### CITY OF BELLA VILLA

### PLAN OF INTENT

FOR THE

SIMPLIFIED BOUNDARY CHANGE

OF THE

### LANDOR AREA



### TABLE OF CONTENTS

SECTION	PAGE
GENERAL INFORMATION	_
Executive Summary	3
City Petition Requesting Simplified Boundary Change.	
Legal Opinion that all Statutory Requirements have been Satisfied	
Public Hearing Site	8
Proposed Public Hearing Notice	9
MANDATORY CERTIFICATIONS	
Certification that subject area is unincorporated territory	10
Certification of subdivision status of subject area and of no overlaps	11
Certification that fire and emergency medical services will not change	12
Certification of proposals mailed to county	13
Certification that City of Bella Villa will bear all costs	14
Certification that 15% of the subject area is adjacent to Bella Villa	15
MANDATORY REVIEW FACTORS	
Review Factor 1	16
Review Factor 2	
Review Factor 3	
Review Factor 4	
Review Factor 5	
Review Factor 6	
Review Factor 7	21
Review Factor 8	23
Review Factor 9	24
Review Factor 10	25
Review Factor 11	26
APPENDICES	
A - Maps of Subject Property: Overview and Road Access Map	A1
B - Metes and Bounds Legal Description of Subject Property	
C - Inventory of Municipal Services	
D - Listing of Residents/Residences in Area to be Annexed and Their Decisio	n DI
E - Certified Petitions for Bella Villa Residency	ΕL
F - Certified Copy of City of Bella Villa Ordinance Adopting Proposal	
ADDITIONAL ATTACHMENTS	
A - 1996-1997 City of Bella Villa Revenue and Expenditures	
== ==== === === · === · · · · · · · · ·	

B - 1997-1998 City of Bella Villa Fiscal Year Budget



### City of Bella Villa

#### **EXECUTIVE SUMMARY**

Pursuant to RSM0 72.405(6), the City of Bella Villa is pleased to submit this "Simplified Boundary Change" application for the annexation of the homes on Landor Court, Waller, and 3815, 3817, 3819, and 3825 Bayless (individual residences listed in APPENDIX E). Herein please find all information applicable and required for this proposed boundary adjustment, in conformance with both state statutes and Boundary Commission Rules and Regulations.

The subject is a rectangular piece of property containing thirty-four residences that are presently located in unincorporated St. Louis County. The property is bordered by Bella Villa on one long side of the rectangle. The following is a brief background as to the purpose of this simplified boundary change, and why the property owners are requesting this action.

Bella Villa has been a city for 50 years.

Bella Villa offers subsidized trash collection (currently contracted with BFI) and has franchise contracts for yard waste and recycling with a waste hauler (currently through BFI). This provides our residents with a lower monthly expense for these services.

Bella Villa currently contracts with St. Louis County Police for six (6) patrols through Bella Villa per day, and also maintains its own police department for the protection of its residents. The Bella Villa Police Department is on duty an average of seven (7) hours per day. This amount of police visibility provides residents with an additional level of security.

An average home in Bella Villa would be appraised for more than a comparable home in the surrounding area. This is in part due to the additional police protection, and also the Occupancy Permit Requirement Ordinance which Bella Villa has and enforces. Residences are inspected by our Building Inspector each time the residence changes occupancy. Bella Villa pays the utility company to notify when a change of occupancy has occurred. This insures property is kept up. This is especially helpful when rental property is involved. It keeps the owner/owners from neglecting to re-invest some of their rental income back into upkeep. Bella Villa also has an ordinance pertaining to "junk." Junk would include unlicensed vehicles, trash, and other debris. Bella Villa does not allow the advertising of vehicles for sale, which interested the residents in the annexation area.

New municipal revenues created by this simplified boundary change would entirely pay for services these residents will receive. The provision of services to these residents will not place any burden on the current or future finances of the City, nor will this new service area be relegated to receiving an inferior level of service as compared to the existing City of Bella Villa. These assertions are all documented and supported in detail and in quantifiable terms within this proposal. The financial viability of the boundary change proposal is advantageous to the City of Bella Villa, and the public service benefits will be extremely beneficial to the future residents of the subject area.

Once adopted by the Bella Villa Board of Aldermen, this plan will be made available to the St. Louis County Circuit Clerk's Office, in accordance with the Boundary Commission Rules and Regulations. Consistent with those rules, the City of Bella Villa will bear all costs of the Commission relating to publications, notifications, copies, etc.

Below, please find two charts showing:

- 1) The estimated total property value of annexation area
- 2) A summary of estimated revenues and budgeted expenditures of Bella Villa (annexation area is not factored in).

#### **BASIC ANNEXATION DATA**

STATISTICALS	AMOUNT
Dwelling Units	34
Population	70
Total Assessed Value	\$3,060,000

Assessed Value Per Capita	\$43,714

### **Summary of Revenues and Expenditures**

1998 Projected	1999 Projected	2000 Projected
\$12,012.00	\$12,012.00	\$12,012.00
\$2,400.00	\$2,400.00	\$2,400.00
\$9,612.00	\$9,612.00	\$9,612.00
	\$12,012.00 \$2,400.00	\$12,012.00 \$12,012.00 \$2,400.00 \$2,400.00

Respectfully Submitted,

Arthur T. Gordon

Mayor

### PETITION FOR SIMPLIFIED BOUNDARY CHANGE

The City of Bella Villa hereby petitions the Boundary Commission, St. Louis County to consider a proposal for a "Simplified Boundary Change" as provided for in RSMo Chapter 72.400 - 72.420.

Attached are the petitions signed by the property owners with a fee interest of record for the property proposed for annexation. The twenty-six (26) signed petitions have been certified by the Mayor and the City Clerk of the City of Bella Villa. They have indeed certified that the signatures on the petitions represent 77% of the residential property owners of all fee interests of record. An a copy of this certification is attached hereto, and made a part of this petition.

There are eight (8) residential property owners with a fee interest who did not sign a petition requesting a Simplified Boundary Change for their property. Of those not signing, one property owner is deceased and her property is in probate court, while another property owner is still undecided on the annexation at this time.

Submitted this 13 TH day of August, 1997.

BELLA VILLA

Name of City

### MARK H. NEILL

ATTORNEY AT LAW

#### LICENSED TO PRACTICE IN MISSOURI & ILLINOIS

August 6, 1997

Honorable Arthur T. Gordon Mayor City of Bella Villa and Members of the Board of Alderman 3989 Bayless Avenue Bella Villa, Missouri 63125-1441

Re: Annexation of Landor Court, Waller and 3815, 3817, 3819, & 3825 Bayless

Dear Mayor Gordon and Alderman:

Section III.A.8 of the Rules of the St. Louis County Boundary Commission requires the inclusion, in any annexation application presented by the City to the Commission, of a legal opinion letter stating that all applicable statutory requirements, other than those contained in Chapter 72, R.S.Mo., have been satisfied.

