

BEFORE THE ST. LOUIS COUNTY BOUNDARY COMMISSION

IN RE: BC2201

CITY OF MANCHESTER ANNEXATION

SUMMARY OF DECISION

INTRODUCTION

The City of Manchester submitted its official Proposal for annexation on May 17, 2022. A Completeness Review was properly done, minor corrections were made to the Proposal and the Proposal as corrected was accepted by the Boundary Commission. Notice of the Proposal was duly published and served as required by law.

A Public Hearing on the Proposal was held on June 29, 2022. The Public Hearing was conducted in accordance with the Rules of the Boundary Commission at Manchester United Methodist Church, 129 Woods Mill Road, Manchester, Saint Louis County, Missouri. Presentations were made by the City of Manchester and St. Louis County. The presentations were then available for viewing after the meeting on the Boundary Commission's website. Members of the public who submitted a standard comment request form were allowed to make public comments.

After the hearing, any person or entity was allowed to submit written comments or materials to the Boundary Commission for a 21-day period by US Mail, delivery service, personally or electronically. All materials submitted were publicly available on the Boundary Commission website and distributed to all Commissioners. Further questions were submitted to Manchester and Saint Louis County, who responded to the inquiries. The questions and responses were on the Boundary Commission's website.

The annexation area is roughly 45 percent contiguous to the existing city limits boundary of Manchester, meeting the statutory requirement of at least 15% being contiguous. The annexation area is part of a larger unincorporated area.

Manchester proposes to provide the same municipal services to this annexation area that are currently provided to all residents in the city. This includes policing, roadway maintenance of public roads, parks and recreation, planning and zoning, and general administrative services.

GEOGRAPHIC, COMPACTNESS AND BOUNDARIES

The annexation area is currently in unincorporated St. Louis County.

The area to be annexed is legally described on Exhibit 1 hereto. The area to be annexed is approximately 1,466 acres mostly to Manchester's eastern and southeastern boundary. The annexation area is bounded on the west and the south by the Manchester City limits; on the southeast by Dougherty Ferry Road, on the east by Barrett Station Road and on the north

partially by Town and Country city limits and partially by a line on the southern limits of Queeny Park, on a parcel occupied by Pierremont Elementary School, and the northern boundary of Longwood Estates subdivision and Wycliffe Estates subdivision. The population is 6,549 (2020 census redistricting data). The total assessed valuation is \$201,600,850.

The annexation area contains 2,865 housing units, consisting of 1,477 single family units, 984 condos and 402 apartments.

The development in the annexation area, as measured in dwelling units and people per acre, is comparable to what one would find in the nearby areas of Manchester

The street connections into the Annexation Area include access from Manchester Ave., Barrett Station Road, Carman Road and Dougherty Ferry Road. There are also many smaller roads that connect the City of Manchester and the Annexation Area. There are no manmade or natural obstacles that would prevent the efficient delivery of services by Manchester to the Annexation Area. There are no manmade or natural barriers that would prevent Saint Louis County from accessing the remaining nearby unincorporated areas.

The annexation of this area is a logical and reasonable extension of the boundaries of the City of Manchester. The area to be annexed is compact. While there are unincorporated pockets or areas separated from larger unincorporated areas caused by the annexation, there are no manmade or natural barriers that would prevent Saint Louis County from continuing to service these remaining unincorporated areas. Manchester has also stated that it will include the new unincorporated areas east of Barrett Station Road in its map plan for the next statutory cycle for potential annexation or a boundary adjustment should no other adjacent municipality seek to annex these pockets or isolated unincorporated areas.

