

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

**MEETING MINUTES  
September 2, 1997**

**ROLL CALL**

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

**OTHERS PRESENT:**

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

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**CALL TO ORDER**

The meeting was called to order by Chairperson Wingron at 6:00 p.m. on September 2, 1997. The meeting was held at the office of the Boundary Commission, 1516 S. Brentwood Blvd., Brentwood, MO 63144. Mr. Wojtkowski arrived at 6:10, Mr. Bruer and Mr. Saulsberry arrived at 6:20.

**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 Mr. Rehagen to approve the minutes for the Commission meeting of August 19, 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 announced that after the close of their meeting, he planned to attend a Council meeting at the City of Black Jack. He had been asked to clarify questions regarding the process for completing a transfer of jurisdiction with the City of Florissant. He referred to the pre-submittal conference the Commission had with John Hessel, the legal counsel for the City of Florissant, earlier in the summer, and stated that Florissant remains interested in annexing the Old Paddock Golf Course which they purchased earlier this year.

Mr. Ramey reported that there has been communication between the two cities, and he has spoken with the City Attorney for Black Jack. The City has expressed both confusion and reluctance about participating in a transfer of jurisdiction. The Commission had recommended to Mr. Hessel at their conference that the City consider adding three additional parcels to square off the boundary on Old Halls Ferry Road. Mr. Ramey suggested that Mr. Hessel will first need to resolve bringing their property into one jurisdiction before addressing additional parcels.

Mr. Wiesehan explained that the cemetery discussed at that meeting may prove a stumbling block because the City of Black Jack owns the cemetery, and indicated a desire to keep it due to the historical value. Mr. Ramey responded that the particular parcel may not need to be included, though it is difficult to determine at this time because they do not have the exact locator numbers. He noted the entrance to the golf course occupies another lot to the north off of Old Halls Ferry Road, which will be more important to include. The third parcel is an overgrown, undeveloped lot, possibly zoned flood plain, to the north of the course and south of Cold Water Creek. Currently, the main issue is the property the City owns and hopes to bring into their jurisdiction.

Additionally, Mr. Ramey mentioned a possible transfer of jurisdiction he has discussed with the Cities of Creve Couer and Olivette for properties along Old Warson Road. Discussions with the property owners demonstrated an interest in straightening out this issue, as there has been significant confusion over which jurisdiction they belong in.

## **NEW BUSINESS**

### **A. *Receive, file, and set the public hearing date for BC9704 - Kiefer Creek Farms Subdivision - Transfer of Jurisdiction - City of Ellisville and City of Wildwood***

Mr. Ramey distributed the new proposal submitted by the Cities of Ellisville and Wildwood for a transfer of jurisdiction. He suggested October 21 as a tentative date for the public hearing, which will be held at the City Hall of Wildwood on Old Manchester Road. He stated that after conversations he has had with people in the area, he anticipates this proposal will generate a significant amount of public interest for a simplified boundary change.

Mr. Ramey located the area involved on the map, and noted that it is accessed from Kiefer Creek Road. The territory would transfer from Wildwood's jurisdiction to the City of Ellisville.

Ms. Haddock asked if the annexation would require a vote. Mr. Ramey responded that the Commission is able to approve the transfer without an election if they choose. He stated that all but one of the property owners involved signed the petition, and the residents have extended great effort to become part of the City of Ellisville. The one individual who did not sign lives out of state, and therefore would not be able to vote in an election anyway. There are 25 dwelling units with a population of 66 people, including children. The homes are on large acreage lots situated on a narrow 1½ lane drive that twists through the subdivision.

Ms. Garino asked whether a public hearing site in the City of Ellisville would prove closer to the area than the City Hall in Wildwood. Mr. Ramey responded that the City of Wildwood requested the hearing be held at a site within their jurisdiction, and the City of Ellisville had no objection. Wildwood City Hall will accommodate approximately 50 people, and 17 Council members, and would appear to be the more politically acceptable location.

Mr. Rehagen made a motion to receive, file, and set the date for the public hearing on BC9704 to be Tuesday, October 21 at 7:00 p.m. at Wildwood City Hall. Mr. Wiesehan seconded the motion. Voice Vote. Ayes - All Nays - None. *The motion passed.*

Mr. Middelkamp asked if they will hold a 6 p.m. meeting prior to the public hearing. Mr. Ramey replied that due to the distance for many Commission members, holding the regular meeting at such an early hour may prove too difficult. They also have a public hearing in Bella Villa on October 7, at which time they could hold a 6:30 p.m. meeting to address quarterly and administrative business. He suggested that they discuss their schedule in more detail at the meeting on September 16.