With respect to the City's proposed annexation of the above, I have, in my capacity as City Attorney, personally reviewed both a draft copy of the City of Bella Villa Plan of Intent for the Annexation of 34 Residences, and various additional documents related thereto. It is my legal opinion that with respect to this proposed annexation, all applicable statutory requirements, other than those contained in Chapter 72 R.S.Mo., have been satisfied by the City.

A copy of this legal opinion has been forwarded to Ms. Ruth Atkins, Clerk, City of Bella Villa, for inclusion in the final version of the aforementioned "Plan of Intent," which the City in the near future intends to submit to the St. Louis County Boundary Commission.

Very truly yours,

Mark H. Neill

MHN:mk

cc: Ms. Ruth Atkins

Clerk

### PUBLIC HEARING SIGHT LOCATIONS

The following would be a suitable location for conducting public hearings for this proposed simplified boundary change:

Bella Villa City Hall 3989 Bayless Avenue Bella Villa, Mo. 63125 Contact Person: Ruth Atkins

Phone: 638-8840

### BOUNDARY COMMISSION, ST LOUIS COUNTY

### NOTICE OF SIMPLIFIED BOUNDARY CHANGE PROPOSAL AND PUBLIC HEARING

In accordance with Chapter 72 of the Revised Statutes of the State of Missouri, notice is hereby given that the Boundary Commission, St. Louis County will conduct a

Public Hearing on at at the Bella Villa City Hall.
for the purpose of giving parties in interest and citizens an opportunity to be heard on the following proposed boundary changes:
Proposal No by the City of Bella Villa, Missouri to annex into the City the property described in APPENDIX E attached, which is currently unincorporated territory within St. Louis County.
The Roundamy Commission St. I and St.

The Boundary Commission, St. Louis County, invites public comments on the proposals submitted for public hearing. Written and oral comments may be presented to the Commission in conjunction with the Public Hearing, or, in addition, written comments may be received for a period of twenty-one (21) days after the close of the Public Hearing and will be filed for the reference of the Commission.

A copy of each proposal, which includes the proposing agent, a copy of the map depicting the proposed annexation area, legal description, and plan of intent and required certifications, as received from the applicant, is available in the office of the Bounty Commission, St. Louis County, 1516 S. Brentwood Blvd., Suite 101, Brentwood, MO 63144, weekdays, during regular business hours, 9:00 A.M. to 12:00 P.M. and 1:00 P.M. to 3:00 P.M. If you have any questions regarding the proposal scheduled for public hearing, please contact the Boundary Commission, St. Louis County, at 961-7877.

Persons requiring an accommodation to attend and participate in the Public Hearing should contact the Boundary Commission, St. Louis County in writing at 1516 S. Brentwood Blvd., Suite 101, Brentwood, MO 63144 or by telephone at 961-7877 or TDD 1-800-735-2966, at least two working days prior to the Public Hearing.

Carl E. Ramey Administrator Boundary Commission, St. Louis County

# CERTIFICATION THAT THE AREA COVERED BY THE PROPOSAL INCLUDES UNINCORPORATED TERRITORY WHICH IS LESS THAN FIFTY PERCENT OF THE COMBINED LAND SUBJECT TO THE PROPOSAL

Consistent with the Rules and Regulations of the Boundary Commission, Saint Louis County, Article III, Section A.3.c.ii, I certify that the proposed simplified boundary change covered by the proposal includes unincorporated territory which is less than fifty (50%) percent of the combined land subject to the proposal, and currently lies exclusively within Saint Louis County, Missouri.

## CERTIFICATION OF SUBDIVISION STATUS OF ANNEXATION TERRITORY, AND THAT NO OVERLAPS EXIST WITH RESPECT TO OTHER PROPOSALS BEFORE THE COMMISSION

Consistent with the rules of the Boundary Commission, St. Louis County, Article III, Section A.3.d.i., I certify that the proposed simplified boundary change will include all of Bayless Place Subdivision (only block 1 remained after Orland Court Subdivision was formed), and all of Orland Court Subdivision. I further certify, based on information from St. Louis County and Clayton Engineering Company, that no subdivisions are being split for purposes of this simplified boundary change.

Consistent with the Rules of the Boundary Commission, St. Louis County, Article III, Section A.3d.ii., I further certify that the proposed annexation area does not overlap with other proposals before the St. Louis County Boundary Commission.

## CERTIFICATION THAT CURRENT FIRE AND EMERGENCY MEDICAL SERVICES WILL NOT CHANGE WITH THIS SIMPLIFIED BOUNDARY CHANGE

Consistent with the Rules of the Boundary Commission, St. Louis County, Article III, Section A.5.a., I certify that the proposed area known as the "Landor Court Area" is located entirely within the Lemay Fire Protection District and that this proposed simplified boundary change will have no impact or change on the provision of such services to this subject area.

# CERTIFICATION THAT COPIES OF THIS PROPOSAL HAVE BEEN MAILED TO THE SAINT LOUIS COUNTY CLERK AND THE CITY CLERK OF ALL MUNICIPALITIES CONTIGUOUS WITH THE AREA COVERED BY THIS PROPOSAL

Consistent with the rules of the Boundary Commission, St. Louis County, Article III, Section A.8.a., I certify that copies of this proposal have been mailed to the Saint Louis County Clerk. I further certify that the proposal area known as "Landor Court Area", is not contiguous to any area of another municipality, thus precluding the need to mail copies of this proposal to any other municipality.

# CERTIFICATION THAT PROPOSING AGENT (CITY OF BELLA VILLA) WILL BEAR ALL COSTS OF THE BOUNDARY COMMISSION RELATING TO PUBLICATIONS, NOTIFICATIONS, COPIES, ETC., RELATING TO THIS PROPOSAL

Consistent with the rules of the Boundary Commission, Saint Louis County, Article III, Section A.10, I certify that the proposing agent (the City of Bella Villa) will bear all costs of the Boundary Commission relating to publications, copies, etc., related to this proposal.

### CERTIFICATION THAT THE LANDOR COURT AREA HAS AT LEAST FIFTEEN (15%) OF ITS BOUNDARY IS ADJACENT TO THE MUNICIPALITY WHICH IS PROPOSING THE ANNEXATION

Consistent with Rules of the Boundary Commission, St. Louis County, Article III, Section C.1, I certify that, of the area proposed for the simplified boundary change, at least fifteen percent (15%) of its boundary is adjacent to the municipality which is proposing the simplified boundary change. Specifically, the boundary of the area proposed for the simplified boundary change is 40% adjacent to the City of Bella Villa.