REVENUE, TAX RATES AND IMPACT

Tax Rate Changes which will be implemented in the Annexation Area:

Tax Type	St. Louis County (currently)	Manchester (after annexation)
Real Estate (residential)	7.0641%	7.3791%
Sales	7.738%	8.988%
Personal Property	8.1279%	8.4579%
Utility Tax	5.00%	5.00%

There will be a 0.3150% increase in the Annexation Area to current residential real estate tax. Additionally, there will be an increase in commercial real estate tax of 0.3150%, increasing

from 8.5819% to 8.8969%. There will be a 1.25% higher sales tax in the Annexation Area, which will apply on all sales in the commercial areas and on the purchase of vehicles purchased by residents. Current sales tax for non-food items in the unincorporated annex area is 7.738%; Manchester will collect the additional 1.250% sales tax. Manchester has a 0.330% personal property tax, which will increase the personal property tax rate in the Annexation Area from the current 8.1279% to 8.4579%. The utility tax will remain the same at 5%. The lateral sewer fee will increase for residents in the annexation area. Saint Louis County charges an annual fee of \$28, with no application fee and no coverage limitation fee. Manchester charges an annual fee for \$50, with a \$750 application fee and a limitation of coverage of up to \$6,000

The increase in real estate taxes includes a bond issue previously passed by Manchester residents for certain street and sidewalk improvements which have been completed. There will be no benefit from this bond issue for any roads, sidewalks, or infrastructure in the annexation area. Manchester has stated it will offer property owners in the annexation area a refund or rebate of the additional real estate taxes paid by the property owners for this part of the real estate tax on properties in the Annexation Area. Saint Louis County has stated that it believes such a program would be unconstitutional under the Missouri Constitution, Article X, Section 3, which requires uniform application of taxes upon the same class or subclass or persons within the taxing district. Manchester has stated its program will satisfy all legal requirements. The exact plan has not yet been approved by the Manchester City Council, and Manchester has stated it will adopt such a plan if the annexation is approved.

Manchester estimates the following:

Table of Revenues and Expenditures anticipated from the Annex Area (all funds):

Year	Revenues	Expenditures
2023	\$17,735,954	\$18,732,625
2024	\$20,406,321	\$21,365,100
2025	\$22,946,490	\$21,260,793

Table of Revenues, Expenditures and General Fund Balance History:

Year	Revenues	Expenditures	Fund Balance
2020	\$11,441,726	\$10,165,536	\$4,908,857
2021	\$12,873,350	\$11,088,937	\$6,693,287
2022	\$12,427,090	\$12,377,760	\$6,742,617

Combined Table of Revenues and Expenditures (All Funds) Projections:

Year	Revenues	Expenditures
2023	\$17,735,954	\$18,732,625
2024	\$20,406,321	\$21,365,100
2025	\$22,946,490	\$21,260,793

The Annexation Area has been generally well maintained. Manchester does an annual survey of roads and sidewalks needing repair or maintenance, and then schedules the repair, maintenance or replacement of roads and sidewalks. The annexation area will be included in this annual survey and analysis and participate in road repairs or maintenance as any currently existing part of Manchester does.

There will be no extraordinary effect on the distribution of tax resources in St. Louis County arising from this annexation. There will be no effect on the ability to raise revenue in the area subject to the boundary change, the bordering areas, St. Louis County, or the City of Manchester.

ESTIMATED REDIRECTED REVENUE TO MANCHESTER

The expected sources of revenue to Manchester due to an approved annexation are listed below. The taxes listed below are currently collected pursuant to laws not affected by this annexation which will remain in effect and are currently paid to St. Louis County. These amounts will be paid to Manchester if the annexation is approved. The loss of this revenue to St. Louis County will not have any material effect on St. Louis County’s budget or its ability to provide services to the remainder of unincorporated St. Louis County.

Manchester estimates its revenue gain as follows for FY 2023:

Tax Type	Amount
Sales tax (includes redistributed county sales tax and Prop P)	\$2,598,859
Utility tax (includes cable)	\$324,717
Highway user tax	\$90,378
Cigarette tax	\$12,146
Road and Bridge	\$146,819
Gasoline tax	\$190,044
Property Tax	\$553,526
Personal property	\$51,862
Permits/Municipal court fines/license fees	\$247,358
TOTAL	\$3,968,351

If a rebate program is implemented, then Manchester estimates its increase in revenue from property taxes will be \$61,500 and the increase in personal property tax will be \$7,859. This would then make the total estimate by Manchester of additional revenue as \$3,432,322.

A business license fee is charged to businesses in the city limits. Manchester's estimate of the additional revenue from the business license fee which will be imposed on merchants in the Annexation Area is included in the *Permits/Municipal court fines/license fees* category above. The business license fee charged to merchants and manufacturers is based on gross receipts with a sliding scale; the business license fee for a services business is based upon the square footage of the business' premises.

