



### **October 25 Meeting to be Hosted by Clayton**

The next League meeting will be held at 7:30 pm on **Thursday, October 25 at the new Clayton Community Center, 50 Gay Ave.** (Directions: from I-170, exit at Ladue Rd. eastbound. Turn right at Gay Avenue, which is the second traffic light east of I-170. The center is at the end of Gay Avenue, on the left.)

**Program:** 1) Mike Duncan of the County Planning Department will describe the 2001 sales tax trends and offer ways to estimate 2002 revenues.

2) Kirkwood Police Chief Jack Plummer will highlight the current thinking in combating terrorism in our communities.

The membership will be asked to consider the Report of the Legislative Affairs Committee, which will establish the League's priorities for the 2002 session. The report, along with other agenda items, will be mailed to mayors, board chairmen and chief administrative officers prior to the meeting.

### **Legislative Breakfast Set for November 10**

The League's Annual Breakfast for legislators from St. Louis City and County will be held at 9:00 a.m. on **Saturday, November 10 at the Frontenac Hilton, Lindbergh Blvd. at Highway 40.** We had previously announced that the Breakfast would be held one week earlier, but we recently learned of a major legislative conference that many senators and representatives will be attending so the change in the date was made.

At this breakfast the League will present our Legislative Priorities for 2002 to area legislators. It also serves as an informal opportunity for municipal, county and state officials to discuss issues of mutual interest. All state senators and representatives from St. Louis City and County will be invited as guests of the League.

Registration materials will be mailed to city hall staff. The cost is \$14. Please register as a group through your city clerk's office. We hope every member municipality will have a representative at the breakfast.

### **Congratulations To . . .**

Kirkwood Mayor Mike Swoboda, who was elected Vice President of the Missouri Municipal League at the recent MML conference.

### **September Meeting Synopsis**

At the September League meeting the membership heard a presentation from Mike Cullivan, Program Executive and Chief Aviation Planner for Lambert-St. Louis International Airport. Mr. Cullivan pointed out that Lambert was not projected to be able to handle air traffic levels predicted for 2015. He noted that at the current time the airport is meeting local needs in good weather but, because the main runways are too close together, in bad weather Lambert functions mainly with one runway. This is a major inconvenience to travelers, discourages major airline-dependant businesses from locating in St. Louis, and costs the airlines millions of dollars each year.

Expansion option W-1W would construct a new runway extending west from the existing airport. This would allow for continuous operations of two runways in bad weather. The new runway will cross over Lindbergh Blvd., creating Missouri's first highway tunnel and eliminate two stoplights to improve traffic flow. The expansion will necessitate the purchase of 1900 homes, 70 businesses 6 school and 4 churches. Several new schools will be built and the buyout area will attract many new industries to the County. The current price for the expansion is \$1.1 billion. The project can be built even if an economic slowdown or loss of an airline occurs as only 55% of current activity is necessary to fund expansion.

He also noted that the Missouri Air National Guard would be relocated to the north side of the airport. In addition Boeing hopes to sell an existing manufacturing building and construction a modern facility, also on the north side. Following the completion of the runway, construction will begin on new terminal facilities at the airport.

The League appreciates the warm welcome from Mayor Rick Millner and the officials and staff of the City of Olivette who hosted the meeting.

### **NLC Establishes "Always Remember 9-11" Fund**

The National League of Cities has established a fund to support the families of public employees killed or injured by the terrorist attacks. Alderman Ed Purvis of Shrewsbury contributed \$50 and challenges others to help out. Checks should be sent to: Always Remember Fund, c/o National League of Cities Institute, Lockbox #4655, Richmond, VA 23285-4655. The ending date for the pledge drive is November 11.

## **League, County and State Promote Neighborhood Preservation Act for Housing Tax Credits**

During the week of October 1, the League, St. Louis County, and the State Department of Economic Development (DED) coordinated a series of seven meetings throughout the County to promote the State's Neighborhood Preservation Act. Over 700 residents attended these meetings to learn about the program from Reyna Spencer of the DED staff.

The statewide program provides tax credits for home improvements in the City of St. Louis and in certain census tracts in the County. In general, if the average income of the census tract is 70-90% of the metropolitan area average income, homeowners may receive a 25% state tax credit for home improvements totaling \$10,000 or more. If the area is below 70% of the average the tax credit can be up to 25% on expenditures of at least \$5000, or 35% tax credits for improvements costing at least one-half of the home's purchase price, no matter when it was purchased.

For more information about the program, contact Richard Hayes at the local DED office at 314-340-7274.