### PLAN OF INTENT

### TO INCORPORATE 34 RESIDENCES IDENTIFIED IN SECTION E

Proposed by

#### THE CITY OF BELLA VILLA

#### **Mandatory Review Factors**

FACTOR 1. THE IMPACT, INCLUDING BUT NOT LIMITED TO THE IMPACT ON THE TAX BASE OR ON THE ABILITY TO RAISE REVENUE, OF SUCH PROPOSAL ON:

### A. The area subject to the proposed boundary change and its residents;

The City of Bella Villa levies the same five percent (5%) utility tax as St. Louis County. Bella Villa does not levy a property tax. The proposed simplified boundary change will represent no increased cost to the residents in the subject area.

### B. The existing municipality or municipalities, if any, proposing the boundary change and the residents thereof;

The proposed simplified boundary change will have very little, if any, impact on the City of Bella Villa. No additional personnel will be needed to provide the same level of services as offered to the current property owners and residents in Bella Villa. The only direct measurable cost will be the provision of solid waste services which would equate to \$2400 per year for all 34 housing units.

Ordinarily, RSMo 20.247 would prohibit the City from providing solid waste collection, hauling, and disposal services to newly annexed residents for a period of two (2) years following the annexation, however, the subject area presently contains thirty-four (34) housing units. As a result, RSMo 20.247 will not apply to the City of Bella Villa for lack of the requisite population density of fifty (50) residential customers.

The current City of Bella Villa residents should not see any changes in the City's ability to deliver services after the simplified boundary change has been completed since this proposal would only involve thirty-four (34) housing units.

### C. Adjoining areas not involved in the boundary changes and the residents thereof;

The proposed annexation will have little impact, either positive or negative, on the adjacent property owners. The occupation permit ordinance and junk ordinance provided and enforced by the City of Bella Villa, should insure a higher level of property worth which may benefit the surrounding area, but this is not measurable.

### D. The entire geographic area of the county and its residents;

No measurable impact, see Section C above.

FACTOR 2. A LEGAL DESCRIPTION OF THE AREA TO BE ANNEXED, INCORPORATED, CONSOLIDATED, DISINCORPORATED, OR SUBJECT TO THE TRANSFER OF JURISDICTION.

A. All descriptions should be in a standard legal form by metes and bounds, prepared and signed and sealed by a registered surveyor or professional engineer:

Refer to Appendix "B" for the detailed metes and bounds legal description.

### B. A standard format shall be used;

Refer to Appendix "B" for the legal description.

C. All descriptions shall close and indicate the included area in miles or acres.

Refer to Appendix "B" for the legal description.

FACTOR 3. THE ABILITY TO ACCOMMODATE THE ORDERLY INCORPORATION IN THE COUNTY, INCLUDING ITS ABILITY TO MAKE ADDITIONS, DELETIONS AND MODIFICATIONS WHICH ADDRESS LEGAL BOUNDARIES, TECHNICAL OR SERVICE DELIVERY PROBLEMS OR BOUNDARIES WHICH OVERLAP THOSE OF OTHER PROPOSALS; HOWEVER, SUCH ADDITIONS, DELETIONS AND MODIFICATIONS SHALL NOT MAKE SUBSTANTIVE CHANGES TO ANY PROPOSED BOUNDARY PETITION.

### A. Ability to make additions, deletions and modifications which address:

#### 1. legal boundaries;

The proposal would constitute a move toward an orderly incorporation of the County by annexing into Bella Villa's corporate limits, thirty-four (34) residences which are presently unincorporated, yet lie well within the geographic perimeter, if not the actual corporate boundaries, of Bella Villa proper. This simplified boundary change would not create unique servicing requirements.

This proposal contains no overlapping features, conflicts, etc., involving another jurisdiction.

### 2. technical or service delivery problems;

There are no technical or service delivery problems inherent in this proposal for two main reasons: (1) the subject area lies adjacent to the current service area, and (2) the subject area is only 34 housing units in size. Additional servicing costs (which would be negligible) can easily be absorbed through current operations.

#### 3. boundaries which overlap those of other proposals;

There are no boundary disputes or overlapping proposals associated with the area proposed for the simplified boundary change.

### 4. Such additions, deletion and modifications shall not make substantive changes to any proposed boundary petition.

It is not anticipated that any substantive changes will be necessary in order to accommodate this proposal. Only 34 housing units are involved, and these housing units are not being proposed for annexation by any other jurisdiction.

FACTOR 4. THE PRESENT LEVEL OF MAJOR SERVICES PROVIDED BY THE MUNICIPALITY OR OTHER PROVIDER, PROVIDED TO THE UNINCORPORATED AREA BY THE COUNTY, AND PROPOSED TO BE PROVIDED BY THE ANNEXING MUNICIPALITY OR MINICIPALITY TO BE INCORPORATED OR CONSOLIDATED, INCLUDING, BUT NOT LIMITED TO POLICE PROTECTION, FIRE PROTECTION, WATER AND SEWER SYSTEMS, STREET MAINTENANCE, UTILITY AGREEMENTS, PARKS, RECREATION AND REFUSE COLLECTIONS;

- A. If one or more municipalities are included in the proposed boundary change, itemize the following:
  - 1. A full inventory of typical municipal services extended by any included municipality (ies);

Appendix "C" provides an inventory of the services provided by the City of Bella Villa and St. Louis County.

2. A description of each service;

A description of each service, when necessary, is provided in Appendix "C".

3. Any municipal services provided by a source other than included municipality (ies) together with a description of agreements or special arrangements;

Appendix "C" discusses any municipal services which are provided by contract or agreement through another provider or public agency.

B. If unincorporated areas are included in the proposed boundary change, itemize the full inventory of municipal type services provided by the County; other cities or private parties.

Appendix "C" includes a full range of services by the City of Bella Villa, St. Louis County, and other agencies in response to this question.

FACTOR 5. A PROPOSED TIME SCHEDULE WHEREBY THE MUNICIPALITY OR PROPOSED MUNICIPALITY PLANS TO PROVIDE SUCH SERVICES TO THE RESIDENTS OF THE AREA TO BE ANNEXED, INCORPORTED OR CONSOLIDATED WITHIN THREE (3) YEARS FROM THE DATE OF THE MUNICIPAL BOUNDARY CHANGES IS TO BECOME EFFECTIVE.

A. Give the date(s) at which each service proposed to be extended would be initiated:

All services would be provided immediately upon the effective date of the proposed boundary change, except for subsidized solid waste services which would take effect on the first of the month following the simplified boundary change in order to allow the residents of the Landor Court Area an orderly transition from their current waste hauler to BFI (currently contracted by Bella Villa).

### B. A description of agreements and arrangements required to attain the scheduled change.

No agreements/arrangements would be required, other than to formally notify St. Louis County of final approval by the Boundary Commission.

