

***CITY OF FENTON  
FENTON, MISSOURI***



***PLAN OF INTENT***

***VOLUNTARY PETITION ANNEXATION OF  
APPROXIMATELY 815 ACRES  
LOCATED SOUTH AND EAST OF STATE HIGHWAY 30***

***SUBMITTED TO THE  
ST. LOUIS COUNTY BOUNDARY COMMISSION***

**MAYOR FRAN RUZICKA**

***WARD 1***

**ALDERMAN LARRY STEELMAN  
ALDERMAN WAYNE BERRY**

***WARD 2***

**ALDERMAN TERRY BALL  
ALDERMAN CHUCK BUTLER**

***WARD 3***

**ALDERMAN CHARLES PRESLAR  
ALDERMAN TIM TREGO**

***WARD 4***

**ALDERMAN JACK LAUER  
ALDERMAN STEVE BRIGHTMAN**

**CITY ADMINISTRATOR - VALERIE D. ADAMS  
CITY ATTORNEY - JERRY WALLACH  
CITY CLERK - CLAIRE PYNE**



TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
<b><u>GENERAL INFORMATION</u></b>	
Executive Summary	Exe. 1-2
Legal Opinion	I
Petition for Simplified Boundary Change	Ii
List of Possible Public Hearing Sites	Iii
Proposed Public Hearing Notice	Iv
<b><u>MANDATORY CERTIFICATIONS</u></b>	
Certification that subject Area is Unincorporated Territory	C-1
Certification of Subdivision Status	C-2
Certification of Fire and Medical Services	C-3
Certification of Proposals Mailed to the County	C-4
Certification that the City will Bear All Costs	C-5
Certification that 15% of the Subject Area is Adjacent to Fenton	C-6
<b><u>MANDATORY REVIEW FACTORS</u></b>	
Review Factors 1-11	1-17
<b><u>ATTACHMENTS</u></b>	
Summary Description of Annexation	A-1
Financial Impact on Residents in the New Area	A-2
Impact on Other Taxing Districts	A-3
Estimated Financial Impact of Annexation on the City of Fenton	A-4
Map of the Subject Area	A-5
Meets and Bounds Legal Description	A-6
List of Municipal Services	A-7
City of Fenton Permit Fees	A-8
City of Fenton – Fund Balance Policy	A-9
City of Fenton Three (3) Year Projections	A-10
Annexed Area only- Three (3) Year Projections	A-11
City of Fenton – Zoning Map	A-12
<b><u>APPENDICIES</u></b>	
1998 City of Fenton Annual Budget	
1997 City of Fenton Financial Report	
1998 City of Fenton Ordinance Adopting Plan of Intent	



## **EXECUTIVE SUMMARY**



## EXECUTIVE SUMMARY

---

Pursuant to RSMo 72.405(6), the City of Fenton is pleased to submit this annexation application to the St. Louis County Boundary Commission for annexation of property located south and east of State Highway 30. (See **Attachment 6**). In support of said application, the City of Fenton is pleased to submit all data, information, statistics and submission requirements in compliance with this Commission's Rules as amended and the dictates of the Missouri Revised Statutes.

The subject property consists of approximately 815 acres. The property is contiguous to the City of Fenton and is within one and a half miles of Fenton City Hall, major residential subdivisions and major retail businesses located in the City's downtown area. The following is a chart that illustrates the 1990 and 1997 demographics. (Source: 1990 U.S., '1997 St. Louis County Revenue Technical Services) More information on the demographics is illustrated in **Attachment 1**.

1990		1997	
Residential Units	Population	Residential Units	Population
46	119	152	618

This chart graphically depicts that this area has grown since 1990 and consists of a balanced mix of residential and undeveloped property. This proposed area lies within a significant growth corridor which lends itself well to both residential and retail/commercial uses. Over 250 acres of land have never been successfully developed because of the extraordinary challenges such as major geologic and topographic problems, floodplain management and safe access. This undeveloped area lies between two major transportation corridors and is close to growing residential areas. The proximity of this land lends itself well to future commercial and retail development.

Pursuant to Boundary Commission Rule IIIA.1 this executive summary will provide the Commission and staff a brief overview as to the purpose of the proposal and the rationale for the property owner's request to become part of the City of Fenton.

Throughout this Plan of Intent the City will present the tax and revenue projections for:

- The residential property as it currently exists, and
- The undeveloped property that may be developed to include retail, commercial and residential.

It should be noted, however, for purposes of Chapter 66 RSMo et. Seq., that this area will come into the City of Fenton as a "B" Pool City Area not as a "A" Point of Sale Area. Therefore annexing this property will have an insignificant impact upon the revenue stream to St. Louis County.

This Plan of Intent and supporting documentation will provide the statutory reasonableness and necessity of annexing this tract of land into the City of Fenton's jurisdiction in terms of:

- Compactness/geographic location,
- Efficiency of service delivery,
- Quality of services provided,
- Community interest,
- Public taxation and finance.

The City does not anticipate any complications with regards to political representation, zoning, taxation, service delivery or any other review criteria. **Please note that while the City of Fenton will assume the responsibility upon the effective date for all municipal services, this proposal will not require any changes in fire protection or emergency medical services.** Fenton Fire Protection District will continue to provide these services and currently does so regardless of jurisdiction.

One of the benefits that should be noted is that the City of Fenton currently contracts for full service police protection from St. Louis County. This transition will be effortless and seamless for both St. Louis County and the City of Fenton. In addition, the extension of any municipal services provided to this area will not create any undue burden to the current or projected financial condition of the City. All service levels will remain consistent with those services currently offered to others within the City's corporate borders. These findings of fact are supported with empirical data in quantifiable terms within this Plan of Intent. The financial viability of the boundary change proposal is advantageous to the City and will afford the residents within this proposed area the opportunity to devote the property to the highest and best possible use.

Once adopted by the Fenton Board of Aldermen, this Plan will be presented to the St. Louis County Clerk's Office in accordance with the Rules of the Commission. Further in conformity with those rules, as amended, the City will bear the costs of the Commission relating to any public notice publication costs, copies or any other costs contemplated by the Rules.

By submitting this petition and Plan of Intent, the City is honoring the wishes of all persons and entities seeking to bring this area into the City of Fenton, as well as expanding the corporate boundaries as are reasonable and necessary to the geographical, transportation, service delivery and community interest needs of the area.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Fran Ruzicka', with a large, sweeping flourish extending to the left.

Mayor Fran Ruzicka  
City of Fenton



**LEGAL OPINION**



**THE WALLACH LAW FIRM**  
ATTORNEYS AND COUNSELORS AT LAW  
MANCHESTER/270 OFFICE CENTER  
12444 POWERSCOURT DRIVE, SUITE 250  
ST. LOUIS, MISSOURI 63131  
314-965-4050  
FAX 314-965-3568

JEROME WALLACH AND ASSOC., P.C.

February 23, 1998

Mayor Fran Ruzicka  
Board of Aldermen  
City of Fenton  
625 New Smizer Mill Road  
Fenton, Missouri 63026

Re: Annexation of Approximately 815 Acres  
Located South and East of State Highway 30

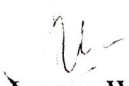
Dear Mayor and Board Members:

Section III.B(c) of the Rules of the St. Louis County Boundary Commission requires the inclusion, in any simplified Boundary Change Proposal "Annexation" Application presented by the City to the Boundary Commission, of a legal opinion stating that the proposal meets all requirements of the Statutes and the Rules and Regulations of the Boundary Commission for a simplified boundary change proposal.

With respect to the City's proposed annexation of 815 acres of land situated South and East of State Highway 30, this office has, in its capacity as City Attorney, reviewed both a draft copy of the "City's Plan of Intent for Annexation of 815 Acres Located South and East of State Highway 30" and various additional documents related thereto. It is my legal opinion that the proposal meets all requirements of the Statutes and Rules and Regulations of the Boundary Commission for simplified boundary changes proposals.

A copy of this legal opinion has been forwarded to Valerie Adams, City Administrator, 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.

Yours truly,

  
Jerome Wallach

JW/pd



**PETITION FOR SIMPLIFIED BOUNDARY  
CHANGE**



## PETITION FOR SIMPLIFIED BOUNDARY CHANGE

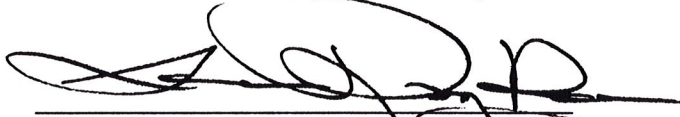
The City of Fenton hereby petitions the Boundary Commission, St. Louis County to consider a proposal for a "Simplified Boundary Change" as provided for in RSMo Chapter 72.400 - 72,420.

Attached are petitions signed by over 75% the residential property owners of all fee interest of record of the area proposed for annexation. The petitions have been verified by St. Louis County that the signatures on the petitions represent over 75% of the residential property owners of all fee interest of record. A copy of that verification is attached hereto and made a part of this petition.

*(If less than 100% of the residential owners of all fee interest sign the verified petition the following statement shall be provided)*

Attached is a list of those residential property owners who did not sign a petition requesting a Simplified Boundary Change for their property.

Submitted this 26<sup>th</sup> day of February 26, 1998.



\_\_\_\_\_  
Mayor Fran Ruzicka  
City of Fenton

CITY OF FENTON, MISSOURI

MERAMEC –30 ANNEXATION  
PETITION BOUNDARY CHANGE

<b>TOTAL NUMBER OF PARCLES:</b>	<b>163</b>
<b>TOTAL NUMBER OF ELIGIBLE PARCLES (EXCLUDING PARKS AND COMMERCIAL)</b>	<b>150</b>
<b>TOTAL NUMBER OF SIGNATURES POSSIBLE</b>	<b>167</b>
<b>TOTAL SIGNATURES</b>	<b>131/167 = 78%</b>