We appreciate the efforts of a number of our member municipalities and the County who participated in the effort to mail invitations to 25,000 homes. In addition, we are particularly grateful to the staff at UM—St. Louis and the following cities that allowed us to use their facilities for the meetings: Bellefontaine Neighbors, Hazelwood, Kirkwood, Richmond Heights, and St. Ann.

## **Planning Commissioner Workshop—November 2**

As part of the American Planning Association Four State 2001 Conference, the St. Louis Metro Section APA will be conducting a Planning Commissioners Workshop. These sessions will be held on Friday, November 2 at the West Port Sheraton in Maryland Heights.

The workshop will commence with a luncheon. Guest speakers are Stanley Czerwinski, Director, and Steve Cohen, Assistant Director, Government Accounting Office, Physical Infrastructure Team, who will address Local Growth Issues: Federal Opportunities & Challenges. Break out session being planned include:

- Traffic Analysis for Large Scale Developments
- Planning for Capital Improvements: The Law and Challenges
- Comprehensive Plans: Who's Plan is it Anyway?
- Dollars & Sense of Making a Development Plan Work
- Developing Revitalization Plans: Form & Function
- MoDOT Interaction on Land Use Decision-Making: What Planning Commissioners Need to Know.

The cost of the workshop is \$40. For more information contact Wayne Oldroyd at the City of Maryland Heights, 314-298-0554 extension 230. Call the League office for copies of the registration forms.

## **MoDOT Establishes Local Roads Section**

One of the main goals of the League staff is to secure increased federal funding for municipal roads that are of a regional nature—not subdivision streets. Newer federal transportation laws have also emphasized aid for more types of roads and transit and for enhancements, rather than strictly focusing funds on major state roads.

As a result of the many municipal applications for funds and the League's behind-the-scenes work, millions of dollars have been awarded to our members. As a result, MoDOT is establishing a special unit to facilitate local projects in all counties in the region.

Currently in the region, nearly 400 active local projects that use federal funds are in either the design, right-of-way or construction phase with an estimated cost of \$515 million. MoDOT has seven employees from three different departments (planning, ROW and construction) that oversee this program.

To help better manage this large number of projects, MoDOT decided to form a new team called Local Roads. This team will be able to more effectively and efficiently administer the funds allocated to local agencies. By physically locating this team in the same office area, they can integrate their efforts on similar tasks, thus reducing time and effort spent on these important regional projects. Gregg Wilhelm has been promoted to Transportation Project Manager to lead this team. Most of the Local Roads team members will be located on the 2nd floor at MoDOT's Chesterfield office. The team members and their areas of responsibility are:

### Planning and Design

Gregg Wilhelm—St. Louis City—314-340-4165

Becky Allmeroth—North County—314-340-4325

Doug Canady—South & West County—314-340-4352

### Right-of-Way

Bill Hampton—314-340-4140

Carrie Noonan—314-340-4130

### Construction

Wendy Moore—St. Louis City, West & South County  
314-340-340-4198

Mark Sauerwein—North County—314-340-4284

On a related matter, there is some criticism by federal officials that we are not spending the funds in a timely manner. Frequently, this is due to factors beyond the control of local officials (MoDOT delays in review, ROW acquisition etc.). The Gateway Board will be cancelling projects that are failing to progress and will re-allocate the money.

We urge our members to keep up the good work. Improving the infrastructure in each community is extremely important and a major priority of the League. Our best chance to secure more funds rests in local officials' ability to expeditiously implement existing grants. To that end, we appreciate MoDOT's efforts to assist cities by forming the Local Roads team.

## Redistricting and Election Reminders

For those cities that are considering redistricting of wards based on the new census figures, please remember that the County Election Board will need time to update its records to reflect your new wards prior to the opening of filing for municipal office on December 18. In cities which require candidates to secure petitions from registered voters it is imperative that the Election Board have the new ward information so that those signing petitions will be in the proper ward for the candidate for which they are signing.

The League suggests that those cities that have not yet begun the redistricting process to contact the County Election Board to determine if there is sufficient time for it to be completed. It may be better to delay redistricting until next year, rather than risk having confusion among voters come filing day and election day. To discuss your situation with the Election Board contact Joe Bennett at 314-951-0127.

In another election related item, municipal clerks should remind candidates about the state requirement that all candidates must have all municipal taxes and fees paid prior to the last day to file for office. That date is January 15, 2002. The League has a memo drafted by Attorney Kevin O'Keefe in which he advises his clients to inform candidates about tax requirements at the time of filing.

The memo also serves as a reminder that local governments have the authority to establish a lottery for candidates filing for office on the first day that filing is opened. Please call the League office if you would like a copy.

