more, parking spaces. He estimated the fund would be somewhere around a million dollars, but he has seen no firm numbers.

Ms. Garino stated that the State has already done a significant amount of work in the surrounding area, and construction has advanced significantly in the past several weeks. She questioned how the City, County, and State would coordinate the relocation of the creek and the access road to the church in light of this proposal. Mr. Ramey replied that the proposed development would change the State's plans, and represents a potential savings in money. Ms. Garino asked if the proposed annexation and development plans involved the State. Mr. Ramey indicated that all parties have been in communication due to points of access and signalization.

Ms. Garino asked what is the State's schedule as they appear to be right next to the proposed development site. Are they waiting for the Commission's decision on this particular proposal to proceed with construction? Mr. Ramey answered that in his last conversation with the State, they discussed their plans for the acceleration lane, and he doubted whether they would get much beyond that point before the first of the year. Ms. Garino asked if the work would need to be redone. Mr. Ramey stated not to his knowledge.

Ms. Garino noted the City responded to the report previously submitted by the County as requested. She asked if the Commission had received answers from the City to all the questions asked of them. Mr. Ramey stated that there was nothing outstanding other than the County commitment on the TGA which was considered a precondition of the City's participation.

Mr. Youngblood asked whether the City passed an ordinance. Mr. Ramey responded they did not. Mr. Martin explained the Commission's request was that the two parties negotiate an agreement. Mr. Youngblood requested clear understanding of that commitment, and if necessary, both parties need to pass an ordinance. Mr. Ramey replied that even if the County was willing or able, legally, to pass an ordinance, the County Council does not meet until the first Thursday in September. Mr. Youngblood expressed concern that they had already delayed voting two weeks, but it was to the County's benefit to commit however they chose to handle that response on an administrative level. His concern remains the impact this development will have on the surrounding area.

Mr. Rehagen asked if they had received positive assurance from the County. Mr. Bruer said yes, but it is possible the County does not want to put that commitment in writing. Ms. Garino asked if the County could pass an ordinance. Mr. Bruer responded that an ordinance seemed unlikely,

especially as Fenton wants certain assurances built into that ordinance. He asked what are the consequences if the County does not put it in writing? Ms. Garino stated she remembers that he asked that question during the previous discussion and no one disagreed with him.

Mr. Wiesehan asked if Mr. Spencer agreed to submit something in writing. Mr. Ramey stated that everyone at the meeting reached the same understanding, and he expected a letter before tonight. Mr. Martin stated that the County's commitment was established as a pre-requisite to the expectation that the City commit to such participation. He asked if two similar letters from the County and the City would be acceptable to demonstrate that agreement.

Mr. Wiesehan asked how long the Commission had to make a decision. Mr. Ramey responded September 20 was the last date to approve the finding of their decision, requiring a vote at the meeting of September 2. At that time they will determine whether it should be approved with or without an election. If approved without an election, the effective date of the annexation would also be considered.

Ms. Wingron suggested they keep that schedule and see what they receive before that date. She indicated her willingness to vote either way, but she hopes it works since both sides demonstrated a good cooperative effort, and should allow their agreement an opportunity to be implemented. She directed Mr. Ramey to send a letter to Mr. Spencer at the County requesting their written acceptance.

Mr. Saulsberry asked if Mr. Ramey could also talk to the City about the different levels of official assurance besides an ordinance. For example a resolution of commitment is no less binding than an ordinance, which can be undone. He suggested it be co-signed by the Mayor and the Council head. Mr. Ramey stated that the mayor in their government is the head of the Council, but he could discuss various options with the City. Mr. Middelkamp agreed that basically they want written assurance that an understanding has been reached.

ADJOURNMENT

Ms. Wingron asked for volunteers to serve on a committee, to start around the first of the year, to determine the future of the office space. Mr. Wojtkowski, Mr. Rehagen, and Mr. Wiesehan volunteered to form the committee. Mr. Rehagen made a motion to adjourn. Mr. Youngblood 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 September 2, 1997