**NEED 125 SIGNATURES TO REACH 75%**

**INDIVIDUALS WHO SIGNED PETITION**

YES

<u>LOCATOR NUMBER</u>	<u>STREET ADDRESS</u>	<u>ZONING</u>	<u>LEGAL DESCRIPTION</u>	<u>PROPERTY OWNER</u>
29N120012	13369 Wintergreen Es	R-2	Book 11361 Page 2484	Karpowicz
29N140362	13357 Wintergreen Es	R-2	Book 11005 Page 1689	Reinhold Homes, Inc.
29N140351	13363 Wintergreen Es	R-2	Book 11375 Page 406	Gliedt
29N140373	Common Ground	R-2	Book 10850 Page 1585	Fred G. Reinhold
				Mary E. Reinhold
				Charles Balloni
29N140384	13345 Wintergreen Es	R-2	Book 11181 Page 0501	Bizzle
29N140395	13339 Wintergreen Es	R-2	Book 11005 Page 1689	Reinhold Homes, Inc.
29N140405	13333 Wintergreen Es	R-2	Book 11005 Page 1689	Reinhold Homes, Inc.
29N140423	13321 Wintergreen Es	R-2	Book 11308 Page 1906	Re
29N140432	13315 Wintergreen Es	R-2	Book 11005 Page 1689	Reinhold Homes, Inc.
29N140441	13309 Wintergreen Es	R-2	Book 11269 Page 0679	Feldmann
29N140450	13303 Wintergreen Es	R-2	Book 11005 Page 1689	Reinhold Homes, Inc.
29N140076	13285 Wintergreen Es	R-2	Book 11022 Page 0283	Miller
				Devine
29N140087	13279 Wintergreen Es	R-2	Book 11151 Page 1591	Craven
				Zervas
29N140098	13273 Wintergreen Es	R-2	Book 11096 Page 2391	Meyer
29N140102	13267 Wintergreen Es	R-2	Book 11242 Page 1435	Koopman
29N140111	13261 Wintergreen Es	R-2	Book 10622 Page 0642	Reinhold Homes, Inc.
29N140197	13266 Wintergreen Es	R-2	Book 11335 Page 545	Sparks
29N140203	13278 Wintergreen Es	R-2	Book 10977 Page 1564	Williams
29N140212	13284 Wintergreen Es	R-2	Book 10952 Page 2370	Shea
29N140221	13302 Wintergreen Es	R-2	Book 11214 Page 0350	Fiala
29N140241	13314 Wintergreen Es	R-2	Book 11329 Page 1806	Wray
				Steve Reinhold
29N140252	13320 Wintergreen Es	R-2	Book 11005 Page 1689	Reinhold Homes, Inc.
29N140263	13326 Wintergreen Es	R-2	Book 11005 Page 1689	Reinhold Homes, Inc.
29N140274	13332 Wintergreen Es	R-2	Book 11005 Page 1689	Reinhold Homes, Inc.
29N140285	13338 Wintergreen Es	R-2	Book 11005 Page 1689	Reinhold Homes, Inc.
29N140296	13344 Wintergreen Es	R-2	Book 11140 Page 0332	Farris
29N140304	13356 Wintergreen Es	R-2	Book 11391 Page 0630	Brunette
				Burcham
29N140313	13362 Wintergreen Es	R-2	Book 11255 Page 0177	Ringwald

“YES”

29N140322	13368 Wintergreen Es	R-2	Book 11415 Page 0813	Streb
29N230331	648 Winter Hill Circle	R-2	Book 11329 Page 1855	Wray
29N140340	13380 Wintergreen Es	R-2	Book 11005 Page 1689	Steve Reinhold
29N140120	673 Winter Hill Circle	R-2	Book 11059 Page 0367	Reinhold Homes, Inc.
29N140131	665 Winter Hill Circle	R-2	Book 11023 Page 0785	Herbig
29N140142	657 Winter Hill Circle	R-2	Book 10986 Page 0128	Garcia
29N140153	649 Winter Hill Circle	R-2	Book 10961 Page 2343	Clinton
29N140164	641 Winter Hill Circle	R-2	Book 11075 Page 0652	Lehmkuhl
29N140186	625 Winter Hill Circle	R-2	Book 11069 Page 1957	Mace
29N230397	617 Winter Hill Circle	R-2	Book 11308 Page 1895	Kellermann
29N230403	609 Winter Hill Circle	R-2	Book 11348 Page 1976	Beinart
29N230412	601 Winter Hill Circle	R-2	Book 10622 Page 0642	Pressley
29N230122	13249 Wintergreen Es	R-2	Book 11107 Page 1593	Reinhold Homes, Inc.
29N230133	13243 Wintergreen Es	R-2	Book 11167 Page 2290	Marchand
29N230144	13237 Wintergreen Es	R-2	Book 11151 Page 1578	Bandera
29N230166	13225 Wintergreen Es	R-2	Book 11064 Page 1101	Wachter
29N230177	13219 Wintergreen Es	R-2	Book 11338 Page 0194	Loera
29N230188	13213 Wintergreen Es	R-2	Book 11036 Page 1459	Siebert
29N230199	13201 Wintergreen Es	R-2	Book 11126 Page 0733	Wasik
29N230201	13200 Wintergreen Es	R-2	Book 10961 Page 2351	Leach
29N230210	13206 Wintergreen Es	R-2	Book 10974 Page 1147	Bryant
29N230221	13212 Wintergreen Es	R-2	Book 10622 Page 642	Exler
29N230232	13218 Wintergreen Es	R-2	Book 11283 Page 0858	Moore
29N230243	13224 Wintergreen Es	R-2	Book 11186 Page 0865	Reinhold Homes, Inc.
29N230254	13230 Wintergreen Es	R-2	Book 11348 Page 1985	Balloni
29N230265	13236 Wintergreen Es	R-2	Book 10622 Page 0642	Flores
29N230276	600 Winter Hill Circle	R-2	Book 10622 Page 0642	Bodi
29N230287	608 Winter Hill Circle	R-2	Book 11329 Page 1831	Reifschneider
29N230298	616 Winter Hill Circle	R-2	Book 10995 Page 1262	Lazzareschi
29N230302	624 Winter Hill Circle	R-2	Book 10981 Page 2267	Reinhold Homes, Inc.
29N230311	632 Winter Hill Circle	R-2	Book 10622 Page 0642	Woods
				Reinhold
				Turnipseed
				Reinhold Homes, Inc.



"YES"

29N230320	640 Winter Hill Circle	R-2	Book 10622 Page 0642	Reinhold Homes, Inc.
29N140331	13374 Wintergreen Es	R-2	Book 11391 Page 2449	Manes
29N230342	656 Winter Hill Circle	R-2	Book 10622 Page 0642	Reinhold Homes, Inc.
29N230353	664 Winter Hill Circle	R-2	Book 11006 Page 0553	Anderson
29N230364	672 Winter Hill Circle	R-2	Book 10995 Page 1217	Sorrentino
29N230386	13392 Wintergreen Es	R-2	Book 11214 Page 0335	Hermann
29N210014	13393 Wintergreen Es	R-2	Book 11005 Page 1689	Reinhold Homes, Inc.
29N230421	Common Ground	R-2	Book 10850 Page 1585	Balloni, Trustee Fred Reinhold Mary Reinhold
29N230430	13375 Wintergreen Es	R-2	Book 8407 Page 574	Mary Reinhold
29N230045	550 Busch Forest Ln	NU	Book 7760 Page 865	Kaufmann
29N230034	526 Busch Forest Ln	NU	Book 8651 Page 1356	Walters
29N510084	515 Busch Forest Ln	NU	Book 8511 Page 2228	Patterson
29N510073	527 Busch Forest Ln	NU	Book 7760 Page 1496	Nicolazzi (HAVE NOT SEEN PETITION)
29N240066	539 Busch Forest Ln	NU	Book 7871 Page 2426	Yarbrough
29N240044	555 Busch Forest Ln	NU	Book 10494 Page 407	Dutton
29N240033	567 Busch Forest Ln	NU	Book 7735 Page 1453	Krupey
29N240055	256 Allen Rd	NU	Book 7699 Page 1306	DeGrand
29N510095	450 S. Old Hwy 141	NU	Book 5610 Page 571	Peters
29N510040	478 S. Old Hwy 141	NU	Book 5610 Page 571	Chott
29O301332	340 Skinker	R-3	Book 7751 Page 2249	Chott
29O510083	800 Gravois Rd.	R-1	Book 2855 Page 0031	Rathert
29O240634	1168 Nolan Rd.	R-1	Book 10160 Page 1092	Fenton Methodist Fenton Church of the Nazarene
29O240551	361 Saline Rd.	R-1	Book 8733 Page 1517	Fenton Church of the Nazarene
29O540079	740 Gravois Rd.	R-1	Book 2250 Page 217	Nazarene
29O340011	124 New Hwy. 141	R-1	Book 5844 Page 448	Mowery Neal Thomas Seemayer Russell Francis Seemayer
29O540080	736 Gravois Rd.	R-1	Book 11235 Page 0777 Page 0745	Joseph W. Seemayer Thirty and 141 L.P.
29O540046	746 Gravois Rd.	R-1	Book 11235 Page 0777 Page 0745	Thirty and 141 L.P.

"YES"

29O540222	748 Gravois Rd.	R-1	Book 11235 Page 0777 Page 0745	Thirty and 141 L.P.
29O540178	758 Gravois Rd.	R-1	Book 11235 Page 0777 Page 0745	Thirty and 141 L.P.
29O520147	108 Saline Rd.	R-1	Book 11235 Page 0777 Page 0745	Thirty and 141 L.P.
29O520060	232 Saline Rd.	R-1	Book 11235 Page 0777 Page 0745	Thirty and 141 L.P.
29O520158	112 Saline Rd.	R-1	Book 11235 Page 0777 Page 0745	Thirty and 141 L.P.
29O520059	230 Saline Rd.	R-1	Book 11235 Page 0777 Page 0745	Thirty and 141 L.P.
29O240098	310 Saline Rd.	R-1	Book 11235 Page 0777 Page 0745	Thirty and 141 L.P.
29O330067	322 Saline Rd.	R-1	Book 11235 Page 0777 Page 0745	Thirty and 141 L.P.
29O520026	242 Saline Rd.	R-1	Book 11235 Page 0777 Page 0745	Thirty and 141 L.P.
29O330045	651 Fordington Rd.	R-1	Book 11235 Page 0777 Page 0745	Thirty and 141 L.P.
29O330034	647 Fordington Rd.	R-1	Book 11235 Page 0777 Page 0745	Thirty and 141 L.P.
29O610039	55 Hwy 141	NU	Book 11235 Page 0777 Page 0745	Thirty and 141 L.P.
29O630082	714 Gravois Rd.	MXD	Book 11235 Page 0777 Page 0745	Thirty and 141 L.P.
29O640113	128 Hwy 141	R-1	Book 11235 Page 0777 Page 0745	Thirty and 141 L.P.
29O520048	229 Saline Rd.	R-1	Book 11235 Page 0777 Page 0745	Thirty and 141 L.P.
29O520037	914 Nolan Rd.	R-1	Book 11235 Page 0777 Page 0745	Thirty and 141 L.P.
29O510016	909 Nolan Rd.	R-1	Book 11235 Page 0777 Page 0745	Thirty and 141 L.P.
29O230033	1021 Nolan Rd.	R-1	Book 11235 Page 0777 Page 0745	Thirty and 141 L.P.

“yes”

29O230154	1049 Nolan Rd.	R-1	Page 0745 Book 11235 Page 0777 Page 0745	Thirty and 141 L.P.
29O230088	1029 Nolan Rd.	R-1	Book 11235 Page 0777 Page 0745	Thirty and 141 L.P.
29O520136	235 Saline Rd.	R-1	Book 11235 Page 0777 Page 0745	Thirty and 141 L.P.
29O240241	265 Saline Rd.	R-1	Book 11235 Page 0777 Page 0745	Thirty and 141 L.P.
29O240582	1100 Nolan Rd.	R-1	Book 11235 Page 0777 Page 0745	Thirty and 141 L.P.
29O240625	1130 Nolan Rd.	R-1	Book 11235 Page 0777 Page 0745	Thirty and 141 L.P.
29O240065	1101 Nolan Rd.	R-1	Book 11235 Page 0777 Page 0745	Thirty and 141 L.P.
29O240571	1163 Nolan Rd.	R-1	Book 11235 Page 0777 Page 0745	Thirty and 141 L.P.
29O330023	674 Lou Ann	R-1	Book 11235 Page 0777 Page 0745	Thirty and 141 L.P.
29O330012	670 Lou Ann	R-1	Book 11235 Page 0777 Page 0745	Thirty and 141 L.P.
29O240054	340 Saline Rd.	R-1	Book 11235 Page 0777 Page 0745	Thirty and 141 L.P.
29O240616	366 Saline Rd.	R-1	Book 11235 Page 0777 Page 0745	Thirty and 141 L.P.
29O240607	346 Saline Rd.	R-1	Book 11235 Page 0777 Page 0745	Thirty and 141 L.P.



