



AUGUST 2010

Property Tax Rate Statute Clarified

Upcoming League Meetings

- Thursday, September 23, 7:30 PM, Membership Meeting, Maryland Heights City Hall
Thursday, October 28, 7:30 PM, Membership Meeting, Site TBD
Thursday, November 18, 7:30 PM, Membership Meeting, Site TBD

Current state statutes will be clarified when HB 1392 takes effect on August 28. The new law will make it clear that property tax rates must be set by OCTOBER 1. (The old statute that is being corrected added October 1 but also retained September 1, causing confusion.)

To change September 1 to October 1 for the purpose of setting your property tax rate, one lawyer has informally noted the following but you should confer with your attorney:

- If a city has an ordinance requiring a September 1 tax rate setting deadline it would be wise to amend the date in the ordinance. Make the new ordinance effective August 29, 2010, since the new statute takes effect August 28, or
The ordinance can be amended after Sept. 1 and become effective immediately on passage thereby bringing the ordinance

into compliance before the October 1 deadline.

Note: The August 28 effective date of the new state statute does not appear to pose any other timing problem simply because the new law takes effect 3 days before the old September 1 deadline.

HB 1392 also makes it clear that estimated tax rates have to be sent in the early summer only in years of reassessment, which are odd numbered years.

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New Hearing Notice Requirement for Some Topics

HB 1444 and SB 851 enacted a new section 67.2725, requiring the governing body of any county or municipality or any entity created by such county or municipality to provide a public notice conforming to section 610.020.1 RSMo (Sunshine Law) at least 4 business days before the meeting at which the vote will be taken on certain issues. In addition, to the new 4-day notice requirements, the new law also requires a public

hearing before the subject vote can be taken. Specifically, the new law calls for a public meeting on the matter at which interested parties and citizens shall have an opportunity to be heard.

Effective August 28, 2010 this new hearing requirement and longer notice provision apply only to the following votes:

- A) votes to implement a tax increase, but not including the setting of

the annual tax property rates provided for under section 67.110 and 137.055;

B) votes with respect to a retail development project that:

- 1) utilizes the power of eminent domain;
2) creates a transportation development district (TDD) or community improvement district (CID) or
3) approves a redevelopment plan that pledges public funds as financing.

Park Grant Application Available in Late August

The Municipal Park Grant Commission will soon begin the application process to allocate \$2.3 million in funds. Due to the recession sales tax funds to the Commission are down so the amount of

funding for grants has been reduced.

Pre-application meeting sites and times will be sent to all municipalities. Applications will be posted on the Park Commission website,

www.muniparkgrants.org and will be due at the League office by Friday, October 29.

Please call James Mello at the League office (314-726-4747) with questions.

Kirkwood Team Again Wins League Golf Tournament

For the second year in a row the team from Kirkwood won the Annual League golf tournament. Over 50 golfers (and a few hackers) participated on a perfect June afternoon.

We appreciate the invitation from Mayor Robert 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.

A special treat for the players was the opportunity to meet golf legend Billy Casper, whose company operates the course and who was in Florissant that day.



L-R John Adams, Kevin Campe, Todd Rehg and Chris Phlasterer of Kirkwood won the Golf Tournament.

NLC Publishes Guide for Economic Development

The National League of Cities' Center for Research and Innovation has published a new guide on "The Role of Local Elected Officials in Economic Development: 10 Things You Should Know." NLC believes that elected officials can and should actively participate in and lead long term development strategies.

According to a recent

NLC survey, 73% of local officials report that they are more involved in economic development in light of the recession. However, due to the increasingly complex nature of economic development, local officials often cite that they do not have the necessary information to be effective leaders

The guide identifies fundamental ways elected offi-

cial can become more in-strategic decisions makers.

The guide can be found online at www.nlc.org.

For more information about NLC's Center for Research and Innovation's work on finance and economic development, contact Christina McFarland at mcfarland@nlc.org.