### FACTOR 6. THE CURRENT TAX RATES OF THE AREAS SUBJECT TO THE PROPOSAL.

A. Provide current listing of tax rates for area affected by boundary change.

Tax/Levy	St. Louis County	Bella Villa
Real Estate Property Tax Levy	\$0.58/\$100 AV.	*\$0.00/\$100 AV.
Personal Property Tax Levy	\$0.58/\$100 AV.	*\$0.00/\$100 AV.
Utility Tax Rate	5% of Gross Rec.	5% of Gross Rec.
Cable TV Franchise Tax	5% of Gross Rec.	5% of Gross Rec.

• Note, Although Bella Villa does not have a real estate property tax nor a personal property tax, the residents of this area will continue to pay St. Louis County at the rate set by the County.

### B. Provide current listing of licenses and fees for the area affected by boundary change.

	Bella Villa	St. Louis County
Business License for Home Occupation	\$20.00/year	\$5.00/year
Occupancy Permit	\$2.00	\$45.00

Both the City of Bella Villa and St. Louis County utilize the issuance of building permits and electrical permits, and have appropriate fee schedules for each. Comparisons of these permit fee structures between the two jurisdictions are difficult to draw because (I) the fees are variable in nature, with the final costs dependent upon many factors, and (ii) the fees are calculated using drastically different formulas, so much so that relative comparisons cannot readily be drawn.

Through this proposed simplified boundary change, the City of Bella Villa would assume the inspection and permitting responsibilities related to the subject area.

## FACTOR 7. WHAT SOURCES OF REVENUE OTHER THAN PROPERTY TAX ARE COLLECTED OR ARE PROPOSED TO BE COLLECTED BY THE MUNICIPALITY OR PORPOSED MUNICIPALITY.

### A. List all current sources of revenue, including rates and projected revenue realized for:

### 1. All municipal taxes and fees;

#### IMPACT OF SIMPLIFIED BOUNDARY CHANGE ON CITY OF BELLA VILLA RESERVES

TAXES AND FEES	LEVY/RATE	ANNUAL INCREASE
Real Estate Tax Levy	\$0.00/\$100 AV.	\$0.00
Personal Property Tax Levy	\$0.00/\$100 AV.	\$0.00
Utility Tax Rate	5%	\$3876.00
Cable TV Franchise Tax	5%	\$510.00
Pool Sales Tax	\$112.24 per capita	\$6734.40
*Capital Improvement Tax	\$30.37 per capita	\$1822.20
*Option Use Tax	\$1.55 per capita	\$93.00
*Road Fund	\$39.57 per capita	\$2374.20
*County Bridge and Road Tax	\$7.87 per capita	\$472.20
*Cigarette Tax	\$4.74 per capita	\$284.40
TOTAL PROJECTED REVENU	E INCREASE	\$16166.40

<sup>\*</sup> These revenue sources will not be realized until the next centennial census (2000) has been completed and recorded

#### 2. All investment income;

The City of Bella Villa does not propose to collect any revenue specifically for investment income purposes. New revenues realized through this simplified boundary change will be appropriated annually by the City of Bella Villa Board of Aldermen for general fund operations and capital improvements purposes, just as any other general revenue source would be treated.

### 3. Fire district rates, if applicable:

The proposed area will remain in the Lemay Fire Protection District and those rates will still apply.

### 4. All reserves, fund balances, enterprise funds;

Page 21 Bella Villa Simplified Boundary Change Proposal

It is unlikely that the City of Bella Villa would direct these new revenues to the City's Contingency Reserve Fund. Instead, new revenues will be used to help fund general services such as trash collection, law enforcement, parks and recreation, street maintenance, code enforcement, and administration services. Irregardless of its destination, this revenue will become a part of the fund balance of whichever fund the Board of Aldermen appropriates the money toward, until such time that it is expended.

#### 5. Any proposed changes to the revenue structure.

At this time, the City of Bella Villa is not proposing any changes to the revenue structure, other than the nominal increase which would come about as a result of this simplified boundary change, if approved.

B. In addition to those existing city revenue instruments that may be extended to the unincorporated area proposed to be annexed, indicate all proposed new sources or revenue (including new tax rates and new fees), their proportion of the proposed budget, whether or not new revenues are earmarked for a specific source, and a three (3) year projection.

At this time, the City of Bella Villa is not proposing any changes to the revenue structure and no earmarking is planned. The City of Bella Villa is anticipating a revenue increase of \$12,012.00 through this simplified boundary change, and this money is to be directed to the general fund for general operations use.

### C. Summary of current and projected expenditures.

The City is anticipating expenditures in the \$170,000 range for the next three years. The City anticipates the cost of operations to increase by 2% each year over the next three years. The City has no major projects planned over the next three years.

### THREE-YEAR DEPARTMENTAL BUDGET SUMMARIES

DEPARTMENT	1997	1998	1999
	PROJECTED	PROJECTED	PROJECTED
HEALTH AND SANITATION	\$23547.24	\$24018.19	\$24498.55
STREETS AND SEWERS	\$7467.50	\$7616.85	\$7769.19
POLICE	\$91348.05	\$93175.01	\$95038.51
MUNICIPAL COURT	\$21652.60	\$22085.65	\$22527.36
PARK	\$3732.80	\$3807.46	\$3883.61
ADMINISTRATION	\$26960.00	\$27499.20	\$28049.18
BUILDING/ENGINEERING	\$2310.30	\$2356.51	\$2403.64
GRAND TOTAL	\$177018.49	\$180588.87	\$184170.04

### D. Cost of extending services to annexation area(s), if applicable.

The only additional cost for extending services to the area proposed in the simplified boundary change would be those of subsidized waste hauling. These costs amount to \$5.89 per residence times (\*) 34 residents times (\*) 12 months, or \$2400.00 annually.

All other services can be provided at minimal cost due to the compactness of the subject area relative to the existing area. To provide such additional services (snow removal, police protection, administration, etc.), the City can absorb the impact of the new area and provide services to these residents at negligible cost.

### FACTOR 8. THE EXTRAORDINARY EFFECT THE BOUNDARY CHANGE WILL HAVE ON THE DISTRIBUTION OF TAX RESOURCES IN THE COUNTY.

This simplified boundary change will produce a miniscule impact on the tax resources of St. Louis County. Because the area will become part of the corporate boundaries of the City of Bella Villa, some taxes previously paid to the County will now be paid to the City.

Though there will be no loss to St. Louis County of their property tax base, the County will loose only a negligible portion of revenue which was directly generated by utility tax and cable television franchise fees. Other occurrences of revenue loss will involve certain statewide or county wide taxes where the revenue distribution is broken down and allocated to municipalities on a per capita basis, however, revenue changes associated with these state and county wide (intergovernmental) taxes will not be realized by either jurisdiction until the next centennial census (year 2000) has been completed and recorded.

Revenue losses which would be immediately realized by St. Louis would be \$4386.00 if this simplified boundary change were approved. This figure does not include permits and inspection fees which would not be significant since this is a completely developed area.