**INDIVIDUALS WHO DID NOT SIGN PETITION**

N/O

<u>LOCATOR NUMBER</u>	<u>STREET ADDRESS</u>	<u>ZONING</u>	<u>LEGAL DESCRIPTION</u>	<u>PROPERTY OWNER</u>
29N140414	13327 Wintergreen Es	R-2	Book 11225 Page 0778	Parks
29N140230	13308 Wintergreen Es	R-2	Book 11230 Page 0336	Logan
29N140175	633 Winter Hill Circle	R-2	Book 11268 Page 1044	Rabenau
29N230111	13255 Wintergreen Es	R-2	Book 11352 Page 1011	Leach
29N230155	13231 Wintergreen Es	R-2	Book 11059 Page 383	Blankenship
29N230375	13386 Wintergreen Es	R-2	Book 11151 Page 1602	Hughes
29N230056	566 Busch Forest Ln	NU	Book 8481 Page 1430	Woodling
29N240011	272 Allen Rd.	NU	Book 7155 Page 1014	Dixon
29N410038	455 S. Old Hwy 141	NU	Book 8424 Page 2120	Chott
29N130022	605 S. Old Hwy 141	NU	Book 1352 Page 584	Chott
28O220121	729 Gravois Rd.	R-3	Book 1842 Page 134	Johnson
28O310321	354 Skinker Ln.	R-3	Book 8282 Page 1916	Glick
29O540091	743 Gravois Rd.	R-3	Book 8243 Page 1745	Wolz
29O540101	741 Gravois Rd.	R-3	Book 49 Page 148	St. Paul Catholic Church Cemetery
29O520071	211 Saline Rd.	R-1	Book 10655 Page 1970	Lucille Stelts
29O510038	150 Misty Manor Rd.	R-1	Book 8412 Page 1721	Tyrey
29O510061	175 Misty Manor Rd.	R-1	Book 5672 Page 166	Tichenor
29O240313	20 Nolan Rd.	R-1	Book 1553 Page 273	Nolan
29O240111	971 Nolan Rd.	R-1	Book 2849 Page 205	Kwader
29O240506	1185 Nolan Rd.	R-1	Book 7779 Page 0928	Koch
29O240494	1201 Nolan Rd.	R-1	Book 7779 Page 955	Koch
29O240483	1171 Nolan Rd.	R-1	Book 10707 Page 1105	Speraneo
29O240560	1110 Nolan Rd.	R-1	Book 10828 Page 0504	Hartup
29O230185	945 Oak Dr.	R-1	Book 8324 Page 2480	Koch
29O230055	899 Pleasant View Dr.	R-1	Book 2849 Page 205	Kwader
29O230077	1033 Nolan Rd.	R-1	Book 7047 Page 0068	Kwader
29O230044	999 Pleasant View Dr.	R-1	Book 6493 Page 2322	Sieveking
29O140394	925 Westminster Abb	R-6A	Book 10742 Page 2446	JHB Properties, Inc.
29O140372	1135 London Circle Ln	R-6A	Book 10742 Page 2446	JHB Properties, Inc.
29O140341	1035 Nolan Rd.	R-1	Book 11024 Page 1418	Tayco/Summit Dr L.P.

"A'o"

29O540068  
29O540211  
29O340022

744 Gravois Rd.  
754 Gravois Rd.  
112 New Hwy 141

R-1  
R-1  
R-1

Book 11096 Page 0436  
Book 10147 Page 1439  
Book 8424 Page 2120

Walz  
Thoele  
Chott



**PUBLIC HEARING SITES**



## **PUBLIC HEARING SITE LOCATIONS**

The following places would constitute suitable locations for conducting public hearings for this proposed annexation:

1. **Fenton City Hall**  
625 New Smizer Mill Road  
Fenton, MO, 63026  
Contact Person: Valerie D. Adams – City Administrator  
Phone: 343-2080
  
2. **St. Pauls Catholic Church**  
15 Forest Knoll Drive  
Fenton, MO 63026  
Phone: 343-1234
  
3. **Uthoff Valley Elementary School**  
1600 Uthoff Drive  
Fenton, MO 63026  
Phone: 343-6335



**PUBLIC HEARING NOTICE**



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

### **NOTICE OF ANNEXATION 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 Fenton 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. \_\_\_\_\_. A proposal for a boundary change submitted on \_\_\_\_\_ by the City of Fenton, Missouri to annex into the City the property located from the Meramec River to the St. Louis County Line and south and east of Highway 30 which is currently unincorporated territory within St. Louis County.

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 Boundary 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



**MANADATORY CERTIFICATIONS**



**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, St. Louis County, Article III, Section A.3.c.ii., I certify that the proposed annexation area 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 St. Louis County, Missouri.

A handwritten signature in black ink, appearing to read 'Fran Ruzicka', is written over a horizontal line.

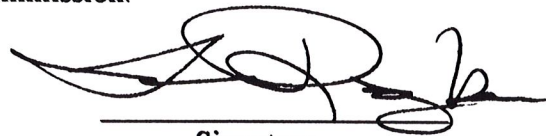
Signature

Mayor Fran Ruzicka

**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 annexation area is not part of any subdivision, has not been platted as a subdivision, nor recorded as a subdivision on file within St. Louis County. I further certify that, due to the absence of any subdivision status, no subdivisions are being split for purposes of this annexation.

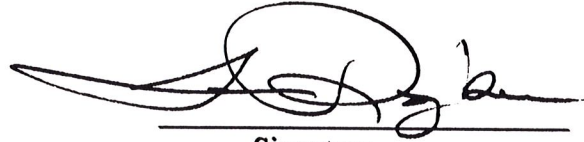
Consistent with the Rules of the Boundary Commission, St. Louis County, Article III, Section A.3.d.ii., I further certify that the proposed annexation area does not overlap with other proposals before the St. Louis County Boundary Commission.

A handwritten signature in black ink, appearing to be 'Fran Ruzicka', written over a horizontal line.

**Signature  
Mayor Fran Ruzicka**

**CERTIFICATION THAT CURRENT FIRE AND EMERGENCY MEDICAL SERVICES  
WILL NOT CHANGE WITH THIS ANNEXATION**

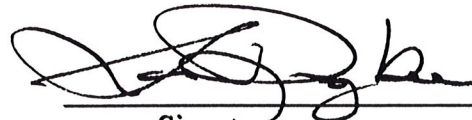
Consistent with the Rules of the Boundary Commission, St. Louis County, Article III, Section A.5.a., I certify that the proposed annexation area is located entirely within the Fenton Fire Protection District and that this proposed annexation will have no impact or change on the provision of such fire and emergency medical services to this subject area.

A handwritten signature in black ink, appearing to read 'Fran Ruzicka', written over a horizontal line.

Signature  
Mayor Fran Ruzicka

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

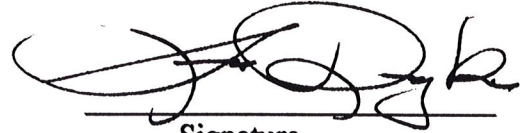
Consistent with the Rules of the Boundary Commission, St. Louis County, Article III, Section A.8.a., I certify that copies of this proposal have been mailed to the St. Louis County Clerk. I further certify that the proposal annexation area is not contiguous to any area of another municipality, thus precluding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

A handwritten signature in black ink, appearing to read 'Fran Ruzicka', written over a horizontal line.

**Signature  
Mayor Fran Ruzicka**

**CERTIFICATION THAT PROPOSING AGENT, THE CITY OF FENTON WILL BEAR ALL COSTS OF THE BOUNDARY COMMISSION RELATING TO PUBLICATIONS, NOTIFICATIONS, COPIES, ETC. RELATING TO THIS PROPOSAL**

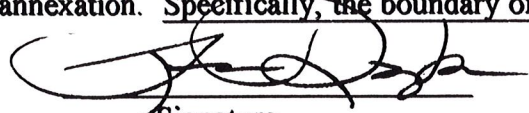
Consistent with the Rules of the Boundary Commission, St. Louis County, Article III, Section A.10, I certify that the proposing agent (the City of Fenton) will bear all costs of the Boundary Commission relating to publications, notifications, copies, etc. related to this proposal.

A handwritten signature in black ink, appearing to read 'Fran Ruzicka', written over a horizontal line.

Signature  
Mayor Fran Ruzicka

**CERTIFICATION THAT OF THE TERRITORY PROPOSED FOR ANNEXATION, AT  
LEAST FIFTEEN (15%) OF ITS BOUNDARY IS ADJACENT TO THE  
MUNICIPALITY WHICH IS PROPOSING THE ANNEXATION**

Consistent with the Rules of the Boundary Commission, St. Louis County, Article III, Section C.1, I certify that, of the territory proposed for annexation, at least fifteen (15%) of its boundary is adjacent to the municipality which is proposing the annexation. Specifically, the boundary of the territory proposed for annexation is 26.67%.



Signature

Mayor Fran Ruzicka



**PLAN OF INTENT**



# ***PLAN OF INTENT***

---

**PROPOSED BY:**

**THE CITY OF FENTON**

**Voluntary Boundary Change of Approximately 815 Acres located  
South and East of State Highway 30**

# MANDATORY REVIEW FACTORS

## FACTOR 1

*A. The impact, including but not limited to the impact on the tax base or on the ability to raise revenue, of such proposal on:*

**1. The area subject to the proposed boundary change and its residents;**

The City of Fenton levies no residential or business property tax, no business license fees and has no residential utility tax. The business utility tax rate is 5% which is the same as St. Louis County. The 1% local sales tax that is collected from this area will go to the "B" Pool City Area. In addition to this revenue, in 1996 the City passed a ½% sales tax for parks and storm water improvements. Because of these factors, it is important to point out that the development of the property included in this annexation would have a greater positive impact on all other taxing districts than it would have for the City of Fenton. See **Attachment 3**.

Residents living in the unincorporated area pay for routine municipal services at an annual cost of \$166.00 per year. If this area is annexed into the City of Fenton these residents would be provided with numerous key municipal services. See **Attachments 2 and 7**.

This proposed annexation would result in providing equal, if not superior, subsidized municipal services to the residents in the proposed annexed area.

**2. The existing municipality or municipalities, if any, proposing the boundary changes and the residents thereof;**

The proposed area as it currently exists would require additional expenses by the City of Fenton. With this proposed annexation, the current City of Fenton residents and businesses will not see any changes in the City's ability to deliver the high level of municipal services after the annexation has been completed. See **Attachment 4**.

**3. Adjoining areas not involved in the boundary changes and the residents thereof;**

The adjoining areas and residents not involved in this boundary change are not impacted by the City's desire to annex this area. The City is proposing to annex an area that is currently within the natural boundaries of the Meramec River, the St. Louis County Line and State Highways 141 and 30.

The City believes strongly that the proposed annexation will have a positive impact on the adjoining areas with respect to:

- Increase the tax base,
- The ability of the City and County to raise revenues, and
- The placement of vital infrastructure to service the area.

