



AUGUST 2007

Legislative Affairs Committee to Review Policies

Upcoming League Meetings

- Thursday, September 27, Membership Meeting, Sunset Hills City Hall; 7:30 pm
Thursday, October 25, 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 2008 session.

The entire legislative packet, including the com-

mittee'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 office at 314-726-4747 or by email at staff@stlmuni.org.

Committee members will be announced in the September Newsletter.

League Board Creates Training Opportunities

At its June annual planning session, the League's Board of Directors wholeheartedly committed to providing greater educational opportunities for city officials, employees and board & commission members. The goal is to expand the knowledge base in all municipalities.

Until now, the League has offered a brief training program for new officials, monthly seminars and monthly membership meetings on a variety of topics. But interviews with officials indicated a desire for more information and requests for the League to dedicate at least a half-time staff position to establishing a training academy that provides weekly classes.

Some of these classes will be highly structured

and may offer college credits, while others will focus on subject matter not typically offered for credits, such as understanding Missouri's Open Meeting and Records Law.

Margaret Goodman, is the project manager and will take the lead in overseeing the academy program.

For August, the following classes/ seminars are planned based on input from members:

- August 23 - Customer Service for Supervisors, (description and registration information on Page 2)
August 30 - Collective Bargaining (co-sponsored by MML). Details on page 2.

In early September we will host the following sessions. Members will be notified with the details of each:

- September 6 - Strategic Communications
September 13 - Customer Service for employees

Our goal is to hold sessions each Thursday, with some programs designed to appeal to elected officials and some to city staff.

Detailed information about the cost, time and location of each program will be sent to elected officials and chief administrative officers for distribution to staff and boards. The registration forms for the sessions can also be found on the League website at

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Training (continued)

www.stlmuni.org under the "Current Events" link.

The August 23 program, entitled Managing for WOW Service is a powerful and dynamic customer service program designed for super-visors responsible for improving the delivery of customer service. It focuses on the first of several critical

components of establishing a WOW service environment: helping managers understand how customers evaluate service and the skills their employees should use to limit dissatisfaction.

The program will be held from 8:30 am to noon on Thursday, August 23 at the Dielmann Recreation

Complex (Golf Course), 11400 Olde Cabin Rd. in Creve Coeur. The speaker will be Fred Falker of the Falker Consulting Group. The fee is \$75 per person.

We seek continued input on future classes that you would like to see. Please send training suggestions to the League office.

Collective Bargaining Seminar

The MML and the County League are co-sponsoring a seminar on collective bargaining featuring Attorney Ivan Schraeder. It will be held on Thursday, August 30 at 1:30 pm at the Creve Coeur Government Center, 300 North New Ballas Rd. The cost is \$35 per person.

The program will provide an overview of the impact on local governments due to the Missouri Supreme Court's decision expanding collective

bargaining for all employees. It will provide introductions to what municipalities need to do NOW to be ready for union organizing and how to fix existing problems with labor agreements created under the old "meet and confer" law. Key labor relations terms and legal consequences will be explained with practical suggestions offered to meet the challenges under this new employment law mandate. Now is the time to pre-

pare BEFORE it is too late to implement measures for protection of the local employment system. The program will be helpful to elected officials, as well as city attorneys, city administrators/managers, human resource officers, and department heads.

To register, visit the MML website at www.mocities.com and see the Events link.

Shrewsbury Team Tops League Golf Tournament

For the 2nd time in 3 years a team from the City of Shrewsbury won the League's Annual Golf Tournament on June 7 at the Golf Club of Florissant. Over 20 teams participated.

We very much appreciate the invitation from Mayor Bob 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.

Joe Anatra (L) from the Golf Club congratulates members of the winning team from Shrewsbury, City Administrator Barry Alexander and Assistant Cody Hawkins. Other team members not

pictured were Alderman Ed Purvis and Alderman Jim Feeney.



Round 8 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 \$3 million for the next funding round.

Points are awarded for attendance at one of the following pre-

application meetings:

- Monday, August 27, 5 pm, Bel-Ridge Village Hall;
- Wednesday, August 29, 8:30 am, Maryland Heights Community Center; and
- Wednesday, September 5, 8:30 am, Webster Groves Community Center.

Applications will be distributed at the meetings and available to

download after August 13 on the Park 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 Friday, October 26, 4:00 pm. Please call the League office at 314-726-4747 with questions.

New Law Changes Municipal TIF Commissions in 2008

HB 741 makes changes to the law relating to TIF commissions for cities in St. Louis County, St. Charles County, and Jefferson County. It was signed by the Governor and has an effective date of January 1, 2008.

The bill adds new language requiring the appointment by the municipality of a "county" TIF commission when a TIF project is proposed. Initially it was thought that this section added a second TIF commission for each municipal project. Another interpretation could conclude that the new sec-

tion requires the "county" TIF commission and eliminates the appointment of a municipal commission.