#### \*\*IMPACT OF SIMPLIFIED BOUNDARY CHANGE ON ST. LOUIS COUNTY REVENUES

TAXES AND FEES	LEVY/RATE	ANNUAL DECREASE
Real Estate Tax Levy	\$0.00/\$100 AV.	\$0.00
Personal Property Tax Levy	\$0.00/\$100 AV.	\$0.00
Utility Tax Rate	5%	\$3876.00
Cable TV Franchise Tax	5%	\$510.00
Pool Sales Tax	\$112.24 per capita	\$6734.40
*Road Fund	\$39.57 per capita	\$2374.20
*County Bridge and Road Tax	\$7.87 per capita	\$472.20
*Cigarette Tax	\$4.74 per capita	\$284.40
TOTAL PROJECTED REVENU	E DECREASE	\$14611.20

<sup>\*</sup> These revenue sources will not be realized until the next centennial census (2000) has been completed and recorded

### FACTOR 9. HOW THE MUNICIPALITY OR PORPOSED MUNICIPALITY PROPOSES TO ZONE ANY AREA NOT PRESENTLY INCORPORATED.

A. The existing zoning maps plus an accurate and complete description of zoning regulations which apply to existing categories;

The proposed simplified boundary change area is presently fully developed, and is zoned R-2 under St. Louis County's zoning ordinance.

<sup>\*\*</sup> These amounts represent a gross revenue decrease, the net revenue decrease is unknown

B. The projected zoning of unincorporated areas should be mapped and identified by existing zoning districts. Any transition of land use character should be indicated and described:

There is no transitions of land use character under consideration by the City of Bella Villa, other than those already permitted under the current (St. Louis County) zoning.

C. Other regulations such as subdivisions, flood plane management ordinances; special districts such as historic preservation; or any other relevant regulations should be included with zoning information if any significant effects are likely to result from their extension into the unincorporated area.

There are no significant effects likely to result from the simplified boundary change proposal with regard to subdivisions, flood plane management ordinances, special districts or other regulations. Part of the proposed simplified boundary change area does maintain its own subdivision indentures, however, the City of Bella Villa does not enforce the regulations of homeowners associations; hence, this would be a non-factor.

#### D. Zoning and land use regulation;

1. Description of projected zoning changes which would affect residents and/or other property owners.

There are no projected zoning changes proposed for the area to be transferred to the City of Bella Villa. The zoning district will be accepted into the City of Bella Villa as it presently exists in St. Louis County.

2. Identification of non-conforming setbacks, lot sizes, land uses, etc. which would result from zoning and remedies being instituted or intended;

No zoning changes will take place. Future zoning decisions will be measured against the criteria established for the current County R-2 zoning district. Presently, no non-conforming zoning issues exist in the subject area, as the area land contains 34 developed housing units.

3. Identification of ongoing development projects and indication of provision for transition of jurisdiction.

No development projects are currently in progress.

### FACTOR 10. THE COMPACTNESS OF THE AREA SUBJECT TO SUCH PROPOSAL.

- A. Service delivery/access....the use of roads within the proposed city for safe and efficient delivery of services and access to properties within city. It implies that properties shall not be left stranded, or unable to be accessed by the jurisdiction that contains them.
- B. Community of interest.... A geographic area within which one property owner or resident will be significantly affected by municipal decisions concerning another property within that area (either public or private); also, a geographic area within which the residents use many of the same public and private facilities, e.g. churches, parks, elementary schools, grocery stores, etc.
- C. Natural and/or man-made barriers may serve as boundaries as they are obstacles to safe and efficient service delivery/access. Examples include discernible features such as rivers/creeks and other bodies of water; rail systems that block access.

There are no natural or man-made barriers to serve as obstacles to service delivery.

#### FACTOR 11. WHEN THE PROPOSED BOUNDARY CHANGE SHALL BECOME EFFECTIVE.

A. Provide the proposed effective date for the boundary changes as proposed.

The changes will become effective as soon as is legally permitted under the Boundary Commission rules and regulations and State Statues. Currently the Boundary Commission has set a period of no more than four months for review and decision of a "simplified boundary change." The Commission may choose to require a vote, however, the City of Bella Villa asks that the proposal be approved without a vote for the following reasons:

- 1. The property owners of the subject properties have signed petition documents requesting that the City of Bella Villa adjust its boundaries to incorporate the subject properties into Bella Villa, which, in our opinion, indicates the necessary support from the subject area, and
- 2. With the subject area consisting of 34 housing units, there will be no drain on the financial resources of the existing City, as was previously established. As a result, opposition to this proposal by existing residents would be negligible, if any.

We request that, due to the reasons stated immediately above, the Boundary Commission waive the requirement for a costly election. A copy of the petitions are included in Appendix "E". Appendix "F", the final appendix of this document, contains the certified and approved City Council ordinance adopting this Plan of Intent.

B. No simplified boundary change involving territory already described in an annexation resolution or incorporation petition filed with the Commission shall occur unless the annexation or incorporation proposal first filed has been disapproved by the Commission or defeated by the voters.

This proposal does not involve any territory already described in an annexation resolution or incorporation petition filed with the Commission.

### APPENDIX A

### MAPS OF SUBJECT PROPERTY

Overview Map and Road Access Map





### APPENDIX B

LEGAL DESCRIPTION
OF
SUBJECT PROPERTY

#### PARCEL TO BE ANNEXED

#### CITY OF BELLA VILLA

Beginning at a point being the intersection of the North Right-of-Way line of Bayless Avenue (60 feet wide) and the former center line of Zeiss Avenue (60 feet wide) vacated by deed recorded in Book 2737, Page 339 of the St. Louis County Records, said point also being the Southeast corner of Lot 1 of Bellavilla Annex Subdivision as recorded in Plat Book 51, Page 6; thence Northeasterly along the said former center line of Zeiss Avenue a distance of 10 feet to a point on the North Right-of-Way line of Bayless Avenue (70 feet wide), as established by the 10 foot wide dedication as recorded in Deed Book 6510, Page 106 of said St. Louis County Records, said point being the Principal Place of Beginning;