Although Manchester would also receive revenue from the lateral sewer program, these funds are restricted to be used only for lateral sewer repairs of residents and are not included in the above totals.

St. Louis County estimates the revenue gain to the City of Manchester, as follows:

Tax Type	Amount
Sales tax (includes redistributed county sales tax and Prop P)	\$2,539,687
Utility tax (includes cable)	\$695,962
Highway user tax	\$264,099
Cigarette tax	\$12,116
Road and Bridge	\$211,681
Gasoline tax	\$190,052
Property Tax	\$634,750
Municipal License, fees and fines	\$253,883
TOTAL	\$4,802,230

The County's figures do not include any reduction for a rebate in real estate tax or personal property tax if one is implemented by Manchester and found to be constitutional.

Manchester has stated that if the annexation is approved, it will hire twelve additional police officers and public works employees as needed. These additional employees and equipment specified elsewhere in this Summary of Decision are not dedicated to the annexation area and will be used to provide services throughout the city. However, Manchester has stated that it will utilize its police officers and public works as needed throughout the City, and thus the annexation area from time to time could receive more services than just the additional employees promised by Manchester.

Saint Louis County estimates that the loss of revenue to it, from the same categories listed above, is \$2,838,379. The difference in revenue gain to Manchester and revenue loss to Saint Louis County is due to estimates in categories in which the City of Manchester charges a higher tax, as sales tax, property tax and personal property tax.

The difference in estimated additional revenue to Manchester from the estimates provided by each party is \$833,879. The estimates on utility tax differ, with Manchester

estimating an increase in revenue of \$324,717 and Saint Louis County estimating an increase of \$695,962, for a difference of \$371,245. Manchester estimates the highway user (CART) tax will result in an increase in revenue to it of \$90,378, and Saint Louis County estimates the increase to be \$264,099, a difference of \$173,721. These three categories total a difference of \$544,966.

It should be noted that the estimated revenue loss to St. Louis County and the estimated revenue gain to the City of Manchester are based upon assumptions by each, including the amount of utility bills, and the anticipated sales tax revenue to Manchester from things as sales by businesses and merchants, and the purchase of a vehicle by a resident in the Annexation Area. St. Louis County includes a sales tax estimate based upon an average per capita sales tax paid by a St. Louis County resident. The differences in certain categories that may be noted are largely based upon good faith estimates by each party. The Commission recognizes that the estimates were made during uncertain economic times, so the actual revenue increase in each category may change, for instance sales tax revenue or utility tax revenue could vary from the assumptions utilized for the estimates provided. In addition, Manchester will receive sums for the lateral sewer program, which will not be paid to Saint Louis County. The program will be administered, and funded, by Manchester for the Annexation Area. These funds are restricted to use for lateral sewer repair and are not included in the above totals.

Manchester has stated that if the annexation is approved, it will implement street improvements in the annexation area in FY 2023 of at least \$230,000 for street rehabilitation and maintenance; improve 20 streets in the annexation area rated 6 or below on Manchester's Street Preservation Program criteria; invest \$310,000 in rehabilitation or replacement of five streets in the annexation area in FY 2024; and commit \$400,000 annually for rehabilitation or replacement of streets rated four or below in the Annexation Area until all streets currently rated four or below in the Annexation Area have been repaired or replaced and are rated seven or higher. Additionally, Manchester states that it will invest \$50,000 annually in FY 2023 through FY 2025 to replace at least 600 slabs of deteriorating sidewalk in the Annexation Area. Manchester also states it will unify several gaps in sidewalks along the north side of Carman Road along with significant roadway improvements. Manchester states it will assess and program any required bridge repairs into its Capital Improvements Budget starting in FY 2025.

The Boundary Commission understands that many of these proposed capital improvements will not be done in the FY designated in the materials submitted due to the timing of the approval and vote on the proposed annexation, but that such improvements will be scheduled at the next available FY after a favorable vote is made and the annexation occurs.

SERVICES

There are no barriers natural or manmade that will impede the efficient delivery of services to the area proposed for annexation.