**4. The entire geographic area of the county and its residents;**

The proposed area is currently in unincorporated St. Louis County and is situated in close proximity to the retail/commercial center of Fenton. Retail and commercial development should be attracted to the proposed annexation area due to the access to the State Highway system, high visibility, physical improvements, and needed infrastructure. With the eventual widening of Highway 141 to six lanes at Highway 30, the new highway will only add to the impetus for future commercial development at this quadrant of the interchange.

Although a majority of the undeveloped property sits within this major transportation corridor, the property has never been successfully developed. Much of this land has difficult terrain and presents extraordinary challenges including geological and topographical problems, flood plain management and safe access points.

Yet, given the current growth patterns of the area, it is expected that the undeveloped parcels within this area will eventually be developed for both retail and/or commercial uses. This natural course of development and the placement of vital infrastructure will benefit the City and the population both within and outside the city's corporate limits. *Therefore, any future retail, commercial and residential development is likely to have a positive impact to the entire area and St. Louis County.*

## **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:**

For the detailed metes and bounds legal description see Attachment 6.

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

The legal description is illustrated in Attachment 6.

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

Please refer to Attachment 6.



### 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;**

This tract of land is presently in unincorporated St. Louis County, yet lies well within the geographic influence of the City of Fenton. This proposed area is the natural extension of the city's current corporate boundaries. In fact, this proposed annexation utilizes the natural boundaries of the Meramec River, St. Louis County line and State Highways 30 and 141 so not to leave any unincorporated pockets. This annexation constitutes a move toward an orderly incorporation in the County by annexing into Fenton's corporate limits. This annexation would not create any unique servicing requirements. This proposal contains no overlapping features or conflicts involving another jurisdiction. The outcome of this annexation would result in greater jurisdictional order in the community and logical boundary lines.

##### **2. Technical or service delivery problems;**

There are no technical or service delivery problems inherent in this proposal because the subject area already geographically lies in close proximity to the City corporate boundaries.

##### **3. Boundaries which overlap those of other proposals;**

There are no boundary disputes or overlapping proposals associated with this proposed annexation property.

#### **B. Such additions, deletions 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 and this land is 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 municipality 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);**

Only the City of Fenton is included in the proposed boundary change. The City provides municipal services for its residents and businesses. An inventory of the services provided by City of Fenton and St. Louis County can be found in Attachment 7.

**2. A description of each service;**

A description of each service is provided in Attachment 7.

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

Attachment 7 discusses the 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.**

The full range of services provided by the City of Fenton, St. Louis County, and other agencies can be found in Attachment 7.



## 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, incorporated or consolidated within three 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 will be provided immediately upon the effective date of the proposed boundary change. The City will need up to forty-five (45) days from the date of the final approval by the Boundary Commission to fully institute these services.

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

No agreements or other 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.**

<b>Tax/Levy</b>	<b>St. Louis County</b>	<b>Fenton</b>
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-Commercial	5% of Gross Receipts	5% of Gross Receipts
Utility Tax Rate-Residential	5% of Gross Receipts	0% of Gross Receipts
Cable TV Franchise Tax	5% of Gross Receipts	3% of Gross Receipts

AV = Assessed Valuation

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

The estimated financial impact of the annexation to the residents is illustrated in **Attachment 2**. Both the City of Fenton and St. Louis County utilize the issuance of permits, inspections and code enforcement to control and oversee development within their jurisdictions. Both units of government have appropriate fee schedules for permits and inspection services.

The City of Fenton contracts with the St. Louis County Department of Public Works to perform the permitting and inspections for residential and commercial development within the city. The City of Fenton gives the project municipal zoning approval before the project is started and final occupancy permits upon completion. With or without annexation there will be no change in inspection service and fees.



## FACTOR 7

*What sources of revenue other than property tax are collected or are proposed to be collected by the municipality or proposed municipality.*

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

**1. All municipal taxes and fees.**

The City of Fenton's major sources of revenues consist of common municipal taxes, except for property tax. The list of taxes and other sources of revenues and corresponding rates are listed on **Attachment 4**.

**2. All investment income.**

The City's general fund investment income will be appropriated annually by the Mayor and Board of Aldermen for general fund operating expenses and capital improvement purposes, just as any other general revenue source would be treated. The City does not anticipate any significant increase in interest income relating to this annexation. Investment income from the park and storm water sales tax will be appropriated annually by the Mayor and Board of Aldermen for appropriate operating expenses and capital improvements.

**3. Fire district rates, if applicable.**

The proposed area will remain in the Fenton Fire Protection District which currently has a property tax rate of \$.74 per \$100 assessed valuation.

**4. All reserves, fund balances, enterprise funds.**

The City of Fenton has an approved fund balance policy which demonstrates the City of Fenton's commitment to maintaining a strong fund balance. A copy of this policy is attached as **Attachment 9**. Revenues from the annexation area will be used to help fund general services such as law enforcement, street maintenance, code enforcement, and administration services. The City of Fenton does not operate any enterprise funds.

**5. Traffic Generation Assessments.**

Traffic generation assessments are used as a reference or a guide for determining the extent of roadway improvement requirements related to a new development. Under the St. Louis County Traffic Generation Assessment ("TGA") theory, a developer pays a specific assessment which is generally calculated as a dollar amount per parking or loading space. The TGA is used for financing the costs relating to roadway improvements, lane widening, installation of traffic signals, bridge construction and other applicable improvements. In unincorporated St. Louis County the contribution is negotiated and established in the final

zoning approval by the St. Louis County Council. The developer's total obligation for specified road improvements shall not exceed the TGA contribution, except if the improvements are considered mandatory for the safety of the public. The developer's contribution is used for roadway improvements associated with their development and for improvements located within the established TGA district.

Within St. Louis County, the need for TGAs fall within the jurisdiction of the municipality. This proposed area currently falls within a St. Louis County established TGA district.

The City embraces the theory of County TGAs. If this proposed area is annexed and developed, the City will require all developers to uphold the spirit and intent of the TGA. The City will require that developers be responsible for a TGA contribution which will be collected by the City for roadway improvements related directly to the new development. **The City and the County have come to an agreement that the developer will be required to contribute funds that are equal to TGA, in which the City may collect and distribute these funds to improve the roadways.**

**6. Any proposed changes to the revenue structure.**

At this time, the City of Fenton is not proposing any changes to the revenue structure.

**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 year projection.**

No new sources of revenue are anticipated.

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

The City of Fenton has a five year projection for general fund revenue and expenditures. The expenditures are divided into recurring operating expenses and non-recurring capital and grant projects. The City of Fenton reserves 15% of general fund budgeted revenue for non-recurring projects. **Attachment 10** illustrates a three (3) year projection of the city's revenues and expenses for the proposed area as it is today and if the proposed undeveloped parcels were developed using Tax Increment Financing.

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

The City of Fenton is committed to extend the current level of services to the proposed area as it currently exists and to the area if it is ever developed. See **Attachment 11**.



## **FACTOR 8**

***The extraordinary effect the boundary change will have on the distribution of tax resources in the county.***

This annexation would produce a minimal impact on the tax resources of St. Louis County. Because the area will become part of the corporate boundaries of the City of Fenton, some taxes previously paid to the County will now be paid to the City. In addition, net tax resources for both the City of Fenton and St. Louis County would increase with future development of any commercial or retail projects. *This would have a positive impact for St. Louis County. See Attachment 3.*

## FACTOR 9

*How the municipality or proposed 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 annexation south of the current city limits from Highway 30 to the Meramec River down to the county line has a wide variety of St. Louis County zoning districts. The predominant zoning east of Highway 141 reflects agricultural districts, (non-urban NU) and the flood plain of the Meramec River through George Winter Park, which are classified as overlay districts, FP & FPPS. Other uses east of South Old Highway 141 include a new 82 unit single-family residential subdivision which is zoned R-2.

Between Highway 141 and Highway 30 south to the county line, commercial zoning (C-3, C-8) is present closer to these State Highways before giving way to a Mixed (MXD) Zone District and then R-1 density single-family residential. The Polo Downs apartment complex along Highway 30 just north of the St. Louis - Jefferson County line is zoned R-6A.

A zoning map of the subject area is shown in **Attachment 12**. A description of these zoning districts from the County's existing zoning ordinance follows:

### FP- Flood Plain District

The "FP" zoning district is an overlay district designed to provide additional regulations for those areas of St. Louis County located in the 100-year flood plain and floodway. Property zoned "FP" is also zoned under another applicable zoning district governed by the St. Louis County Zoning Ordinance. In case of any conflict between the "FP" zoning regulations and the regulations otherwise applicable to any property by virtue of its underlying zoning, the "FP" regulations govern.

### FPPS - Flood Plain District/Park and Scenic District Regulations

The "FPPS" Park and Scenic District encompasses land, owned by public agencies or in which public District may also include land having recreational, scenic, and health value, when owned by not-for-profit organizations or in which such organizations have some lesser legal interest, upon the application and approval of a petition for change of zoning by such a not-for-profit organization. This District is established to preserve the community's cultural values by preserving this land in an essentially natural or native condition.

### NU - Non-Urban District Regulations

The "NU" Non-Urban Zone District of St. Louis County encompasses areas within which rough natural topography, geological conditions, or location in relation to urbanized areas



creates practical difficulties in providing and maintaining public roads, and public or private utility services and facilities. The "NU" Non-Urban District also encompasses areas where specific potential development patterns have not been identified or where significant non-urban uses have been established. The minimum lot size is three (3) acres for most permitted uses.

### **R-1 - Residence District Regulations**

The R-1 Zone District predominantly allows single-family residential development with a minimum of one (1) acre. The district further allows other uses that are customarily beneficial to neighborhoods and the community, such as churches, and parks.

### **R-2 - Residence District**

The purpose of the "R-2" Zone District is to provide areas for single-family residences on lots with a minimum area of 15,000 square feet. It is further intended to provide for other uses which are customarily found with and are not detrimental to single-family residences.

### **R-3 - Residence District**

The purpose of the "R-3" Zone district is to provide areas for single-family residences on lots with a minimum area of 10,000 square feet. It is further intended to provide for other uses which are customarily found with and are not detrimental to single-family residences.

### **R-6A - Residence District Regulations**

The distinguishing characteristic between the "R-6A" Residence District and other Residence Districts is that it allows multi-family residential development. The *Polo Downs Apartment complex off of Highway 30 has this zone designation*. These shall be a minimum lot area of 4,000 square feet for every multi-family dwelling unit in the R-6A Zone District.

### **C-3 - Shopping District Regulations**

The "C-3" Shopping District encompasses areas wherein may be located such stores and service facilities as will provide a wide range of goods and services usually used, consumed, or needed in the home or by individuals. It is the purpose of these regulations to facilitate the establishment of conditions suitable for the operation of businesses catering to the general public.

### **C-8 - Planned Commercial District**

The "C-8" Planned Commercial District encompasses areas where developments and uses permitted in any of the other "C-8" Commercial Districts may be located. It is the purpose of these regulations to facilitate the establishment of combinations of developments and uses for which no provision is made in any other single "C-8" Commercial District, or the

establishment of developments and uses in locations appropriate under approved site plans and conditions. Such approved plans and conditions shall be consistent with good planning practice and compatible with permitted developments and uses in adjoining districts, so as to protect the general welfare. Stores within this district include Walgreen's, Schnucks and Hardware Haven along Old Gravois Road.