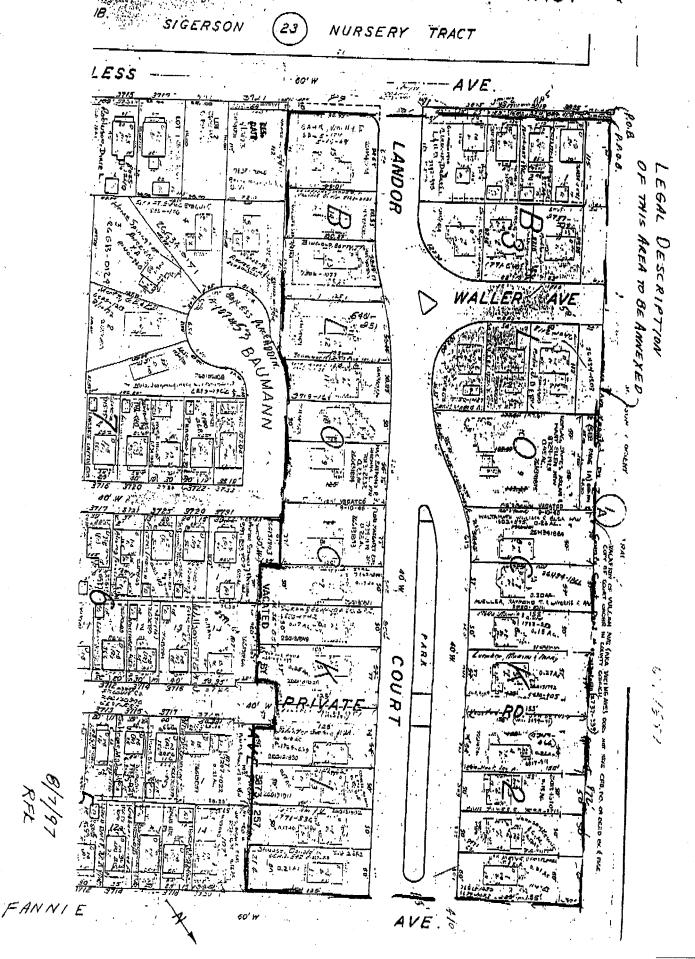
Thence Northeasterly along said former center line of Zeiss Avenue, (60 feet wide), said line also being the Eastern line of a 2.6 acre tract of land, annexed by the City of Bella Villa, effective October 24, 1994, a distance of ±972 feet to a point on the South right-of-way line of Fannie Avenue (60 feet wide); thence Southeasterly along said South line of Fannie Avenue, 30.00 feet to a point being the Northwest corner of Lot 1 of Block Two of Orland Court Subdivision as Recorded in Plat Book 38, Page 4 of the St. Louis County Records; thence continuing along said South line of Fannie Avenue, a distance of 380 feet to a point being the Northeast corner of Lot 1 of Block One of said Orland Court Subdivision, and on the center line of vacated Baumann Avenue (50 feet wide), vacated by deed recorded in Deed Book 3873, Page 257; thence Southerly along said Baumann Avenue center line and also the new East line of Lots 1, 2, 3 and 4 of Block 1 of said Orland Court Subdivision, a distance of 214 feet to a point on the North right-of-way line of Risch Avenue (50 feet wide); thence around the Risch Avenue right-of-way, as follows: Northwest 25.0 feet, Southwest 50.0 feet and Southeast 25.0 feet to the said center line of vacated Baumann Avenue; thence along said center line, also being the new East line of Lots 5, 6 and 7 of block One of said

Orland Court Subdivision, a distance of 152 feet, to a point; said point being on the Southwest line of Lot 7 of Block One of said Orland Subdivision; thence along Southwest line of said Lot 7, a distance of 25.0 feet; thence Southwest along the Southeast line of Lot 8 of said Block 1 of Orland Subdivision, a distance of 57 feet, to a point being the Northeast corner of a 40 foot right-of-way of Baumann Drive, as set in Bayless Place Addition Subdivision, as recorded in Plat Book 107, Page 53 of the St. Louis County Records; thence along the Western right-of-way line of said Baumann Drive (40 feet wide) a distance of 126 feet to a point of curvature; thence along said West line of Baumann Drive, along a curve to the left with a radius of 125 feet an arc length of 60 feet to a point being on the South line of Lot 12 of Block 1 of said Orland Court Subdivision; thence along said South line of Lots 12, 13, 14 and 15 a distance of ±299 feet to a point on the North right-of-way line of Bayless Avenue (70 feet wide), as established by a 10 foot wide dedication to the St. Louis County for roadway use by Deed Book 6516, Page 368; thence along said North right-of-way line of Bayless Avenue (70 feet wide) ±384 feet to the Principal Place of Beginning containing 8.83 Acres.

**Note:** This includes all of Block 1 of Bayless Place Subdivision and Blocks 1, 2 and 3 of Orland Court Subdivision.

August 8, 1997

# BAYLESS PLACE T. BLK. 19 OF SIGERSON'S NURSERY TRACT



### APPENDIX C

### INVENTORY OF SERVICES

Service	Current	New	
	Provider	Provider	Notes
Governance and Administration	St. Louis County	Bella Villa	St. Louis County jurisdiction remains in effect, but Bella Villa Mayor and Board of Aldermen provide primary services
Police	St. Louis County	Bella Villa & St. Louis County	St. Louis County is paid by Bella Villa for six patrols a day. Bella Villa handles calls when on duty.
Parks and Recreation	St. Louis County	Bella Villa	County facilities are available to residents.
Solid Waste Yard Waste	Resident Resident	Bella Villa Resident with	100% City Subsidized Bella Villa residents receive special
/Recycling		franchise contract	rates due to franchise contract with primary solid waste hauler
Storm Water Control	MSD	MSD and/or Bella Villa	Includes repair, maintenance, and improvements, as required and approved
Code Enforcement	St. Louis County	Bella Villa	County R-2 zoning codes apply to new area
Planning/ Zoning	St. Louis County	Bella Villa	All zoning decisions are through Bella Villa using county R-2 zoning.
Street/ Sidewalk Repairs/ maintenance	St. Louis County	Bella Villa	St. Louis County provides arterial road services; Bella Villa to provide residential road repairs and maintenance
Municipal Court	St. Louis County	Bella Villa	Becomes Bella Villa jurisdiction
Fire / EMS	Lemay Fire District	Same .	No Change
Utility Agreements	St. Louis County	Bella Villa	
Health & Social Services	St. Louis County	Same	No Change
Electric Service	Union Electric	Same	No Change
Natural Gas Service	Laclede Gas	Same	No Change
Water Service	STL CO Water	Same	No Change
Sewer Service	MSD	Same	No Change
Telephone Service	Southwestern Bell	Same	No Change .

### 1. A LIST OF MAJOR SERVICES PRESENTLY PROVIDED BY THE CITY:

Page C1 Bella Villa Simplified Boundary Change Proposal

(a) Representation and Administration: The City of Bella Villa is governed by a Mayor and a Board of Aldermen. The City is broken into three wards with two aldermen per ward. The mayor and aldermen are each elected to serve two years per term. There are no term limits imposed. There are 705 residents in the City as of last census. Upon the effective date of the annexation, these 34 residences would become part of ward 1 in the City of Bella Villa.

The Mayor and Board of Aldermen are charged with the responsibility of controlling, supervising and monitoring the several commissioners that control most of the City services. The position of Chief of Police, Municipal Judge, Prosecuting Attorney, and City Attorney are appointed by the mayor with the approval of the board of aldermen.

