



ST. LOUIS COUNTY MUNICIPAL LEAGUE

Linking Local Communities - Strengthening Local Government

The LINK

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AUGUST 2006

Legislative Affairs Committee to Review Policies

Upcoming League Meetings

- Tuesday, August 29, 6 pm NIMS Training, IS700, Brentwood Community Center
- Thursday, August 31, 6 pm NIMS Training, ICS 100, Brentwood Community Center,
- Thursday, September 28, Membership Meeting, University City; 7:30 pm
- Thursday, October 26, Membership Meeting 7:30 pm, Site TBD
- Thursday, November 16, Membership Meeting, 7:30 pm, Site TBD

The League's Legislative Affairs Committee will begin meeting in late August to review previous legislative issues, consider suggestions from the membership, and make recommendations for legislative priorities for the 2007 session.

The entire legislative packet, including the committee's suggestions

for the main priorities, will be submitted to the membership at the October meeting for final approval.

The priorities will then be presented to senators and representatives from St. Louis City and County at our Annual Legislative Breakfast in November.

League members who have suggestions for inclusion in the legislative package should contact the League office at 314-726-4747 or by email at staff@stlmuni.org.

Committee members will be announced in the September Newsletter.

Incident Management (NIMS) Training Offered

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Local governments have a major role in planning for responses to disasters so training of elected officials has been mandated by the Federal and State governments to help local officials understand their role in emergency situations. Participation in these classes is required so that local governments remain eligible to receive federal disaster relief funding.

To meet the requirements, the League along with the Fire and Rescue Training Institute will be hosting two

4-hour training sessions for local officials for the following programs. Each begins at 6 pm at the Brentwood Community Center, 2505 S. Brentwood, about 1 mile south of Highway 40, next to TGI Fridays:

- Tuesday, August 29, IS-700: An Introduction
- Thursday, August 31, ICS-100 Introduction to Incident Command.

Refreshments will be served beginning at 5:30.

The programs are

a part of the National Incident Management System (NIMS).

Each session has a \$10 fee to cover refreshment and material costs. Registration materials were mailed to each city hall in early August. The forms are also on the League's website, www.stlmuni.org under the *Current Events* link.

If you are not able to attend, the courses are offered on-line at <http://training.fema.gov/EMIweb/IS/>

League Seeks Member E-mail Addresses

Following approval at the April membership meeting the League staff created an e-mail database for our newsletter and membership meeting packets. We utilized e-mail addresses from municipal websites.

We would like to increase the number of e-mail addresses in this database to provide information to our members in a more timely manner and to reduce printing and mailing costs.

If any elected officials or staff would like to receive the Newsletter by e-mail, rather than US Mail, please send your e-mail address to the League office at www.staff@stlmuni.org.

In August will be sending both a hard copy and an e-mail copy to all League members. Beginning in September, only e-mail versions will be sent to those in the database.

Membership meeting packets and weekly legislative updates (during the session) will also be sent to those on the e-mail list, but because of cost and staff constraints we are not able to send packets to all officials.

Please send us your e-mail address so that material will reach you in a more timely fashion. Thanks for your help as we implement this new system.

FMLA Benefits and Sick Leave Use

An employee of the City of Republic was injured on the job and requested 12 weeks of Family Medical Leave. The City determined that that it would run the 12 weeks of FMLA concurrently with 12 weeks of accrued sick leave. The 8th Circuit Court ruled that cities may institute personnel provisions of this nature.

The case is *Slentz v. City of Republic*, (8th Cir No. 05-1663, 4/12/06).

Source: *The Missouri Municipal Attorneys Newsletter*.

Creve Coeur Team Tops League Golf Tournament

Warm weather did not deter over 20 teams of golfers for the League's 2nd Annual Golf Tournament on June 15 at the Golf Club of Florissant.

We very much appreciate the invitation from Mayor Lowery, Councilman Tom Schneider and the officials and staff of the City of Florissant and the Golf Club

for hosting this tournament and their willingness to make this an annual event for the League membership. An enjoyable time was had by all who attended.

Florissant Mayor Robert Lowery, 2nd from right, congratulates the winning team from Creve Coeur. They are: City Administrator Mark Perkins; Ted Kosiatek, Park & Recreation Committee

Member; Mayor Harold Dielmann; and Councilman Dave Kreuter (L-R).



Round 7 Park Grant Applications Available in August

Municipalities in St. Louis County will again be able to submit applications for park improvement grants that are funded by the 20% of the 1/10 cent regional parks and trails sales tax that was approved by voters in 2000.

The Municipal Parks Grant Commission budgeted \$4 million for the next funding round.

Five points are awarded for attendance at one of the follow-

ing pre-application meetings:

- Tuesday, August 15, 9 am Maryland Heights Community Center;
- Thursday, August 24, 5 pm Dellwood City Hall; and
- Tuesday, August 29, 9 am, Webster Groves Community Center.

Applications will be distributed at the planning meetings and are available to download on the Commission's website at

www.muniparkgrants.org.

The applications are scored on criteria established by state statute. Successful applicants are expected to be notified in late December or early January.