## New Court Costs Passed by the Legislature

Legislation passed this year in Jefferson City establishes a new court cost of \$25 for anyone convicted of an intoxication-related offense as defined by Section 577.023 RSMo, including municipal offenses. The crimes under this section are driving while intoxicated, driving with excessive blood alcohol content, or driving under the influence of alcohol or drugs. The funds from this additional charge will go the spinal cord injury fund.

The same bill also increases the court cost for the Crime Victims' Compensation Fund to \$7.50. This would be assessed to any person found guilty or pleading guilty in a case in the municipal court.

The League office has a sample ordinance to implement these changes. Call for a copy.

## League Trivia

What is the only City in St. Louis County that has three councilmembers per ward instead of two? Answer on page 4.

## MOPERM Publishes Brochure on Municipal Liability for Employment Practices

The League has obtained a brochure from the Missouri Public Entity Risk Management Fund (MOPERM) that outlines many of the concerns local governments should have regarding employment practices and the main categories under which claims may be filed.

The first is *discrimination*, of which there are two types. *Disparate treatment* involves illegal, deliberate discrimination against an individual, such as failing to promote qualified employees based on race. *Disparate impact* involves seemingly neutral employer policies that may not discriminate on their face but have the effect of discriminating against a certain class of person.

The second employment category is *sexual harassment*. There are two types of sexual harassment claims, with the first being *quid pro quo*. This involves a supervisor using power of the position to coerce an employee into unwelcome sexual activity. The second type is *hostile environment*, which is conduct of a sexual nature that creates an intimidating, hostile or offensive environment or impedes an individual's work performance. This includes verbal, visual or physical conduct of a sexual nature.

The third employment category is *wrongful termination*. This is terminating in a manner that is against the law. Two factors have increased these types of claims in the last 20 years—the downsizing of corporate America and the erosion of the employment at-will doctrine.

The final category is *workplace torts*, which includes allegations that do not fall within other categories. These involve wrongful discipline, negligent hiring or supervision, retaliation, and employment-related defamation.

The brochure encourages local officials to train employees to prevent these problems. Stop bad practices. Have a plan in the event of employment suits. Elements of a good plan include centralizing authority so you do not have several people making differing decisions; providing flexibility so you do not find yourself cornered; maximizing information gathering and minimizing information dissemination. A good plan aims at preventing suits and, when one occurs, allows time to reduce the consequences and ultimate cost of alleged or actual wrongful employment practices.

Four main tenants of good employment risk management that could help municipalities involve: 1) documentation, to help factually recreate what occurred, 2) evidence, particularly to produce an example or an employee's failed performance prior to disciplinary action, 3) consistent treatment of employees, with justification for any exceptions, and 4) due process, to provide a procedure to verbalize and resolve problems.

For more information or copies of the brochure contact MOPERM at 573-751-8276 or on the website at [www.moperm.com](http://www.moperm.com).

## District Solid Waste Grants Available

The St. Louis-Jefferson Solid Waste Management District has sent to cities a copy of its 2002 Waste Reduction and Recycling Grant Program application package. The purpose of the program is to fund projects designed to contribute to Missouri's goal of 40% reduction in the amount of solid waste generated for disposal. The District strongly encourages the submission of waste reduction, recycling, composting and education projects.

The District has awarded approximately 300 grants totaling nearly \$10 million over the past several years. Funds may be used for a variety of costs associated with a project, from equipment to operating expenses.

The Waste Reduction and Recycling Grant Program provides an excellent opportunity to expand local recycling efforts throughout the region. Municipal applications are especially encouraged, as well as projects addressing targeted materials and plan priorities as presented in the application packet. The District encourages all potential applicants to submit a proposal.

Applications will be due by 5:00 p.m. on Friday, December 21, 2001. If you have questions about the application process or would like a copy of the packet, call the district office at 314-645-6753.

## Governance, Democracy, Innovation—A Conversation with Harvard's Dr. Gail Christopher

On Thursday, October 25, Dr. Gail Christopher, D.N., Executive Director of the Institute for Government Innovation at Harvard's Kennedy School of Government, will provide two opportunities for discussion:

3-4:30 p.m. in the J.C Penney Building at UM-St. Louis. Park in lot D, the first lot on the left along East Campus Drive.

7-8:30 p.m.—Missouri Historical Museum in Forest Park (unfortunately this session conflicts with our League meeting).

The focus will be on the relationship between government structures, such as the Charter in the city of St. Louis and the ability to meet modern challenges.

The afternoon session is less structured and will provide the best opportunity for informal, practical discussion with Dr. Christopher. Terry Jones, noted political science professor at UMSL, will moderate the discussion.

## Trivia Answer (from Page 3)

The Charter for the City of St. John calls for two wards with three councilmembers in each, the only such number in St. Louis County.