### **"MXD" – Mixed Use Development District Regulations**

The intent of this zoning classification is to permit developments which include a mixture of residential, commercial, industrial, cultural, and institutional uses in a single structure or multiple structures. It is the purpose of this district to encourage a diversity of uses in unified projects located in proximity to major roadways and intersections and through the interrelationship of uses and structures to promote innovative and energy conscious design, efficient and effective circulation systems, a variety of housing types, and to encourage the conservation of land resources, minimization of auto travel, and the location of employment and retail centers in proximity to higher density housing.

**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:**

The projected municipal zoning for that part of the annexation area east of Highway 141 that most approximates St. Louis County zoning is R-1 (one-acre single-family residential) for Non-Urban districts, PR (Parks & Recreations) for the FPPS Zone District (George Winter Park) and R-3 for the County's R-2 Single-Family Residential.

The City's R-1 Single-Family Residential is the former small farm, non-urban zone district the City had for most of its early growth. The City's non-urban district was recently modified to reflect the few remaining areas in Fenton that are still considered small farm. Nevertheless, the R-1 regulations still protect the City's undeveloped areas and are the most restrictive zone.

The City currently does not have a flood overlay zone but through the local administration of flood plain management programs seeks to protect these sensitive areas. Within the City the flood plain of the Meramec serves as the City Park and Riverside Golf Course. Recognizing that recreational uses are appropriate in flood-prone areas of the City, George Winter Park could also be considered as municipal zoned PR (Parks/Recreational) Zone District.

The R-2 Single-Family Residential density of 15,000 square feet in St. Louis County is more comparable to the City's R-3 Single-Family Residential District, which has a minimum lot size of 10,000 square feet. The City's R-2 District has a 20,000 square foot minimum lot size which would create a non-conforming condition for the County's R-2 district.

West of Highway 141 to Highway 30, the City envisions most of the entire area to become zoned as C-1 Commercial Zone District. In anticipation of the potential for future retail



development, the City's P&Z Commission added this new zone district to accommodate relatively large-scale, suburban retail shopping complexes. This C-1 Zone District classification would accommodate the types of uses such as Walgreens and Schnucks at Old Gravois and Highways 30 and 141, thereby replacing C-3 and C-8 at this location. Because of its proximity to the Olde Towne area of Fenton, this commercial enclave on both sides of Highway 141 between Old Gravois and Highway 30 could be zoned with OT-2 (Olde-Towne Commercial District) zoning as well. Further south, the majority of the property is owned by one owner who seeks the C-1 zoning classification. Requests to change the existing MXD and R-1 zoning in this area would be submitted to the Planning and Zoning Commission for a recommendation to be forwarded to the Board of Aldermen.

The City does have a Planned Multiple Family district called "OT-4" to replace R-6A, however, the Olde Towne nomenclature may seem inappropriate for the Polo Downs Apartment complex on Highway 30.

**C. Other regulations such as subdivision, flood plain 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.**

The City of Fenton has adopted Ordinance #1872 to enforce its Flood Plain Management regulations. These regulations ensure that every development built within the City of Fenton is built at or above the 100-year flood plain as identified on the Flood Insurance Rate Map (FIRM) as determined by the Federal Emergency Management Agency.

It should be pointed out that the City's flood plain management regulations differ from St. Louis County. The City of Fenton's flood plain regulations, however, are realistic and require strict compliance to all FEMA regulations.

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

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

As discussed earlier, the City's zoning districts for the most part closely align with current St. Louis County zoning. However, the City no longer has a Non-Urban (NU) District. While the City's R-1 is a former small-farm, non-urban type district, the owners of the large NU tracts may not prefer this classification. However, R-1 would not be more restrictive upon the property.

Rezoning most of the area between Highways 30 and 141, south of Old Gravois Road from MXD and R-1 to C-1 Commercial seems dramatic since most of the area is undeveloped. From the description of the MXD Zone District, commercial uses are an anticipated use. Because one property owner owns most of what is now R-1 and seeks rezoning to the City's C-1 Commercial, the impact to the few remaining residents in the area is minimal. In

addition, with the size of development anticipated by C-1 zoning, adjacent property owners will enjoy proximity to vast retail opportunities.

C-1 zoning for the C-3 and C-8 area, north of Old Gravois accommodates the current uses. All other zone districts changes should not affect residents and/or other property owners.

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

No non-conforming uses will be created as a result of the proposed zoning changes. New lots will be created and are expected to conform to the proposed zone district's regulations. Building setbacks and height limits will also be observed.

It is not anticipated that any lot or building that may be rendered nonconforming by the proposed zoning will create an undue hardship on any owner or user of such a lot or building. The City of Fenton zoning ordinance specifically protects nonconforming lots of record with the following provision:

**Section 420.010 (f):**

**“Transfer of Ownership: If, as the result of enactment of this Code, existing uses and/or structures may continue under the category of prior non-conforming uses. The property may be sold or transferred by its owner or any future owner or owners, and such new and future owner and owners shall be entitled to continue the non-conforming use or a similar non-conforming use, or may initiate any use permitted within the new zoning district, and any structures on the property may continue in their non-conforming status after such sale or sales.”**

If there are any undue hardships created by the imposition of the Fenton zoning regulations, an aggrieved owner, resident, or applicant would have grounds to seek a variance from the strict interpretation of the zoning ordinance.

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

The only ongoing development project is the build-out of the Wintergreen Estates Subdivision. Because the City of Fenton contracts with St. Louis County for all residential and commercial building and inspections, transfer of jurisdiction would not affect the provision of services.



## 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.**

The proposed service area is served by three arterials – State Highway 30 on the west, State Highway 141 towards the center, and South Old Highway 141 towards the east. Besides the north-south orientation of these roads, access to the interior is permitted by Saline Road, Old Gravois Road, and Allen Road. Direct cross-access from State Highway 30 to South Old Highway 141 is not yet available and is only possible via Olde Towne. The furthest eastern extreme of the unincorporated area in George Winter Park under annexation consideration is accessible only by private road. Because of the extremely low density of population and development, the existing road network is adequate for these purposes. With development, however, a more comprehensive road network must be established.

- B. Community of interest...A geographic area within which on 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.**

The Olde Towne commercial center serves as a vital link between the proposed annexation area and the St. Louis County region. Just south and west of Olde Towne, highway and street access is directed through Olde Towne. In addition Olde Towne Fenton provides local banking, shopping, and recreational opportunities for the unincorporated areas outside of Fenton.

With anticipated retail development, more shopping, service, and employment opportunities will be available to a larger portion of St. Louis County.

- C. Natural and/or man-made barriers may serve as boundaries as they are obstacles to safe and efficient deliver/access. Examples include discernible features such as rivers/ creeks and other bodies of water; rail systems that block access.**

There are no discernible features that block access from the proposed annexed areas to the unincorporated areas. Periodic flooding of the Meramec River is known to inundate the junction of Allen Road and South Old Highway 141.

## 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 Statutes. 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 Fenton asks that the proposal be approved without a vote for the following reasons:*

1. Seventy-five (75) percent of the property owners of the subject property have signed a petition document requesting that the City of Fenton adjust its boundaries to incorporate the subject property into Fenton, which, in our opinion, indicates the necessary support from the subject area of annexation, and
2. The subject area will have no adverse impact 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 with this proposal. This document, contains the certified and approved Board of Aldermen Ordinance adopting this Plan of Intent. See Appedndix 3.

**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 territory already described in an annexation resolution or incorporation petition filed with the Commission.



**ATTACHMENTS**



*Summary Description of Annexation*

	No New Development		Development With TIF Assistance
	1990	1997	
Area	815	815	815
Assessed Value		5,882,919	21,348,892
Dwelling Units			
Single Family	46	152	152
Multi Family	0	112	112
Population	119	618	618



**Estimated Financial Impact of Annexation to the Residents**

	County	Fenton
<b>TAXES &amp; FEES</b>		
Total Property Tax Rate	\$5.447	\$5.447
Utility Gross Receipts Tax	5%	none
Cable TV Franchise Tax	5%	3%
<b>Licenses &amp; Fees</b>		
Residential Occupancy Permit	\$25.00	\$5.00
Residential Building Permit	Estimated Construction Cost & Square Footage	Estimated Construction Cost
Commercial Zoning Approval	Value of Construction	Value of Construction
Commercial Occupancy	\$45.00	\$25.00
Commercial Re-Occupancy	\$45.00	\$25.00
Signs / Banners		
Electrical & Plumbing	Contract with St. Louis Co.	Contract with St. Louis Co.
Excavation - Permit & Inspection Refundable Deposit	\$10.00	\$10.00 \$500-\$1,000
Demolition - Permit & Inspection Refundable Deposit	\$70.00	N / C \$500.00
<b>SERVICES</b>		
<b>Direct Residential Payments:</b>		
Trash Service	Resident Pays	Free
Curbside Recycling	Resident Pays	Free
Lawn Debris Removal	Resident Pays	Free
Sanitary Sewer Payments	Resident Pays	\$10/mth-max
Street Lights		Free
Scholarship Program	Not Available	\$500/yr-max
Recreational Opportunities	Resident Pays	Reduced Prices
Municipal Level Police Services		Free

**Estimated Financial Impact of Annexation on the Other Taxing Districts**

	Rate	Current Unincorporated Scenario	Annexed as	
			No New Development	Development With TIF Assistance
<b><u>ST. LOUIS COUNTY</u></b>				
<u>Assesed Value in 1998 \$s</u>				
<b>REVENUES:</b>				
from Group "B" Sales Tax	\$108.51	12,913	-	-
Increased Group "B" distribution		0	0	579,706
Property Taxes	.475/\$100 AV	27,944	27,944	27,944
Co. Road & Bridge Tax	.105/\$100 AV	6,177	0	0
Utility Gross Receipts Tax	5%		0	0
Cable TV Franchise Tax	5%	198	0	0
Licenses & Fees				
Gasoline Tax	\$27.66	3,292	0	0
Cigarette Tax	\$4.48	533	0	0
Motor Vehicle Fee	\$4.45	530	0	0
Motor Vehicle Sales Tax	\$5.45	649	0	0
		52,234	27,944	607,650
<b><u>LINDBERGH SCHOOL DISTRICT*</u></b>				
<b>REVENUES:</b>				
Property Taxes	2.69/\$100 AV	157,662	157,662	157,662
<b><u>FENTON FIRE DISTRICT*</u></b>				
<b>REVENUES:</b>				
Property Taxes	.74/\$100 AV	43,534	43,534	43,534
TIF Passthrough for Capital Costs		0	0	74,804
<b><u>OTHER TAXING DISTRICTS*</u></b>				
<b>REVENUES:</b>				
State	.03/\$100AV	1,765	1,765	1,765
Junior College District	.24/\$100 AV	14,119	14,119	14,119
Special School District	.62/\$100 AV	36,474	36,474	36,474
Metro Zoo, Park & Museum	.232/\$100 AV	13,648	13,648	13,648
Sheltered Workshop	.085/\$100 AV	5,000	5,000	5,000
County Library District	.14/\$100 AV	8,236	8,236	8,236
Meramec River Basin	.07/\$100 AV	4,118	4,118	4,118
Metro St. Louis Sewer Exten.	.02/\$100 AV	1,177	1,177	1,177

\* These taxing districts would not loose revenue during the TIF process if it is done. They would have a significant gain after a TIF is retired.