**B. Resolution 97-06: Election Results for BC9611 - Watson/Pardee Road Area**

Mr. Middelkamp made a motion to accept Resolution 97-06, the election results for BC9611, the Watson/Pardee Road area annexed by the City of Crestwood. Mr. Rehagen seconded the motion. Voice vote: Ayes - Frager, Garino, Haddock, Middelkamp, Rehagen, Wiesehan, Wingron, Wojtkowski. Nays - none. Abstentions - none. *The motion passed.*

**OLD BUSINESS**

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

Ms. Wingron stated that it is time to make a decision on this proposal, and asked Commissioners if they required preliminary discussion before their deliberation.

Ms. Garino made a motion to approve the simplified boundary change proposal BC9702 from the City of Fenton. Mr. Middelkamp seconded the motion.

Ms. Garino asked if the findings distributed in their packets were final. Mr. Ramey responded that the final draft would be prepared after they reached a decision, and would be on the agenda for approval at the following meeting on September 16. At this time, their deliberations will include two elements: to determine first whether or not to approve the proposal, and if they

decide to approve it, whether or not to require an election.

Mr. Wojtkowski commented that the charge of the Boundary Commission is to cause orderly incorporation in St. Louis County. He stated that the City of Fenton cooperated in providing all the necessary information to meet the concerns of Commission members, but he sees this proposal as a platform for a development to occur under the jurisdiction of a City instead of under the current jurisdiction. That is the opposite of their charge as a Commission. The proposal in his opinion is not driven by the best interest of anyone involved other than the developers. He does not want to set a precedent in approving this proposal that will send the message that the Commission is willing to accommodate developers in St. Louis County.

Mr. Frager stated that although he disagrees with Mr. Wojtkowski's reasoning, he has reached a similar conclusion. He felt the City should have annexed a larger block of territory in order to make a more rational, uniform boundary. He did not express concern about the proposed development of the area, but indicated the boundary did not make sense in his opinion.

Ms. Garino stated that in the broad context of the City's plans for future annexation, this seemed to be a logical boundary change. The City provided every indication that this small area is part of a larger territory they hope to annex in the future, and though the actual boundary lines may not be ideal, she can not persuade herself to deny their request. The City supplied everything necessary, and put together an arrangement with the County regarding the Traffic Generation Assessment Fund with considerable negotiation and expediency. If she did not believe the City would be back before them soon, she may agree with Mr. Frager's objections.

Ms. Wingron stated she continues to recognize this proposal as a basic request for a simplified boundary change. The property owners expressed their desire to enter the City through the petition process, regardless of the development. As plans to develop are not final, and viably could fall through even if the proposal is approved, she advocated the interest of the landowners involved are still central. Denial of the proposal may impede the church's ability to move and build in a better location, or prevent other property owners from profiting from the sale of their homes. She believes without this proposal, the area will remain underdeveloped and underutilised which would not benefit anyone involved.

Mr. Saulsberry stated that although the annexation area may not fit neatly into the current boundaries, the City demonstrated that their intentions to solidify long-term annexation plans are serious, and it would seem this boundary change fits in that purview. In addition, the proposal would serve the interests of the surrounding area, and after an analysis of the impact on all parties concerned, he concluded this to be a sound proposal.

Mr. Bruer agreed with Mr. Saulsberry's assessment of the proposal. Mr. Wojtkowski remarked that many Commissioners have indicated that their willingness to vote in favor of the proposal is linked to the City's future plans to annex more of the surrounding area. He requested that this reasoning be included in the finding, that support for the proposal is based on this presumption. He explained that a reference to the City's communication that this area is part of a larger annexation plan would detract from an impression that the proposal was accepted strictly to accommodate development.

Ms. Garino responded that her support came after rereading all the materials they were provided, including the Summary of Fact. She found the information provided by the City of Fenton to be the most credible; their proposal was logical, complete, and well-organized. As a result, she had fewer questions than on previous proposals submitted. She found the opposing responses offered

by the County to be based on faulty and misleading assumptions, for example their statement that the area could only be accessed by a circuitous route. She expressed that she is comfortable supporting the City's proposal based on the information provided.

Mr. Rehagen agreed that the City answered every question, cleared up every objection, and he sees no fault in annexing an area ripe for development as a way to make some money prior to annexing more costly residential territory. The money generated from the project will provide a win-win situation for both the County and the City, and would be a positive addition for those in the area.

Voice vote: Ayes - Bruer, Garino, Haddock, Middelkamp, Rehagen, Saulsberry, Wiesehan, Wingron. Nays - Frager, Wojtkowski. *The motion passed.*

Mr. Rehagen made a motion to accept the proposal without requiring a vote on this issue. Mr. Saulsberry seconded the motion. Voice vote: Ayes - Bruer, Frager, Garino, Haddock, Middelkamp, Rehagen, Saulsberry, Wiesehan, Wingron, Wojtkowski. Nays - none. *The motion passed.*

#### **ADJOURNMENT**

Ms. Wingron directed Mr. Ramey to work with the City to determine a date for the boundary change which will be included as part of their finding. Mr. Middelkamp made a motion to adjourn. Mr. Bruer 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 16, 1997