The county commission would be comprised of 6 members appointed by the county, 3 by the municipality and 3 representing schools and other taxing districts. This reverses the composition of current commissions which have 6 municipal members and 3 county members among the 12.

If the new commission recommends against a proposal, the new law does allow municipal governing bodies to override the commission

by a 2/3 vote.

Your attorney should review the new language in HB 741 before proceeding with any new TIF project after January 1.

The League office has copies of the bill or you can download it from the state website at www.house.mo.gov/bills071/bills/HB741.htm

Grocery stores with union agreements and the unions sought these changes.

AT&T TV May (or may not) Be Coming Your Way, Time to Revise Ordinances

Heavy lobbying by AT&T with support by cable TV companies resulted in quick legislation in Missouri that dramatically alters municipal involvement and limits consumer protection when dealing with cable TV. Under SB 284, which takes effect August 28, new companies can offer cable TV in your city without negotiating with local officials. Broadband service is not required nor is service to all homes. Although some permits may be required, after August 28 companies do not have to notify cities that they are planning TV service in your city until they are about to turn on the service, and cities are stripped of most control of over the location of yard boxes which can be the size of dumpsters. But cities do retain limited powers regarding the use of the rights-of-way. Some cities and citizens are already complaining of the inappropriate location of the new big boxes in yards.

AT&T is contending that their TV service is not really cable TV because it is two-way communication (like a video conference) and therefore they use the term "Video Services". They argue this because two-way video is NOT considered cable TV and could then be free of most federal regulation. Some fed-

eral courts have ruled against such arguments, determining that simply sending a signal to a TV provider for the purposes of selecting programs or camera angles is not two-way communication as defined in federal law.

Most agree that competition in cable TV is sorely needed. However, company lobbyists go further and argue that competition, not oversight or regulation, will ensure quality service, perhaps at reduced prices, and to achieve these goals state and localities must step aside and let free enterprise operate. However, these companies use the public rights-of-way that all citizens own and therefore, many officials feel that all parts of the city should receive service after a reasonable number of years. After all, if competition is good, why not make sure most neighborhoods receive it?

The new law strips city and state officials of control and does not require build-out so each neighborhood's service will now be up to the profit motivated companies without regard for public policy. Requirements to serve lower income neighborhoods are particularly weak. Furthermore, package deals and contracts for a year or more of service, and differing packages of

programs, makes it very difficult for consumers to tell which deals are better. It is also difficult to switch services once it is determined that a deal is not so good. So this form of competition may not benefit consumers much. Think of cell phone services and contracts.

Lobbyists also claim that this new law will ensure that Missouri receives broadband service. Unfortunately, AT&T (unlike Verizon in other parts of the U.S.), plans to keep the smallband copper wires serving many existing homes rather than install fiber all the way to the home. Some internet commentators speculate that it will be a technological challenge to offer high definition TV, high speed internet, and phone service, the so-called triple play of services, to a home only using copper. Time will tell if limited broadband investment in Missouri will leave us in the dust. The U.S. already ranks around 15th in the world in broadband service and the new law may have dimmed hopes of advancement, especially in states where the new TV entrants, principally the local phone company,

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

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AT&T Video (continued)

fail to install broadband.

Because SB 284 modifies and limits the role of local and state government and consumers, local officials should plan for new ordinances in August, based on the advice of your attorney. A paper by KC Attorney William Geary containing comments on each section of the bill appears on the League's website. See the web address at the end of this article.

A few highlights follow:

1. Companies will apply to the PSC for a Video Services Authorization but this is quite simple and the PSC has almost no control.
2. The company is supposed to notify any city 10 days before commencing video service.
3. Companies shall pay a franchise fee equal to that of the cable company, BUT AT&T is NOT obligated to pay unless the city notifies AT&T of the tax rate. TO

ENSURE YOUR CITY CONTINUES TO RECEIVE THE FRANCHISE FEE, YOU MUST NOTIFY AT&T.

4. Cities have limited control over the placement of switching boxes.
5. For those with PEG channels, we suggest reviewing the bill summary regarding funding and the provision of PEG services.

As this is a new area for many city officials, two local law firms have offered assistance. Cunningham, Vogel and Rost has developed a model video franchise ordinance which can be adopted by municipalities. It can found on the League's website under the Model Ordinance Link.

The firm of Curtis, Heinz, Garrett & O'Keefe is preparing a comprehensive ordinance that implements all germane aspects of SB 284. It includes video service

authority permitted to cities, a public right-of-way code which regulates the use of the ROW by video providers and other utilities, including the placement and appearance of facilities on private property. The firm will assist with video service provider notices and comments and reports to the Missouri Public Service Commission for its clients. Contact Paul Martin or Carl Lumley at 314-725-8788 for additional information about this firms services.

For a thorough description of SB 284 prepared by William Geary, see our website:

-www.stlmuni.org
-Model Ordinances
-AT&T Video Ordinance & Topics
-2007 Video Services Providers Act