**Estimated Financial Impact of Annexation on Group "B" Sales TaxPool**

Sales tax produced in the annexation area that will go into the pool.	1%	254,287	254,287	1,114,819
---	----	---------	---------	-----------



**Estimated Financial Impact of Annexation on the City of Fenton**

	Rate	Current Unincorporated Scenario	Annexed as	
			No New Development	Development With TIF Assistance
<b>REVENUES:</b>				
from Group "B" Sales Tax	\$108.51	0	12,913	12,913
Park & SW Sales Tax	1/2%	0	127,144	503,948
Co. Road & Bridge Tax	.105/\$100 AV	0	6,177	22,416
Utility Gross Receipts Tax	5% Comm.	0	3,193	11,629
Cable TV Franchise Tax	3%	0	119	119
Licenses & Fees		0	0	10,054
Gasoline Tax	\$27.66	0	3,292	3,292
Cigarette Tax	\$4.48	0	533	533
Motor Vehicle Fee	\$4.45	0	530	530
Motor Vehicle Sales Tax	\$5.45	0	649	649
<b>TOTAL REVENUE</b>		<b>0</b>	<b>154,548</b>	<b>566,082</b>
<b>COSTS:</b>				
<u>Operating Expenditures</u>				
Administration		0	49,064	54,064
Planning & Zoning		0	0	10,000
Police Services		0	75,134	380,039
Public Works		0	51,164	63,093
Recreation		0	26,392	26,392
		0	201,754	533,588
<u>Capital &amp; Grant Projects</u>		0	29,500	47,000
<b>TOTAL COSTS</b>		<b>0</b>	<b>231,254</b>	<b>580,588</b>
<b>BALANCE</b>		<b>0</b>	<b>(76,706)</b>	<b>(14,506)</b>

\* Includes payments for trash service, recycling, sanitary sewers and other resident costs.

## INVENTORY OF SERVICES

Service	Current Provider	New Provider	Notes
Government and Administration	St. Louis County	Fenton	St. Louis County jurisdiction remains in effect, but Fenton Mayor and City Board of Aldermen provide primary services
Police	St. Louis County	Fenton	St. Louis County jurisdiction remains in effect. City of Fenton has a full service contract for police services with St. Louis County.
Parks and Recreation	St. Louis County	Fenton	City has over 200 acres of both passive and active parkland. The City is in the process of constructing a recreational facility with indoor and outdoor aquatic facilities to serve the City and surrounding area.
Solid Waste/Recycling	Resident	Fenton	City contracts with Meramec Hauling for all solid waste/Recycling services. This is 100% -subsidized by the City.
<i>Sewer Service M.S.D. Bills</i>	<i>Resident</i>	<i>Fenton</i>	<i>City pays up to \$10.00 per month on residential M.S.D. bill.</i>
Leaf and Brush Collection	Resident	Fenton	100% City-Subsidized
Planning & Zoning	St. Louis County	Fenton	City has recently finished a new comprehensive zoning code and land use plan.
Municipal Court		Fenton	
Streets, Sidewalk and infrastructure Repair and Maintenance	St. Louis County	Fenton	
Snow Removal	St. Louis County	Fenton	
Fire/EMS	Fenton Fire District	Fenton Fire District	
Utility Agreements	St. Louis County	Fenton	
Health & Social Services	St. Louis County	Same	
Electric Services	Union Electric	Same	
Natural Gas Services	Laclede Gas	Same	



<b>Water Service</b>	<b>St. Louis County Water</b>	<b>Same</b>	
<b>Cable Television</b>	<b>St. Louis County</b>	<b>Fenton</b>	<b>Fenton administrates the rates and the cable franchise agreements.</b>
<b>Telephone Service</b>	<b>Resident</b>	<b>Same</b>	

## **LIST OF MAJOR SERVICES PRESENTLY PROVIDED BY THE CITY**

### **Type of Government**

The City of Fenton is a fourth class municipality governed according to Missouri State Statutes by a Mayor and Board of Aldermen. Fenton was first incorporated in 1874 and then reincorporated in 1959. The City provides major services such as street maintenance, public works, parks, recreation, municipal court, planning and zoning, police and general administrative services.

### **Representation and Administration**

The Mayor and Collector are elected at large in odd numbered years for two year terms. The City is divided into four wards, served by two Aldermen per ward elected in alternating years for two-year terms. The City Clerk is appointed by the Board of Aldermen.

Upon the effective date of the annexation, the subject parcel would become part of Ward 1. The City reserves the right to review this ward assignment and may, at some time consider reapportionment of the entire City. The Mayor is the chief operating officer and is charged with the overall operations of City business. The Board of Aldermen sets policies, rules and regulations. The City Administrator is responsible for the coordination and supervision of daily municipal services through the department heads and employees. The City Administrator serves at the pleasure of the Mayor and the Board of Aldermen.

### **Board and Commissions**

In addition to the Board of Aldermen, the City has several boards and commissions to deal with local issues such as the Planning and Zoning Commission, Parks, Beautification and Recreation Advisory Board, Human Rights Commission, Senior Advisory Commission, Industrial Development Authority and Board of Adjustment. With the exception of the Board of Aldermen, membership on these boards and commissions is available to any resident that is recommended by the Mayor and approved by the Board of Aldermen, as openings become available.

### **Police Department**

The St. Louis County Police Department/City of Fenton is comprised of 22 full-time police officers dedicated to providing police services to the City. The officers assigned to the City of Fenton include a Captain, who serves as the city's Chief of Police, two Sergeants, fifteen patrol officers, one park ranger and DARE officer and three officers assigned to community policing.

The St. Louis County Police Department/City of Fenton works closely with representatives of the city and community, seeking citizen input in identifying problems and developing mutually acceptable solutions. The emphasis is on being proactive and committed to preventing incidents rather than simply reacting to them.

The City of Fenton is divided into three sectors, with each being patrolled 24 hours per day. The sectors mainly consist of the retail, residential and industrial/hospitality districts of the city. Due in part to the extensive city park system, several officers are specially trained to patrol on bicycle. Many city residents/businesses participate in the Neighborhood/Business Watch Program.

A Law Enforcement Explorer Program has been established in the City of Fenton for youths between 15 and 20 years of age who are interested in a law enforcement career. This program is coordinated through the Boy Scouts of America. These volunteers assist police officers with non-emergency police duties.

Residents of the Fenton area are invited to participate in regularly scheduled Citizen Police Academy sessions which are held at the Fenton Community Center. The Academy offers information on street gangs, patrol tactics, police Services

City of Fenton 1998



officer survival, criminal law, investigative procedures and tactical situations. In addition to these operations, the academy offers a wide variety of crime prevention information.

Officers assigned to the City of Fenton are supported by a Police Department with more than 600 full-time commissioned police officers. With the third largest investigative unit in the State of Missouri, the Division of Criminal Investigation has Detectives assigned to specialized units which include homicide, robbery, sexual assault, family crimes, arson and explosives, drug enforcement, auto theft, burglary, polygraph and general assignment unit.

The Bureau of Criminal Identification is staffed with highly trained forensic scientists, photo lab and crime scene technicians, fingerprint analysts and firearms examiners. The crime lab has recently added a highly sophisticated DNA comparison program.

Officers assigned to the Bureau of Tactical Operations are highly trained with the most recent and effective weapons and tactics. Several members are trained hostage negotiators. The Police Department's flight operations are based at Spirit of St. Louis Airport. Helicopters are equipped with the latest night vision and surveillance equipment.

All schools in the City of Fenton participate in the Police Department's Drug Abuse and Resistance Education (D.A.R.E.) program. Officers assigned to the D.A.R.E. Unit present crucial drug awareness and resistance oriented strategies to more school age youths than any other program in the State of Missouri.

Police communications are provided through a state-of-the-art Computer-Aided Dispatch (CAD) system. This system provides efficient routing of police calls to the appropriate units. Typical emergency response time in the City of Fenton averages three minutes.

Police reports are made by officers via the Computer-Aided Report Entry (C.A.R.E.) system. With this system, officers no longer have to hand-write police reports. Officers verbally communicate report information to a C.A.R.E. operator who enters the information into a computer. The report is immediately available to investigating detectives. With this report system, officers are able to spend more time on community problems and less time writing reports.

The St. Louis County Police Office of Emergency Management is responsible for coordinating natural or other disasters should they occur in the City of Fenton.

### **Public Works Department**

The Fenton Public Works Department is responsible for repairing and maintaining all of the City's infrastructure, streets and parks. This includes the repair, maintenance and improvement of public concrete and asphalt streets, gutters, curbs and sidewalks using the appropriate materials and methods. The priority, scheduling, timing, and performance of this work is coordinated by the Director of Public Works. Some efforts are coordinated with the City's planning department and the City Engineer.

The City utilizes various computerized programs for mapping, planning, engineering drafting and monitoring of infrastructure and utilities. When development occurs within the annexation area, street and sidewalk surveys, analysis, and repairs may be necessary. However, the actual costs will be determined once the development plan has been approved.

Storm water control is a major concern of the City. The Capital Improvements Committee works with the Board, Mayor, City Administrator and staff to identify the major storm water projects that must be prioritized and accomplished each fiscal year. The city dedicates funds from the ½ cent storm water sales tax to accomplish many of these projects.

The Public Works department provides the residential curbside Leaf and Brush Collection Program. It is offered to all residents, and involves specially-equipped trucks which vacuum leaves previously raked to the curb by residents. The City disposes of this brush by utilizing it's own chipper and taking materials to the Peerless Park Compost Center.



A post-holiday curbside offered to residents which gives them a convenient means to dispose of their Christmas trees. The trees are then chipped and the resulting material is available as winter mulch. This program provides convenience to residents and allows the City an opportunity to recycle these trees in an environmentally acceptable and useful manner.

Highly praised snow removal services are provided by the Public Works Department utilizing city staff and equipment. Crews are called out as required 24 hours a day and stay on the job until streets are cleared using the proper combination of plowing and application of salt and calcium chloride.

Mosquito larviciding is performed on a regularly scheduled basis and on demand, especially as susceptible seasons dictate.

By request, the City fully subsidizes street lighting costs in Fenton subdivisions. Should the annexation area be successfully annexed and ultimately developed, the City would, by request, begin funding the street lighting services for the annexation area on an ongoing basis.

The Fenton Public Works Department can and will extend all services and programs to the annexation area. The City will be able to provide the same level of service to residents of the subject properties as it does the existing City.

This department utilizes its own equipment and labor to maintain over 200 acres of park land. This includes eight parks, eight soccer fields, six baseball fields, two lakes, four tennis courts and the right-of-way on State Highway 44.

This department also has its own vehicle mechanic and performs its own vehicle maintenance. The St. Louis County Police use the City's maintenance facilities computerized gas pumps to fill their cars that patrol in both the City and the unincorporated areas adjacent to the city.

### **Parks and Recreation Department**

Fenton operates a total of eight parks. Fenton City Park, the City's primary park, is approximately 96 acres in size and offers a vast number of recreational facilities and activities. These facilities include tennis courts, softball/baseball fields, soccer fields, volleyball courts, a fitness trail, a nature trail, playgrounds, shelters, concessions, and a basketball play area. The other parks offer playgrounds, picnic tables, fishing and open space in areas adjacent to residential developments.

