

# Trust Issue #4

A weekly series focused on the current issues we are facing as citizens of Crystal City

Crystal City recently underwent a significant rezoning. There is also a proposal to annex Festus Airport and some surrounding land. The mayor and some of the city council members consistently mislead the public by saying that the rezoning and annexation had nothing to do with the smelter development.

## The TRUTH is...

The rezoning and annexation have everything to do with the smelter. A timeline on the other side of this insert details the order of events. Do they think we can't connect the dots?

### Why annex land and what land is it?

**an-nex** (*verb*) To incorporate (territory) into an existing political unit such as a country, state, county, or city.

The city has a proposal to annex land on the April 8th ballot.

### What land would be annexed?

The land to be voted on for annexation includes the Festus Airport.<sup>1</sup> It is hard to say what other land around it is included in the proposed annexation, because **City Officials would not make a map of the proposed area available to the citizens** when they requested a map at the 3/10/08 City Council Meeting.

### What is the benefit of annexing this land?

When a city annexes land, there is usually something to gain. But there would be **no significant tax revenue**, because the Festus airport is owned by the city of Festus, and **municipalities do not pay taxes**.

When you annex land, the city is responsible to maintain and offer municipal services to newly annexed land. Those services are not free. They cost tax payers money.

### Why do they really want to annex the land?

We don't know. There doesn't seem to be a real benefit to the city or its citizens.

What we do know, is that James Kennedy (smelter developer) **needs a large access road to the smelter**. The Festus Airport property could help provide a **southern road route to the smelter** from HWY 55.

If Crystal City annexes the property, eminent domain could be easier to impose, and a **rezoning could benefit James Kennedy in acquiring the airport property to use at his discretion for the smelter**.

This is what you will see when you vote April 8th.

(Annexation Section from Sample Ballot)

### QUESTION

Shall the City of Crystal City, Missouri, annex an unincorporated area of Jefferson County, Missouri, lying generally to the South and East of and contiguous to the existing corporate limits of said City which is legally described in the published notice of this election and in Ordinance 1441 on file and available for inspection in the office of the City Clerk of Crystal City, Missouri?

YES

NO

In layman's terms...

**Do you want to annex the Festus Airport property?**

Yes or No?

### In summary...

- 1) There would be no significant tax revenue if they annex that land.
- 2) They would have to offer municipal services to the newly annexed land.
- 3) **They want a large access road to the smelter.** (*this is highly likely, but we can't back it up with facts*)

continued on back

Our current city officials have made some questionable decisions about the rezoning. They rezoned 450+ acres of RC/RS (Conservation) to M2 (Heavy Industrial).

At the March 10th City Council meeting, Peggy Brown (Ward 2 council person) and the City's representative on the Planning & Zoning Board, said *she was aware* that the change from Conservation to Heavy Industrial included the Platin Rock Boat Club, Crystal City High Football Field, and lower part of Ursuline Novitiate. ***And that the Crystal City Grade School is now within 50 feet of a potential industrial site.***

## Are they doing their best job as elected officials, or are they just carelessly pushing ordinances through to benefit a smelter that citizens don't want?

### Timeline of events regarding rezoning and annexation

- 04/11/06 ***Mayor Schilly contacts PPG*** explaining that there has been considerable interest by others in buying the PPG Works 9 Property, and the interest has escalated.
- 05/08/06 Crystal City passes Ordinance #1441 to ***begin to annex Festus Airport.***
- 09/26/06 City of Crystal City hires James Pona Associates to redo zoning ordinance. City rejects option for Pona to do mapping service. ***City also rejects recommendation to do Comprehensive Plan prior to new zoning ordinance.***
- 09/26/06 An Appraiser hired by the City informed Crystal City that "Development is highly regulated within a FLOOD PLAIN and is not allowed in a FLOODWAY."<sup>2</sup> This is 96 acres of the PPG property and the 350+ acres of Senator Bradley Farm.
- 05/15/07 ***Email from James Kennedy*** of Wings Enterprises to Bob French, City Building Commissioner: "***Yes, we are going to buy the airport.***"
- 06/25/07 Public Hearing regarding new Planning and Zoning Ordinance. – ***No specific mention of what property was to be rezoned.***
- 09/07 thru  
01/10/08 ***Zoning map was not available for viewing by the public.***
- 01/14/08 Crystal City passes Ordinance #1472 to hold election to annex Festus Airport and land near by.
- 01/14/08 Concerned Citizens for Crystal City Attorney warns City of Crystal City that rezoning is illegal (RSMo Chapter 89). ***Each resident within 185 feet of rezoning area should have had appropriate notice.***
- 01/14/08 Crystal City Council passes new Zoning Ordinance #1470 along with new map.
- 01/14/08 ***Platin Rock Boat Club Commodore expressed concerns to Council that being rezoned to Heavy Industrial would have an adverse affect on the Boat Club Property, and that they weren't asked or notified***
- 01/14/08 The rezoning included parts of the backyards of the homes on Mississippi Ave, so now ***the majority of these homes are zoned part residential, part heavy industrial.***
- 01/31/08 Residents of Mississippi Ave. file request for a hearing with the Zoning Board of Appeals.
- 02/25/08 Concerned Citizens for Crystal City discover that there is a Court Agreement from 11/14/90 that Crystal City agrees not to annex the Festus Airport as long as Festus owns the land and operates it as an Airport. We don't know if current legal proceedings have overturned it.
- 03/10/08 ***City Officials would not make a map of the proposed area to be annexed available to the citizens who requested the map at the Council Meeting.***
- 03/13/08 Notice was given of Zoning Board of Appeals meeting to be held on March 27, 2008 at 1:30 p.m. at City Hall.

<sup>1</sup> Chris Campbell, *Crystal City seeks to annex Festus airport: Zoning changed spark more controversy in smelter saga.* News Democrat Journal; front page, 1/23/08.

<sup>2</sup> Appraisal done by Stephen L. Todd of Todd Estate Service; dated 09/26/06 done for Ms. Debbie Johns. Info is from the Analysis of Highest and Best Use; Page 9.

# A Better Future...Our Children Deserve It!

Concerned Citizens  
for Crystal City

Visit us at the Festus Airport  
every Wed. night at 7 p.m.!

www.clearpillar.com  
636.931.0407 314.541.6983