With the exception of trash removal services, which are otherwise regulated by state law, Manchester will provide all services upon the effective date of the annexation that it provides to its residents. In the case of seasonal services, such as leaf removal and snowplowing, services, services will be provided as needed or according to the service schedule in effect across the City.

The following list of Municipal Services and Providers, and any change in the providing of the specified service is as follows.

Service	Present Provider	Post-Annexation Provider	Fee	In-House	Contract
Legislation	County	Manchester	No	x	
Administration	County	Manchester	No	x	
Police	County	Manchester	No	x	
Parks & Rec.	County	Manchester/County	Some	x	
Solid Waste	County (contract)	Manchester (contract)	Yes		x
Recycling	County (contract)	Manchester (contract)	See below		x
Leaf Pickup	-----	Manchester	See below	x	
Yard Waste	County (contract)	Manchester (contract)			x
Code Enforcement	County	Manchester	No	x	
Planning & Zoning	County	Manchester	No	x	
Street Lighting	Subdivision	Manchester	No		x
New Street Lights	Private		No		x
Street Maintenance and replacement	County	Manchester	No	x	
Snowplowing	County	Manchester	No	x	
Sidewalk Maintenance and replacement	County	Manchester	No	x	
Building Code, mechanical permits and inspections	County	County	yes		
Municipal Court	County	Manchester	No	x	
Fire Protection	West County EMS and FPD	West County EMS and FPD	N/A	N/A	
Utilities					
Electric	Ameren UE	Ameren UE	N/A	N/A	
Water	Missouri American Water Co.	Missouri American Water Co.	N/A	N/A	
Sewer	MSD	MSD	N/A	N/A	
Social Services	County/State	County/State	No	N/A	
Public School	Parkway School District	Parkway School District	N/A	N/A	N/A
Library	County	County	N/A	N/A	

There will be no change in the provider of services for fire protection; electric, water, sewer or natural gas utilities; social services; school district or library. (A small part of the City

of Manchester south of Big Bend Road is in the Valley Park School District and is served by the Valley Park Fire District, but this is not in the Annexation Area.)

Waste collection services will result in a savings to residents in the Annexation Area if the annexation is approved by the voters. The extent of the savings will vary as Saint Louis County provides residents with options for trash and other waste collection. Under current regulation and law, residents in the annexation area have the option to continue with the current trash service for two years. The current cost to Manchester residents is \$6/month. Manchester subsidizes the monthly cost of \$19.42 per residence by \$13.42 for the net cost to each residence of \$6.00 per month for waste collection. There is no indication that this subsidy will change. Manchester's waste collection is comprised of weekly trash collection, weekly recycling, weekly yard waste collection, called in bulk item pickup (weekly, by appointment). St. Louis County provides trash and yard waste pick up through Waste Connections in this area. The monthly charge for minimum service of weekly trash pickup, weekly recycling, and monthly bulky trash pickup and three seasonal yard waste pick-ups is \$15.50 per month. Weekly yard waste pick up may be added at the option of the resident for an additional \$11.00 per month, with an option for quarterly opt-out. St. Louis County also provides a senior discount of 10%.

Policing currently in the Annexation Area is provided by Saint Louis County Police Department. It is one of only 21 police departments in the country to receive the TRI-ARC Excellence Award. It has received triple accreditation for Law Enforcement, Public Safety Communications and Public Safety Training Academy from the Commission for Accreditation for Law Enforcement Agencies. The Annexation Area is in the West Precinct which has over 80 commissioned police officers. The Annexation Area is a separate "beat", but it can be served by any officer in the precinct if a need arose. Saint Louis County Police have many units that deploy area wide as needed, including Metro Air, Tactical Support, Crisis Intervention, Criminal Investigations, Crime Laboratory and other departments that are widely acclaimed for their professionalism. The West County Precinct has developed a commendable neighborhood Policing Unit which has relationships with resident, businesses and religious institutions in the area. The response time of Saint Louis County Police to calls for service was discussed, and data was provided. The reliable data provides that Saint Louis County Police response time to an emergency call for service from dispatch time to arrival time is less than four minutes. Calls for non-emergency service have a longer response time.