**(b)** Police Department: The Bella Villa Police Department is comprised of eight (8) fully qualified, highly professional officers including the Chief of Police, Major, Lieutenant, and five patrolmen. Our City also retains St. Louis County to provide six ten (10) minute patrols through the city per day.

Bella Villa Police are on patrol approximately seven hours per day. Bella Villa pays St. Louis County to dispatch. St. Louis County Dispatchers will dispatch Bella Villa Police, or St. Louis County Police depending if Bella Villa Police are on Duty. No additional policemen will be required to provide service to the thirty-four residents if the annexation is approved. With a city of 314 housing units, and considering the size of our police force, the average response time is about 1.5 minutes.

The Police Department offers many popular services and programs to the community including Neighborhood Crime Prevention Programs, child fingerprinting, Halloween Candy Program, vacation security checks, home security evaluation, Operation Indent, and others.

The Bella Villa Police Department is well respected and professionally operated. It welcomes the opportunity to extend its services to the proposed annexation area.

c) Street Department: The Bella Villa Street Department and City Engineer are currently coordinating their efforts to provide new curbing and to pave two of the streets in Bella Villa. This project is fully funded and will place no drain on the funds of the city.

Snow removal and salting are provided by the Street Department through a City Services Employee. Since the city is small in size, special treatment can be applied to snow removal and salting. A salt reserve is kept in a spot near the city.

Pot holes are filled as required.

The Street Department is currently reshaping and beautifying a hillside near the park in the city. This project is fully funded.

(d) Park Department: The City of Bella Villa has one park which it maintains for the enjoyment of its residents. Recently the park had new parking spaces added, and a new concrete pad and picnic bench added. All of this was fully funded.

The city park has a creek flowing through it which promotes fishing activities. A badminton net and a baseball diamond provide extra activity locations to help keep our youth involved in sports.

With its mature trees and foliage, it is a pleasure walking along the well groomed paths of the park.

(e) Planning and Zoning: The City of Bella Villa has mature, refined, and tested zoning regulations in place which address all zoning districts and usees therein.

The City Engineer serves as the City's primary Zoning Administrator.. All final decisions on zoning would require the approval of the Board of Aldermen.

The City stringently enforces its zoning codes in an effort to promote the health, safety, and general welfare of the community on an ongoing basis.

**(f)** Code Enforcement and Plan Review: The City of Bella Villa performs plan review services, conducts inspections, and issues permits of many types, including building, excavation, street, and grading. All inspections are performed by the City Engineer, and/or the Building Inspector.

All plans are reviewed by the City Engineer or the Building Inspector, and the appropriate revisions and recommendations are made.

All residential property requires an occupancy inspection before issuance of an occupancy permit.

- (g) Solid Waste Program: The City is currently engaged in a two year contract with BFI for the provision of a 100% City subsidized weekly solid waste collection, hauling, and disposal service, with franchise contracts for yard waste removal and recycling. Any resident who wishes to participate in this City-funded program may do so. The City's program provides for a weekly collection of an unlimited amount of refuse, and an unlimited number of larger items, except for white goods (refrigerators, stoves, freezers). Christmas trees are picked up during the Christmas season as part of out regular waste disposal agreement. The recycling program provides for an eighteen (18) gallon container to be supplied by BFI.
- (h) Municipal Court: Although all of St. Louis County is served by the St. Louis County Circuit Court, certain violations, complaints, summons, etc., are directed throughout the City's municipal court division, rather than to a County Circuit Court.

# 2. PROPOSED TIME SCHEDULE WHEREBY THE CITY PLANS TO PROVIDE SUCH SERVICES TO THE RESIDENTS OF THE ANNEXATION AREA:

The City of Bella Villa will provide all municipal services immediately, upon the effective date of annexation. The City subsidized trash collection will begin on the first of the month following the effective date of the annexation. No reasons or laws exist for the need to delay the delivery of any other of the City's services.

#### APPENDIX D

# CERTIFIED PETITIONS SIGNED BY OWNERS OF FEE RECORD FOR RESIDENCES IDENTIFIED IN APPENDIX E

NOTE - PETITIONS ARE PROVIDED IN SEPARATE HANDOUT

# CERTIFICATION THAT ALL PETITIONS CONTAINED HEREIN WERE SIGNED BY OWNERS OF FEE RECORD FOR THE ADDRESSES IDENTIFIED IN APPENDIX E

Consistent with the rules of the Boundary Commission, Saint Louis County, Article III, Section B.(1A), We certify that the petitions included herein were signed, notarized, and have been verified twice. The signatures on these petitions do indeed represent those of the owners of fee record.

Signature

Signature

## APPENDIX E

# LISTING OF OWNERS OF FEE RECORD SHOWING WHICH SIGNED AND DID NOT SIGN THE PETITIONS

OWNER OF PROPERTY	ADDRESS	YES	NO	OTHER
Donald L. Stuesse	300 Landor Court			
Christopher J. & Karen F. Matye	301		1/4	
Verna H. Wyatt	304			
Kevin & Constance Johnson	305			
Michael J. & Janet Ciaccio	308			
James F. & Lori A. Love	309			
Mark E. & Victoria A. Streb	312			
Steven Lane	313			
Tammy E. Hatchard	600 Landor Court			
Thomas & Joanne Yates	601			
Edward A. & Patricia S. Screws, Sr.	604			
Romeo & Catherine Molla	605			
Charles A. & Anna Marie Redecker	608			
Barbara Gerley	609		•	
Ronald J. & Shirlie Flori	612			undecided
Helen Mozer	613			
Raymound P. & Rhonna L. May	620			
Gwen Elizabeth Breed	624			
James & Mary Ellen Kopsas	625			
Evert & Betty Love	628			
Marie A. Gross	629			
Evert & Betty Love	632			
Mildred G. Nagel	633			
Betty Bingold	640			· · · · · · · · · · · · · · · · · · ·
Mark A. Degenhardt	644			
William H. & Darlene M. Bahr	648	<b></b>		
Henry & Carol Byrm	3806 Waller	<b>/</b>		
Vernon J. & LaVerne Kaspar	3807			
Glenda L. Horn	3810			deceased
Sharyl S. Lamontagne	3811			
Elmer & Maudie Bruton	3815 Bayless Avenue			
Louis L. & Rose L. Michael	3817		•.	
Thelma M. Clinton	3819			
Louise Fletcher	3825			