Applications are due at the League office by 4:00 pm on Friday, October 27. Please call the League office at 314-726-4747 if you have questions about the grant application process.

Trust for Public Land Can Help Cities Secure Park Sites

Local officials are realizing that public parks and open spaces are essential investments for healthy, vibrant communities. Aside from the aesthetic and cultural value of parks and open spaces, they contribute to the quality of life for the communities they serve. Parks and open spaces often stimulate commercial growth, protect the environment, promote inner-city revitalization and increase property values.

In Missouri, parks and open spaces impact the economy by reducing healthcare costs, creating revenue from tourism and events, increasing corporate investment in our urban centers, and increasing property values and tax bases.

Parks are especially important for the health of young people. Children without access to parks suffer from the serious

effects of physical inactivity — obesity, diabetes, asthma, anxiety and depression. What leaders do now to create new city parks, to set aside open space, and to conserve the special places in our communities will shape the American landscape for generations to come.

The Trust for Public Land (TPL) is uniquely positioned to help create parks and protect open space. TPL is a national nonprofit organization that conserves land for people to enjoy as parks, community gardens, historic sites, rural lands, and other natural places. Since 1972, TPL has worked in 46 states, protecting more than 2.1 million acres.

Working directly with willing landowners and public agencies, TPL helps protect land for people by setting local conservation priorities, securing conservation funds, and completing conserva-

tion transactions.

TPL has protected thousands of acres of Missouri land, with projects ranging from the establishment of urban trails to the protection of hundreds of acres of undisturbed forestland. TPL is an ongoing partner in the effort to create the Confluence Greenway and has contributed to the protection of land, including portions of Chouteau Island in the Mississippi River.

TPL can also work with local communities to identify and establish potential local parkland through negotiations with landowners. Cities may be able to acquire lands with combined funds from the TPL and the Municipal Park Grant Commission or other funding sources. Contact the TPL at 314-436-7255 for more information.

Governor Blunt Signs New Eminent Domain Law

Governor Matt Blunt recently signed HB 1944, which revises the State's eminent domain law and has an effective date of August 28, 2006.

Some of the main points in the legislation are as follows:

It limits all 353 urban redevelopment corporation condemnations to those plans executed before December 31, 2006. After these agreements expire, direct action by cities will be required to condemn property.

It defines "fair market value" using an established appraisal methodology and specifically references appraisal cost less depreciation.

The bill establishes a heri-

tage value for property (including businesses with less than 100 employees) owned by the same family for 50 or more years. Entities must pay 150% of fair market value.

All other owners must be paid 125% of fair market value.

Eminent domain power generally cannot be delegated to non-governmental entities.

Private property cannot be condemned for solely economic development purposes, which is defined as an increase in the tax base, tax revenues, employment and generally economic health.

Condemnation requires that a preponderance of the redevelopment area is blighted. Each

property must be evaluated as to whether it meets the definition of blight.

Farmland cannot be blighted for eminent domain purposes.

It requires early notification and education in order to promote conflict resolution.

The bill would also establish an ombudsman in the Governor's office.

Attorney Joseph Colagiovanni of the Sonnenschein Law Firm has prepared a power point outline of the bill that is on the League website, www.stlmuni.org under the *Current Events* link.

St. Louis County Municipal League
121 S. Meramec Ave.
Clayton, MO 63105

NIMS Training will be offered at 6 pm on:

- August 29, IS 700 and
- August 31, ICS 100

at the Brentwood Community Center.

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Strengthening Local Government
Since 1918*

*See our website at
www.stlmuni.org*

Federal Telcom Legislation Could Usurp Local Control

Telecommunication companies continue their massive lobbying effort in Washington, D.C to try to convince senators that local governments hamper their ability to offer video TV service. Cable TV franchises are NOT exclusive and could have been used by the phone companies to offer TV or video service at any time. Below are some of the main points sent by the League to Senators Bond and Talent to explain the local position on the pending legislation, HR 5252.

Competition - Cities have always desired more competition and most are even willing to relax some conditions. Cable companies had a big advantage when they started without competition, which is far different than trying to enter the market as a new com-

petitor. All levels of government must be fair to all providers as cities try to stimulate competition. Local governments cannot have vastly different rules in the same city for each competitor.

Build Out - Only select customers will be offered a competitive option based on the AT&T model for Missouri. Local governments would love to have more communication competition, not just for pay TV but also for high speed internet, but it must serve all.

Local Control - Why is local control needed? First and foremost is the build-out issue. It is not right to try to commandeer public rights of way for their wires and then just offer service to "high value" customers. Under existing federal law and FCC rules, those without competition in their

neighborhood will face higher cable TV prices, while those with competition will pay less. This is not our preferred outcome. Local officials are best positioned to determine the ease at which their cities can be wired, the capacity of the wire, the timeline, and related factors.

Given recent storms, all TV companies must offer emergency alerts on every channel.

Cities also have many citizens who depend on public, educational, and government (PEG) channels for basic civic information or to complete classes. PEG channels must be offered.

Contact Senators Bond and Talent to voice your concerns.