The Manchester Police Department currently has 38 commissioned officers and four civilian employees. It has four squads of officers with daily patrol of the city, a Bureau of Investigations and a Bureau of Support Services which includes a Community Relations Unit (CRU) among others. Manchester has stated that if the annexation proposal is approved, it will hire 12 officers (eight patrol, two detectives, one lieutenant and one CRU officer), along with necessary equipment and purchase four additional police vehicles. These additional officers will not be solely dedicated to the annexation area but will also patrol as needed the other areas of Manchester. The Manchester Police Department has applied for certain accreditations, which are pending. The response time for the Manchester Police Department from dispatch to arrival on an

emergency call is similar to Saint Louis County's Police Department. The Manchester Police Department is well respected in the area.

Manchester has stated it will invest in at a minimum two heavy-duty dump trucks, two medium-duty dump trucks, two utility trucks, one skid steer loader, and four police patrol vehicles if the proposal is approved by the voters to meet any additional service requirements. In addition, Manchester will invest in public safety equipment as Flock cameras, radios and individual safety equipment for police officers.

Manchester has stated that it will hire additional public works employees as may be required if the annexation is approved. Manchester anticipates hiring at least an additional mechanic, and administrative assistant for resident-based service requests, a full time Public Works inspector, support staff for proper management and construction oversight of capital improvement projects, and additional maintenance staff for proper completion of sidewalk replacement and street repair or replacement, snow plowing and tree pruning.

St. Louis County will realize savings due to St. Louis County not being required to provide its full spectrum of municipal services to the Annexation Area. Police protection will switch from St. Louis County Police to the City of Manchester. The City of Manchester police will be able to respond to any requests for assistance due to their proximity to the Annexation Area and relieve St. Louis County Police of the need to patrol and respond to this area.

The revenue decline to St. Louis County is partially offset by savings in expenses incurred by St. Louis County in providing services to this part of the unincorporated area. Saint Louis County asserted that it will not receive complete savings by not having to provide services to the Annexation Area due to small unincorporated pockets or areas remaining, especially east of Barrett Station Road, which will prohibit economies of scale from being reached as Saint Louis County continues to service these areas. While this item is noted, there is no data to state the amount of reduced savings Saint Louis County will receive if the area is annexed and leaves the separated unincorporated areas or pockets. Saint Louis County will continue to provide its services to the remaining adjacent unincorporated areas.

The Boundary Commission believes that the promises and representations made by Manchester will be kept, and the Boundary Commission's decision as a whole relies on the keeping of Manchester's representations made in its submitted materials as a basis for the Boundary Commission's decision favorable to this annexation proposal.

There was no evidence that the services to be provided by the City of Manchester would be less in either quality or quantity than those provided by St. Louis County. There was no evidence presented that the services to be provided by the City of Manchester would be better in either quality or quantity than those provided by Saint Louis County. Manchester asserts that it can provide services more promptly and responsive due to it being smaller and its public works being closer to the Annexation Area than Saint Louis County. Manchester asserted that the services to be provided by Saint Louis County will decrease due to Saint Louis County's current budget deficits. However, all that was presented was speculation. No evidence was presented that any Saint Louis County service to its residents will be decreased. What will be done by Saint

Louis County to balance its budget, including whether any taxes will be raised or services cut, is unknown at this time.

ZONING

The percentage of Land Use and acres in the Annexation Area are:

Land Use	Acres/parcels	Percentage
Commercial/Industrial	213.65 Acres/97 parcels	16.60%
Industrial	39.49/ 13 parcels	3.07%
Institutional/ Governmental	82.04/ 9 parcels	6.37%
Single Family Residential	513.05/1478 parcels	39.86%
Multi-Family Residential	181.96/ 409 parcels	14.14 %
Recreation/Parks	45.03/ 6 parcels	3.50%
Vacant/Agriculture	211.94/ 117 parcels	16.47%

Current zoning by Saint Louis County includes, Non-Urban, Mixed Use, Parks and Scenic, Commercial, Industrial, Single Family Residential, and Multi-Family Residential. Saint Louis County has stated that the Annexation Area has 13 different zoning classifications. There are a significant number of commercial developments along the Manchester Road corridor, many of which are occupied by different businesses.

