

BOUNDARY COMMISSION
ST. LOUIS COUNTY, MISSOURI
MEETING MINUTES

August 24, 2022

ROLL CALL

Commissioners Present: Rick Dorsey, Tom Mooney (via proxy), Ann Pluemer, Tom Schneider, Kathy Schweitzer (via proxy), Ben Uchitelle, and Steve Wegert

Commissioners Absent: Stephanie Robinson

Commission Staff Present: Michelle Dougherty, Executive Director
Michael Hart, Legal Counsel

Others present: Jacob Trimble, Acting Director of Planning for St. Louis County
Paul Weatherford, St. Louis County Planning Department
Shawn Edghill, Planning Technician, City of Ballwin
Eric Sterman, City Administrator, City of Ballwin
Other various members of the public who had gathered for the public hearings to be held after the meeting.

Chairman Wegert called the meeting to order at 6:34 p.m., August 24, 2022 at the Ballwin Golf Club, 333 Holloway Drive, Ballwin MO 63011; online via Zoom, and livestreamed to YouTube with accommodations made for the public to attend as well.

ROLL IS CALLED – QUORUM DECLARED

Roll was called and a quorum declared by Ms. Dougherty.

Mr. Dorsey made a motion to accept the proxies of Tom Mooney and Kathy Schweitzer. Mr. Uchitelle seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

APPROVE AGENDA

Mr. Uchitelle made a motion to approve the agenda. Mr. Dorsey seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

APPROVE PUBLIC HEARING AGENDAS

Mr. Dorsey made a motion to approve the public hearing agendas for BC2202 and BC2203. Mr. Uchitelle seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

APPROVE MINUTES

Mr. Dorsey made a motion to approve the minutes of July 26, 2022. Mr. Uchitelle seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.*

STAFF REPORT

Ms. Dougherty stated there wasn't much to add to her report that was included in the meeting packet. She said she's in the middle of handling the requirements for all three proposals.

PUBLIC COMMENTS

Mr. Bill Handy submitted public comments for the meeting via the Google Registration form and requested it be read into the record. Ms. Dougherty read the following into the public record.

Commissioners,

During the Commission's July 26, 2022, meeting, there was a robust conversation surrounding the criteria to be used when approving or denying Manchester's proposed annexation. I applaud the Commission's commitment to its duties and for seeking the clarity necessary to uphold those duties.

Some discussions related to the requirements and criteria for voting on Manchester's proposed annexation seemed to conclude without clarity. I wish to weigh in on those topics and also share my perspective as a business owner operating in the proposed area to be annexed.

As a past professor of strategic communications, I can't emphasize enough that words matter. Your duty and the criteria for your decision are clearly defined in the Boundary Commission, St. Louis County Rules, Revised February 22, 2022. –

Must all three criteria be met for you to approve Manchester's proposed annexation? Yes, all three criteria must be met. The three criteria, because they are listed, indicate that all three must be met. If that weren't the case, it would be indicated using clarifying language, e.g., "for the most part" or including the word "or" after each or the last criteria. The lack of this direction reinforces the requirement that all three criteria must be met. Past actions or interpretations by the board hold no precedence in this matter.

For example

You are required to bring:

- Two red pens
- A notebook
- A USB drive.

You are required to bring:

- Two red pens,
- A notebook, or
- A USB drive. –

Should it go to a vote of the people so they can make the ultimate decision?

As to whether Manchester's proposed annexation be passed on to the voters with an eye toward democracy, the Boundary Commission, St. Louis County Rules state, "the Commission shall (note - When writing for legal purposes, shall means must) determine if the boundary change will be in the best interest of the municipality or municipalities and unincorporated areas affected by the proposal and the areas of the County next to such proposed boundary." That determination alone should determine the vote.

This is a duty assigned to the Boundary Commission and to which the Boundary Commission is obligated to uphold. Administrative actions take place every day in government. This is no different and in no way limits anyone's rights. Letting this, or any other reason, sway your decision contradicts your duty.

-A business owner's perspective My initial comments submitted July 15, 2022 didn't include that I am also a business owner who lives and operates my business in the proposed area to be annexed. Based on my understanding of Manchester's tax and fee requirements, the cost of running my business would increase. And there is no benefit to my business, nor do I desire to operate my business in Manchester. To be clear, as a business owner, I am opposed to this proposed annexation.

Thank you, again, for your commitment to our communities.

NEW BUSINESS.

- A. Closed Session
There was no closed session.

OLD BUSINESS

- A. BC2201 City of Manchester Annexation proposal.
Chairman Wegert asked if Manchester or St. Louis County had responded to the list of questions the Commission had sent them. Ms. Dougherty replied they hadn't, and that the deadline isn't until September 10th. Mr. Dorsey suggested the proposal remain on the agenda and that they forgo any discussion until the entities had had a chance to respond.
- B. BC2202 City of Ballwin's Simplified Boundary Change: Annexation of Cascades Subdivision
Chairman Wegert noted that the public hearings will be held after the meeting and that the proposals will remain on the Commission agenda until voted upon.
- C. BC2203 City of Ballwin's Simplified Boundary Change: Annexation of Charleston Oaks Subdivision

ADJOURNMENT

Mr. Dorsey made a motion to adjourn. Mr. Uchitelle seconded the motion. Voice vote: Ayes, All. Nays, None. *The motion passed.* The meeting was adjourned at 6:42 p.m.

Respectfully submitted,
Michelle Dougherty
Executive Director

Approved: September 27, 2022