### <u>APPENDIX F</u>

#### **CERTIFIED COPY**

OF

# CITY OF BELLA VILLA ORDINANCE ADOPTING PROPOSAL

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF BELLA VILLA, MISSOURI, BY ANNEXATION OF CERTAIN TERRITORY WITHIN ST. LOUIS COUNTY, MISSOURI, HEREIN DESCRIBED, AND PROVIDING FOR APPROVAL OF AN ANNEXATION PLAN OF INTENT AND BOUNDARY CHANGE PROPOSAL TO BE SUBMITTED TO THE ST. LOUIS COUNTY BOUNDARY COMMISSION FOR ITS CONSIDERATION

WHEREAS, the City of Bella Villa ("City") desires to extend its corporate limits by annexation of areas of land ("Landor Court, Waller, and 3815, 3817, 3819, 3825 Bayless Avenue") described in Exhibit "A" and hereinafter referred to as "Annexation Area", adjoining the City of Bella Villa and within the corporate limits of St. Louis County; and

WHEREAS, the City has received Verified Petitions signed by all fee interests of record on the tracts of real property located within the area proposed to be annexed; and

WHEREAS, the City has determined that the Annexation Area is adjacent to and contiguous to the present corporate limits of the City; and

WHEREAS, the City has developed an annexation plan of intent to be submitted to the St. Louis County Boundary Commission for approval of the annexation of the Annexation Area setting forth, among other things, the various impacts of the boundary change proposal, legal description of the Annexation Area, present level of major services provided by the City of Bella Villa and St. Louis County and proposed to be provided to the Annexation Area, proposed time schedule for the provision of services to the Annexation Area, current tax rates, revenue sources, effect of the boundary change on St. Louis County, resource distribution, proposed zoning, compactness of the Annexation Area, effect on other political subdivisions such as fire districts, and;

WHEREAS, a copy of the proposed ordinance was available for public inspection prior to consideration by the Board of Aldermen.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BELLA VILLA, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:



# CITY OF BELLA VILLA

#### 3989 BAYLESS AVENUE BELLA VILLA, MISSOURI 63125-1441

Arthur T. Gordon, Mayor

Telephone: (314) 638-8840

Fax: (314) 638-1657

	GRAND TOTAL:	177018.49
BUILDING/ENGINEERING/INSPECTIONS		2310.30
ADMINISTRATION		26960.00
PARK		3732.80
COURT	21652.60	
POLICE		91348.05
STREETS/SEWERS		7467.50
HEALTH & SANITATION		23547.24
SUMMARY		
DEPARTMENT		BUDGET
		1997-98
ADOPTED JULY 8, 1997		
1997-98 FISCAL YEAR BUDGET		
CITY OF BELLA VILLA		

SECTION 1: The City declares its desire to extend its corporate limits by annexation of an area of land referred to as "Annexation Area", adjoining the City of Bella Villa and within the corporate limits of the St. Louis County, and states as follows:

- (A) The description by metes and bounds of the unincorporated Annexation Area sought to be annexed is set out in Exhibit "A" which is attached hereto and made a part hereof.
- (B) The annexation is reasonable and necessary for the proper development of the City.
- (C) The City has developed a Plan of Intent, a copy of which is marked "Exhibit B", attached hereto and made a part hereof, to provide services to the Annexation Area proposed for annexation which is in conformity with the Statutes of the State of Missouri, which Plan of Intent includes, but is not limited to:
  - (1) A list of major services presently provided by the City;
  - (2) Proposed time schedule whereby the City plans to provide such services to the residents of the annexation area;
  - (3) The level at which the City assesses property and the rate which it taxes the property;
  - (4) How the City proposes to zone the area to be annexed; and
  - (5) The effective date of the proposed annexation.

**SECTION 2:** That the City hereby adopts a Plan of Intent labeled Exhibit "B" which shall be attached hereto and incorporated herein by reference as if fully set forth in this Ordinance.

**SECTION 3:** The City Clerk and all City personnel are directed to take whatever action as is necessary to effectuate the annexation of the Annexation Area.

SECTION 4: Upon the passage of this Ordinance a certified copy thereof, together with a map of the area to be annexed, shall be forwarded to the St. Louis County Boundary Commission, to the election authorities of St. Louis County and to the governing body of St. Louis County.

SECTION 5: This Ordinance shall be effective on adoption, pursuant to Article III, Section 3.13(g) of the Charter, as an emergency measure.

This Bill No. 340 having been read in its entirety at least once prior to passage, and once by title, and having been duly considered and voted upon was finally passed and approved this 12th

## ATTACHMENT A

1996-1997
CITY OF BELLA VILLA
STATEMENT
OF
REVENUE AND EXPENDITURES



# CITY OF BELLA VILLA

#### 3989 BAYLESS AVENUE BELLA VILLA, MISSOURI 63125-1441

Arthur T. Gordon, Mayor

Telephone: (314) 638-8840

Fax: (314) 638-1657

#### STATEMENT OF REVENUES AND EXPENDITURES JULY 1, 1996 THRU JUNE 30, 1997

#### **GENERAL REVENUE**

Cash Balance, July 1, 1996		
RECEIPTS		\$72,297.90
, Road Fund		
Property Tax	\$27,895.45	
Cigarette Tax	828.94	
Local Sales Tax	3,344.70	
Capital Improvement Tax	79,129.43	
Option Use Tax	21,410.60	
Fines & Court Costs	1,095.30	
Utility Tax	49,120.50	
Interest on Bank Accounts	28,449.93	
Crown Cable Franchise	1,997.56	
Licenses & Permits	3,010.65	
	354.31	
Road & Bridge Fund Reimbursement	5,550.54	
Miscellaneous	200.52	
Bond Reserve Certificate	312.15	
	3,750.00	
Total Revenue	\$226,450.58	
EXPENDITURES		
Sanitation & Health	<b>#00.004.00</b>	
Roads & Streets	\$20,921.02	
Police Costs	7,022.01	
Court Costs	81,467.76	
Administration	16,414.29	
City Park	25,665.57	
Building/Engineer/Inspection	3,132.10	
Miscellaneous	1,922.16	
Women's Shelter	71.25	
Independent Living Center	758.00	
CVC Fund	.00	
Total Expenditures	<u>2,726.50</u>	
anpondical co	\$160,100.66 ·	

Cash Balance, June 30, 1997

\$138,647.82

## ATTACHMENT B

1997-1998 CITY OF BELLA VILLA FISCAL YEAR BUDGET



# CITY OF BELLA VILLA

#### 3989 BAYLESS AVENUE BELLA VILLA, MISSOURI 63125-1441

Arthur T. Gordon, Mayor

Telephone: (314) 638-8840 Fax: (314) 638-1657

CITY OF BELLA VILLA		
1997-98 FISCAL YEAR BUDGET		
ADOPTED JULY 8, 1997	,	
	:	
		1997-98
DEPARTMENT		BUDGET
SUMMARY		
HEALTH & SANITATION		23547.24
STREETS/SEWERS		7467.50
POLICE		91348.05
COURT		21652.60
PARK		3732.80
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	GRAND TOTAL:	177018.49