New Metro Tax Allow for Service Restoration

In the 100 days since voters overwhelmingly passed a 1/2 cent sales tax for Metro, the Agency has taken real and meaningful steps toward keeping its pledges to area residents.

The first phase of bus and Metrolink service restoration and expansion occurred on June 28 when 20 bus routes were added. In addition, Metrolink service times were increased by 25%.

The second phase will occur in August.

To implement these improvements, Metro has hired 120 new operators and support staff. This will help other workers in the community to

reach their jobs.

Metro also restored the Forest Park shuttle and implemented a new Downtown Trolley. The Trolley will be particularly helpful to tourists and commuters who will have better access to public transit to downtown locations east of 14th Street.

Planning has begun on ways to expand bus service, possible new extensions for Metrolink and innovative new transit service such as Bus Rapid Transit. Metro President Robert Baer confirmed that no expansion of any service, including Metrolink, will be undertaken unless Metro has the financial resources and federal

collaboration for construction and operation.

Metro has also secured two federal grants for a rehabilitation of the Eads Bridge and for safety and security projects to benefit the region.

Baer said the Metro passed an austere budget for 2011 that includes services reductions, salary freezes, and only mission-critical hires. Other financial changes are in the works to improve Metro's immediate and long-term financial stability, such as restructuring bonds.

Liyeos Volunteers for Work in Afghanistan

As noted in the [Post-Dispatch](#), Rock Hill City Administrator George Liyeos "will be going to Afghanistan to work as a municipal management consultant in Kabul as part of a program to help

the country strengthen municipal governments." He was chosen for a program run by "the United State Agency for International Development, the International City/County Management Association and the

Afghan government."

Upon his ship-out date he will take a 30-day job furlough to participate.

All of his friends in local government wish him a safe and productive "tour of duty."

Annual TIF Reports Due November 15

Under legislation passed in 2009, local governments which establish TIF projects must file annual reports about the TIF project with the Missouri Department of Economic Development. Although the law does not specify a date for compliance, DED has requested that the reports be filed by November 15 of each year. This will allow DED time to complete the annual TIF report to the legislature by the statutorily required date of February 1. The forms are available on the DED website at the following link: http://missouridevelopment.org/pdfs/loc_TIF_rpt_form.pdf. Reports should be filed for all TIFs, even new ones which have not yet seen any activity. The penalty for not filing the annual report is a five year ban on establishing new TIF districts. For more information, contact Hal Van Slyke at DED, 573-526-0748.

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

The next League meeting will be on
September 23 in Maryland Heights.

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Partial Victory in Sewer Lateral Court Case

Cities received a partial victory in an ongoing legal challenge related to sewer lateral fees on condominium properties with six units or less. The court dismissed the claim

against the cities without a resident plaintiff (no class action designation) and those cities with named defendant, Chesterfield, Clarkson Valley, Clayton and Kirkwood have had all Hancock

claims for refunds dismissed. These arguments were the main basis for the plaintiffs' case.

An appeal of the final decisions is always possible.

MSD Stormwater Fee Invalidated by Court

A recent circuit court decision has invalidated MSD's new impervious surface stormwater fee. The court ruled that the fee is actually a tax which should have been submitted to voters for approval.

MSD charged each customer a fee based on the total amount of impervious surface on the property. The theory is that more impervious surface equals more runoff that MSD

must manage. This would generate higher revenue from entities with large parking lots and buildings which create stormwater runoff.

If the impervious surface charge is not upheld on appeal, MSD (and the region) will have a very difficult, if not impossible, job to meet the ever-increasing regulations related to stormwater that are being implemented by the EPA. In addition, MSD is facing

lawsuits from both the EPA and Coalition for the Environment related to sanitary and stormwater treatment that seek higher water quality and will be very costly.

Cities which have Phase II stormwater agreements with MSD will also likely be impacted.