In addition, to the current stellar park system the City recently purchase the Fabick Estate which consists of over 124 acres of open space, six commercial greenhouses, two orchids houses and two lakes. This property connects all of the City's subdivisions and parks to together, as well as with the new Fenton Recreational Complex. This property must, and will remain as public recreational space.

The Parks and Recreation Department conducts a large number of recreational programs, classes, and leagues and camps which serve all age groups from small youths to adults. These include, but are not limited to, a swimming and diving team, swimming lessons, volleyball league, aerobics, street hockey, fitness clinics, tennis lessons, tennis leagues, T-Ball, day camps, theater workshops, basketball lessons/league, karate, youth gymnastics and developmental physical activities, orienteering, and an extensive senior citizens program.

The Fenton Parks and Recreation Department also conducts or sponsors special events including Sunset in the Park, D.A.R.E. Mania, Easter Egg Hunt, and Halloween Fright Feast.

While the City's facilities, programs, lessons, leagues, and camps are open to both residents and non-residents, residents often receive preferential, advance or priority registration, and resident rates are, in most cases, substantially less than non-resident rates. In addition, every resident gets two free rentals of the community center.

The Parks and Recreation Department helps in carrying out the City's ongoing objectives of open green space and the preservation and planting of trees. Fenton has had the distinction of being awarded the Tree City, U.S.A. award for sixteen (16) consecutive years. To qualify for this award a community must demonstrate that they have budgeted certain levels of funds per capita for plantings and must promote forestry conservation practices.



The City recently acquired 50 acres of park land. This land will be the new home of the City's new recreational complex. This property is nestled between the industrial and residential areas for easy access to all potential users. The proposed facility will be approximately 70,000 square feet with both indoor and outdoor aquatic facilities. In addition, this facility will have an indoor running track, weights and fitness, aerobics, two gyms, and comprehensive programs for adults, children and senior citizens.

### **Planning and Zoning**

The City of Fenton has mature, refined, and tested zoning regulations in place which address all zoning districts and land uses. The City recently updated its zoning code to reflect current residential, commercial and retail land uses. In addition, the City has finalized its comprehensive land use plan. This plan is the master land use plan for the City. It encompasses current and future land uses for areas within the City limits. This plan also addresses the City's future relating to land use and growth and expansion of the City's boundaries.

The City has a professional planner who serves as the City's Planning and Zoning Director. The Director is the liaison to the City's Planning and Zoning Commission. The Planning and Zoning Commission hears all matters pertaining to zoning changes within the City or other development applications, and makes recommendations to the Board of Aldermen. The Board of Aldermen make the final determination on all recommendation from the Planning and Zoning Commission.

The City stringently enforces its zoning code in an effort to promote the public health, safety, and general welfare of the community on an ongoing basis. To facilitate this proposed annexation, the City believes that the proposed area will be developed utilizing zoning districts that are currently in place.

Code Enforcement and Plan Review lies within the jurisdiction of this department. The City of Fenton performs plan review services, conducts inspections, and issues permits of many types, including building, electrical, signage, excavation, sewer, street, grading, and demolition. All inspections are currently being performed by St. Louis County.

Some, if not all development plans are reviewed by both the City Engineer and a third-party engineering Consultant. Appropriate revisions/recommendations of such plans are made to the City for consideration in granting final approval for developments.

The City has adopted the 1993 B.O.C.A. Building Code which is the code in use by St. Louis County and the 1990 National Electrical Code.

All new residential and commercial property requires an approved occupancy inspection prior to issuance of an occupancy permit. The City has adopted the 1997 B.O.C.A. National Property Maintenance Code to provide standards for inspection.

### **City Engineer**

The City Staff Engineer reports to the City Administrator and serves as a technical resource and advisor to all City departments. The City Staff Engineer performs professional engineering work which includes the review of design, construction, subdivision plats, and improvement plans. Responsibilities include assisting with project management on various design, construction and public works projects.

This position applies approved engineering methods and standards to the design and construction of all projects relating to planning and zoning, park development and public works. It requires a thorough knowledge of environmental, hydrology and geotechnology concepts and practices as it relates to the review and approval of development and construction projects.

curbside recyclable collection program. Any resident who wishes to participate in this City-funded program may do so. The City's program provides for weekly curbside collection of an unlimited amount of refuse with the exception of yard waste, and an unlimited number of larger items, by appointment with the hauler. The recyclable material pick-up presently includes aluminum cans, tin cans, glass, plastic milk and plastic soda bottles, newspapers and waste motor oil. The City will, pursuant to the state law (RS Mo 260.247) offer the solid waste management and recycling programs within 45 days of the approved annexation by the Boundary Commission.

In addition, the City has adopted the St. Louis/Jefferson County Solid Waste Management Plan. In order to meet the 40% reduction guidelines set forth in this plan the City has appointed a citizen solid waste management task force to look at current and future aspects of the solid waste/recycling program.

Working with staff and the elected officials, the Citizen Task Force submitted, and was successful in receiving two grants for volume base solid waste management program. These grants are from the St. Louis/Jefferson County Solid Waste District for \$85,000 and from St. Louis County for over \$36,000. This new volume base program includes providing uniform trash receptacles, increasing recycling materials to include chipboard and cardboard, increase in education and eventually going to once a week pick-up.

### **Municipal Court**

Although all of St. Louis County is served by the St. Louis County Circuit Court, violations of municipal ordinances and certain other violations, complaints and summonses are directed through the City's municipal court division, rather than to a County Circuit Court.



**PROPOSED TIME SCHEDULE WHEREBY THE CITY PLANS TO PROVIDE SUCH SERVICES TO THE RESIDENTS OF THE ANNEXATION AREA**

The City of Fenton will provide all municipal services within 45 days of the approval of this proposal by the Boundary Commission.

**CITY OF FENTON  
FEE SCHEDULE**

**BUILDING PERMITS**

(Residential) Alterations  
- Term: 6 months  
New Homes - Term: 1 year

Approximate Cost of Construction:

Less than \$2,000	\$ 20
\$2,000 to \$2,999	25
\$3,000 to \$3,999	35
\$4,000 to \$4,999	45
\$5,000 to \$5,999	50
\$6,000 to \$6,999	55
\$7,000 to \$7,999	60
\$8,000 to \$8,999	65
\$9,000 to \$9,999	70
Each add. \$1,000	\$3.50

+ \$5.00 Occ. Permit fee - new home

**STORAGE BLDGS.** - Permit required on all. Fee required over 100 sq. ft. Fee waived 100 sq. ft. and under.

**FENCES** - No permit required

**SIGN PERMIT**

- Two sq. ft. or less - no fee or zoning approval permit required.
- Three to ten sq. ft. - no requirement to go to County.
- Over ten sq. ft. municipal approval required - bldg. permit from County.

**BANNER PERMIT**

Banner shall not be erected for more than thirty (30) days continuous nor more than (60) days per calendar year aggregate.  
**FEE: \$1.00 per sq. ft. - \$10 Minimum**

**EXCAVATION**

Permit	\$ 5
Inspection	\$ 5
Total	\$ 10
Refundable Deposit:	\$500 -
Boring \$1,000 - Cutting Street	

**DEMOLITION - Term: 45 Days**

Residential:

Permit	\$ 5
Inspection	\$ 5
Total	\$ 10
Refundable Deposit:	\$500

**COMMERCIAL - ST. LOUIS COUNTY ISSUES PERMIT.**

**COMMERCIAL**

**OCCUPANCY/REOCCUPANCY**

Occupancy - \$25 City of Fenton  
Reoccupancy - \$25 City of Fenton and \$45 St. Louis County

**PLAN REVIEW (Commercial)**

Zoning Approval Only - St. Louis County issues building permit.

Value of Construction:

Under \$25,000	\$ 50
25,001 to 50,000	60
50,001 to 100,000	80
100,001 and over	100

**SUBDIVISION/RESUBDIVISION/BOUNDARY ADJUSTMENT FEES:**

- 1 to 7 parcels, tracts or lots (which are further subdivisions of original tracts with a total area as of 5/25/59 or more than 3 acres \$100 per lot
  - 8 to 15 parcels, tracts or lots \$95 per lot
  - 16 to 25 parcels, tracts or lots \$90 per lot
  - Over 26 parcels, tracts or lots \$85 per lot
- Requires a legal description if all information and the line of subdivision is shown on plan - 15 copies of re-subdivided lot; a review of plan, placed on agenda for Planning & Zoning (P&Z).

The P&Z Dept. shall also collect at the time of construction fees are paid, inspection fees at the rate of \$20 per hour or \$160 per day.

The P&Z Dept. shall also collect at the time the construction fees are paid, inspection fees at the rate of \$20 per hour, or \$160 per day, based upon the Director of P & Z estimate of the time required to inspect storm sewers and other drainage structures, and the streets, public or private, including paving. The P & Z Dept. shall be entitled to full compensation for the time consumed in making such inspection. If the estimated fee is inadequate, the necessary additional fees shall be collected by the P&Z Dept. upon notice from the Director of P & Z.

**FEES FOR PLAN REVIEW & ZONING APPROVAL OF SUBDIVISION SITE IMPROVEMENTS:**

Value of Construction	Fee
Under \$25,000	\$500
\$25,001-50,000	800
\$50,001-100,000	1,200
\$100,001-250,000	1,600
\$250,001-1,000,000	2,000
\$500,001-\$1,000,000	3,000

**REZONING**

Need legal description of the lot. Need legal survey of land. (15 copies)

ACRES	FEES:
1 or less	\$250
1.1 to 2	275
2.1 to 3	300
3.1 to 4	325
4.1 to 5	350
5.1 to 6	375
6.1 to 7	400
7.1 to 8	425
8.1 to 9	450
9.1 to 10	475
10.1 to 30	500
More than 30	550

**SPECIAL USE PERMIT**

Requires site plan (15 copies)

Residential	\$100
Commercial	100

**ZONING TEXT AMENDMENT**

Residential	\$ 50
Commercial	100

**BOARD OF ADJUSTMENT**

• **VARIANCE**

Requires site plan (11 copies)

Residential	\$ 50
Commercial	100

• **PETITION TO APPEAL**

**DECISION OF PUBLIC WORKS MANAGER**

Residential	\$ 50
Commercial	100

**BOARD OF APPEALS**

Petition to Appeal Decision of Public Works Manager. (Existing Structure Code)  
**NO FEE - AT PRESENT. No public hearing.**

Revised 1/96



1st Reading: 9/16/96  
2nd Reading: 9/16/96  
\* 3rd Reading: 9/16/96

SPONSOR: LAUER

ORDINANCE NO. 1988

BILL NO. 96-60

**AN ORDINANCE OF THE CITY OF FENTON ADOPTING  
A FUND BALANCE POLICY.**

WHEREAS, the City of Fenton is the custodian of public monies to provide current and long-term municipal services; and

WHEREAS, the Mayor and Board of Aldermen consider the continuation of secure and stable finances to be of the highest priority; and

WHEREAS, a Fund Balance Policy has been determined to be one of the methods that will insure the necessary financial resources will be available in the future.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF FENTON, MISSOURI, AS FOLLOWS:**

Section 1. The attached Fund Balance Policy, being Exhibit A and incorporated herein, is hereby adopted in its entirety.