Saint Louis County notes that some of its zoning differs from Manchester’s zoning in the same classification. Saint Louis County notes that Manchester has minimum floor area requirements, but the County does not in certain residential zoning, and Saint Louis County has less restrictive side and rear set back lines for some of the zoning areas. Saint Louis County also notes that some of the areas are Planned Site Districts that have ordinance specific zoning requirements.

Manchester has stated that it will amend its zoning ordinance to specifically state that lands acquired through incorporation or merger will retain the existing zoning classification and have the same land use, area, height and use regulations, among other items, as allowed under the Saint Louis County Zoning Ordinances in effect at the time the land is acquired, until a zoning change is allowed by law. Building Permits will be processed based upon the zoning requirements of Saint Louis County in effect at the time the property is annexed. By doing such, Manchester has stated it will continue the current zoning in the annexed area as zoned by Saint Louis County until there is a zoning change authorized by law. While some zoning provisions, or county site specific zoning ordinances, may impose an administrative burden on Manchester and some of its employees to apply Saint Louis County zoning provisions to properties in the Annexation Area which differ from Manchester’s zoning ordinances, Manchester has stated it has the expertise and capability to apply the current Saint Louis County Zoning provisions in the Annexation Area until a zoning change is implemented as may be permitted by law.

COMMUNITY OF INTEREST

The residents of the Annexation Area have significant ties with Manchester. They both are within the school boundaries of the Parkway School District. Both Annexation Area residents and Manchester residents are within the boundaries of a local parochial elementary school, Christ Prince of Peace School. The residents of Annexation Area routinely participate in youth athletic programs with City of Manchester residents. The residents in the Annexation Area attend Manchester's outdoor concert series, 4th of July fireworks, movies in the park and other city sponsored activities. Residents in the Annexation Area will also be able to use Manchester Parks and Recreation Programs using resident rates. The annexation will also reunite Glyn Cagney and Carman Meadows subdivision into the City of Manchester, as now parts of each subdivision are in the City of Manchester and other parts are in unincorporated Saint Louis County.

MUNICIPAL SERVICES IMPLEMENTATION AND EFFECTIVE DATE

Manchester stated it will start to provide its municipal services, and the annexed area will become part of the City of Manchester six months after a favorable vote.

DECISION

The City of Manchester is the proposing agent as defined by Rev. Stat. 72.400(4) RSMo and the Boundary Commission of St. Louis County has jurisdiction over the proposal. The boundary change sought by the City of Manchester is an annexation governed by Chapter 72 RSMo.

Based upon the entire record, the Boundary Commission of St. Louis County by a 5-3 majority roll call vote at an open public meeting on January 3, 2023, voted to **APPROVE** the proposal.

The Proposal from the City of Manchester meets the criteria specified in Chapter 72 RSMo, and Mo. Rev. Stat. 72.403. The Boundary Commission as a whole determined that the proposal is in the best interest of the City of Manchester, of the area to be annexed, and the entire area of St. Louis County next to the proposed boundary and would have no material effect on the surrounding area or St. Louis County as a whole.

The Commission therefore finds and determines that the annexation proposed by the Official Submittal BC2201 by the City of Manchester is **APPROVED**.

The area to be annexed is legally described on Exhibit 1 hereto.

The Commission by a 5-3 majority vote and by roll call vote at its meeting on January 3, 2023 finds that the annexation proposed by the official submittal and designated as File No. BC2201 is approved.

The annexation and transfer of jurisdiction of the Annexation Area and the public roads mentioned in the Proposal will be transferred to the City of Manchester and be effective six months after a favorable public vote by the registered voters in the City of Manchester and the registered voters in the Annexation Area. The vote shall take place in November, 2023 at the

general election date of November 7, 2023, or such earlier date as may be set and required in accordance with Missouri law and the requirements of the Saint Louis County Board of Elections.

This Summary of Decision is approved by the Commission and issued this 24 day of January, 2023.

A handwritten signature in cursive script, appearing to read "Ben Whitell", written over a horizontal line.

Chairperson