Section 2. If any clause, word, paragraph, section or other part or portion of this ordinance is held to be invalid, illegal or unconstitutional for any reason, the Board of Aldermen hereby declares it would nevertheless have enacted the remaining portions thereof and such remaining portions shall remain in full force and effect.

Section 3. This ordinance shall be in full force and effect after the date of its passage and approval.

\* Motion to suspend the rules to allow a third reading was unanimously approved.

ORD. NO. 1988

PASSED this 16th day of September, 1996.

  
\_\_\_\_\_  
FRANCIS RUZICKA, MAYOR

APPROVED this 16th day of September, 1996.

  
\_\_\_\_\_  
FRANCIS RUZICKA, MAYOR

ATTEST:

  
\_\_\_\_\_  
CITY CLERK

Motion to approve. Roll Call vote:

Unanimous approval by the Board of Aldermen

ORD. NO. 1988



CITY OF FENTON  
POLICY AND PROCEDURE

Issue Date: 8/23/96	Original
Drafted by: Valerie Adams, Assistant to the Mayor Donald Cary, Finance Director	
Ordinance Number and Date of Approval:  Ordinance 1988 - September 16, 1996	

***FUND BALANCE***

**A. GENERAL STATEMENT**

The City of Fenton is a custodian of public monies to provide current and long term municipal services. Fenton currently has a secure and stable financial picture. The Mayor and Board of Aldermen consider the continuation of secure and stable finances to be of the highest priority. A Fund Balance Policy has been determined to be one of the methods that will insure the necessary financial resources will be available for the future.

The Fund Equity of the City of Fenton consists of two sections. The first section, as stated in the audited annual Financial Report, is a reserved balance for prepaid expenses. This and any other appropriate reserves will be maintained as determined by the City in conjunction with the C.P.A. firm that performs the annual financial audit. The Fund Equity also includes an unreserved section. Within the unreserved section the city can designate funds for certain categories.

This policy is to designate categories in the unreserved fund equity. Nothing in this policy is intended to limit any additional designations that may be determined by the City in conjunction with the C.P.A. firm that performs the annual financial audit and presented in the annual audited financial report. All unreserved funds that are not in a designated category will be considered undesignated.

**B. POLICY STATEMENT**

It is the policy of the City of Fenton to maintain a minimum fund balance in reserved funds and unreserved but designated funds to insure both ongoing current operations and the funds necessary for the long term stability of the city. The Fund Balance will normally exceed the balance of reserved and designated funds. Any proposed utilization of the undesignated fund balance will be reviewed carefully by the Mayor and Board of Aldermen. This review will include, but not be limited to, the long term benefit of the expenditure and the effect on the general fund of lower interest earnings in

the future. Only after this review will the Mayor and Board of Aldermen consider approving expenditures affecting the Fund Balance above the minimum standards.

### DESIGNATED CATEGORIES

The unreserved fund balance will include designations for the following categories and any additional categories that may be added by the Mayor and Board of Aldermen in the future.

Designated for the General Fund Operating Budget	50%
Designated for the General Fund Capital Improvements Budget	50%
Designated for budget Amounts Carried Forward from prior years.	100%
Designated for Grant Funds received that will be expended in the future.	100%
Designated for Economic Development by the City	\$ 1,000,000
Designated for Debt Service on any and all Bonds. Including General Obligation Bonds, Leasehold Bonds, and Sales Tax Bonds.	amount equal to the largest annual payment including both principal and interest

### CATEGORY DEFINITIONS

#### **General Fund Operating Budget**

This designated category is to insure the timely payment of expenditures. The timing of receipts is not related to the appropriate time for expenditures. This designated category will allow for expenditures to be made when necessary and assure timely payment even if receipts are not expected until later in the year. This will not allow deficit spending and the City of Fenton will maintain a balanced budget.

#### **General Fund Capital Improvements Budget**

This designated category is intended for the same purpose as the reserve for the Operating Budget.

#### **Amounts Carried Forward**

This designated category signifies that the revenue for these items has been received in prior years. These are important projects and the Mayor and Board of Aldermen want to insure that the funds for these projects are available. During the next budget year the funds of this category will be utilized on the appropriate projects. Each year during the budget cycle the Mayor and Board of Aldermen will determine the carried forward items for the next budget year.



## Grant Funds

This designated category is established to insure the proper expenditure of grants that have been received from other governmental units or other outside sources which have not been expended as of the end of the year. It will also insure that the city is committed to the project and is following the specific grant regulations.

## Economic Development

This designated category is established for two reasons. Generally the type of business that would be included would be a large sales tax or utility gross receipts tax provider. The first intent of the category is to provide funds that may be utilized in attracting a new business which would be a major source of tax receipts. The second intent of the category is to provide funds for the general fund budget to replace the loss of tax receipts during the search for a replacement business.

## Debt Service

This designated category is for the Debt Service on any and all bonds including but not limited to General Obligation Bonds, Leasehold Bonds, and Sales Tax Bonds is established to evidence the City's intent to make all debt service payments in a timely manner.

The Mayor and Board of Aldermen hold the City's credit rating in very high regard. This category evidences the City's intent to not only make all payments, but to designate an appropriate portion of unreserved fund equity equal to a full year's payments of interest and principle in case unlikely catastrophic event occurs. Expenditures from this category are not anticipated but will be made without further approval from the Mayor or Board of Aldermen if necessary to meet bond repayment requirements.

## ANNUAL REVIEW

Each year as a part of the annual budget for the next year the Mayor and Board of Aldermen will state the exact dollar amounts that will be designated for each category.

## CHANGES TO DESIGNATED CATEGORIES

It is the Mayor and the Board of Aldermen's intent to insure the funding of each designated category will be a long term policy with few changes. In order to limit future changes the following rules are included.

### Increases

Increases in the percentage or amount of a designated category or the addition of a new category shall only require a simple majority vote on a motion at a formal Board of Aldermen's meeting.

### Decreases

In order to decrease the designated percentage or amount stated in this policy for any category will require approval by an "extraordinary majority" of the Board of Aldermen. An extraordinary majority shall include a minimum of seven votes. The vote shall be on a motion at a formal Board of Aldermen's meeting.

PUBLIC DISCLOSURE

The specific amounts that are designated for each category will be included in the annual budget. These amounts will also be included in the annual audited financial statement. In addition, any other required notifications will be made in a timely manner. This will include but not be limited to the Securities and Exchange Commission's requirements for municipal bonds.



Three-Year Summary Projection  
City of Fenton Including Annexation Area

	1998		1999		2000	
	No New Development	Development With TIF Assistance	No New Development	Development With TIF Assistance	No New Development	Development With TIF Assistance
<b>REVENUE</b>						
Fees & Permits	39,250	50,250	40,695	161,945	42,119	58,864
Utility Taxes	1,618,330	1,618,330	1,676,900	1,676,493	1,735,591	1,742,577
Gen. Fund Sales Tax	2,350,380	2,350,380	2,440,311	2,436,945	2,525,589	2,436,917
Parks & SW Sales Tax	2,015,476	2,015,476	2,171,322	2,166,464	2,256,220	2,381,272
InterGovernment Taxes	345,858	345,858	364,713	364,713	377,478	384,786
Court & Police	179,700	179,700	186,888	187,787	193,429	194,359
Parks & Recreation	177,000	177,000	895,766	895,766	927,118	927,118
Interest	535,100	535,100	553,829	553,829	573,212	573,212
Other	338,600	338,600	350,451	350,451	362,717	362,717
<b>TOTAL REVENUE</b>	<b>7,599,695</b>	<b>7,610,695</b>	<b>8,680,874</b>	<b>8,794,392</b>	<b>8,993,474</b>	<b>9,061,822</b>
<b>COSTS</b>						
<u>Operating Expenses</u>						
Administration	1,559,143	1,559,352	1,643,336	1,645,923	1,700,852	1,706,027
Planning & Zoning	197,400	197,817	204,309	209,484	211,460	221,810
Police Services	1,252,806	1,271,862	1,342,016	1,460,357	1,388,987	1,593,125
Public Works	1,222,718	1,223,215	1,296,404	1,302,577	1,341,778	1,354,124
Parks & Recreation	529,097	529,097	1,279,666	1,279,666	1,324,454	1,324,454
	<b>4,761,164</b>	<b>4,781,343</b>	<b>5,765,730</b>	<b>5,898,007</b>	<b>5,967,531</b>	<b>6,199,541</b>
<u>Capital &amp; Grant Projects</u>	<b>2,702,247</b>	<b>2,702,976</b>	<b>2,814,636</b>	<b>2,823,692</b>	<b>2,913,148</b>	<b>2,922,521</b>
<b>TOTAL COSTS</b>	<b>7,463,411</b>	<b>7,484,319</b>	<b>8,580,366</b>	<b>8,721,700</b>	<b>8,880,679</b>	<b>9,122,063</b>
<b>BALANCE</b>	<b>136,284</b>	<b>126,376</b>	<b>100,508</b>	<b>72,692</b>	<b>112,795</b>	<b>(60,240)</b>

Three-Year Summary Projection  
Annexation Area Only

	1998		1999		2000	
	No New Development	Development With TIF Assistance	No New Development	Development With TIF Assistance	No New Development	Development With TIF Assistance
<b>REVENUE</b>						
Fees & Permits	50	5,550	123	60,748	127	11,248
Utility Taxes	1,330	1,330	3,305	3,249	3,420	6,058
Gen. Fund Sales Tax	5,380	5,380	13,236	13,236	13,566	13,566
Parks & SW Sales Tax	52,976	52,976	130,322.09	128,970	133,580	262,279
InterGovernment Taxes	4,658	4,658	11,571	11,571	11,976	13,189
Court & Police	-	-	899	1,797	930	1,860
Parks & Recreation	-	-	19,121	19,121	19,790	19,790
Interest	-	-	-	-	-	-
Other	-	-	-	-	-	-
<b>TOTAL REVENUE</b>	<b>64,395</b>	<b>69,895</b>	<b>178,576</b>	<b>238,691</b>	<b>183,391</b>	<b>327,990</b>
<b>COSTS</b>						
<u>Operating Expenses</u>						
Administration	20,443	20,548	50,781	52,722	52,559	56,440
Planning & Zoning	-	208	-	3,881	-	7,763
Police Services	31,306	44,010.21	77,764	172,436.69	80,485	243,796.35
Public Works	21,318	21,567	52,955	57,585	54,808	64,068
Parks & Recreation	10,997	10,997	27,316	27,316	28,272	28,272
	<b>84,064</b>	<b>97,330</b>	<b>208,815</b>	<b>313,940</b>	<b>216,124</b>	<b>400,338</b>
<u>Capital &amp; Grant Projects</u>	12,292	12,656	30,533	37,325	31,601	45,186
<b>TOTAL COSTS</b>	<b>96,356</b>	<b>109,986</b>	<b>239,348</b>	<b>351,265</b>	<b>247,725</b>	<b>445,524</b>
<b>BALANCE</b>	<b>(31,961)</b>	<b>(40,091)</b>	<b>(60,772)</b>	<b>(112,573)</b>	<b>(64,335)</b>	<b>(117,534)</b>