



MAY 2007

Installation Dinner - Saturday, May 19

Upcoming League Meetings

- Saturday, May 19, Installation Dinner, Norwood Hills Country Club, 6:00 pm
• Thursday, June 7, Golf Tournament, Golf Club of Florissant, Noon

The League will hold its Annual Installation of Officers Dinner on Saturday, May 19 at the Norwood Hills Country Club, 5601 Lucas & Hunt Rd. in Jennings. The club is located about 1/2 mile north of I-70.

The evening begins with a cocktail reception (cash bar) at 6:00 pm, followed by dinner at 7:00.

The Patt Holt Singers, an entertaining troupe of young adults, will present a lively after-dinner show.

The cost of the dinner is \$35 per person. We greatly appreciate the generous contributions from our associate members and supporters who help underwrite the

event.

Registration materials have been sent to municipal clerks. Please make reservations through your clerk. Seats will be assigned on a first-come first-served basis.

In addition, all City and County legislators have been invited as guests of the League. We make every effort to seat legislators with cities from their districts. You may wish to extend invitations to legislators as well.

At the dinner the League will install the new officers and Board members elected by the membership in April. They are:

President: Mayor T.R. Carr of Hazelwood;

Vice President: Mayor Joe Adams of University City;

Finance Chairman: Mayor Rick Lahr of Des Peres;

New Board Members: Mayor Scott Douglass of Clarkson Valley; Alderman Judy Goodman of Clayton; Mayor Rich Magee of Glendale; Mayor Ed Marshall of Wildwood; Mayor Julie Morgan of Rock Hill.

We hope that a large contingent from your city will be able to join us on May 19 to welcome the League's new leadership team and enjoy the company of your fellow officials.

Inside this issue:

April Meeting Synopsis 2
Court Upholds Utility Relocation Requirement 2
Legislative Update 3
Grants for Trails Available 4

League Golf Tournament Set for June 7

The City of Florissant is once again generously hosting our 3rd Annual Golf Tournament.

It will be on Thursday, June 7 at the Golf Club of Florissant, which is located off of Old Halls Ferry Rd, south of Lindbergh Blvd. The address is 50 Country Club Ln., Florissant, MO 63033.

The format will be a 4 person scramble with a 1 pm shotgun start. The \$55 fee (\$60 after May 24) include a box lunch at noon and a barbecue dinner. Prizes will also be presented.

Registration information has been mailed to city clerks. It

is also on our website, www.stlmuni.org under the Current Events link.

We would like to thank Florissant Mayor Robert Lowery and Councilman Tom Schneider for putting together this fun annual event.

## April Meeting Synopsis

At the April 26 meeting the membership was updated on St. Louis County's strategic planning process by Darin Cline of County Executive Dooley's staff. Mr. Cline pointed to a number of interesting results from a survey of County residents.

The strategic planning process is designed to help the County plan for future trends. Some of the important considerations are that baby boomers are reaching retirement age, while their children are entering college and the work force. The latter group will be much more technologically advanced and, as a whole, more educated than their parents. Broad issues of concern among those surveyed are global warming, energy use and the environment.

The survey indicated that 91% of residents feel that the County is a good or excellent

place to live. 62% feel the County is moving in the right direction, although this figure was higher the last time a survey was done prior to 9-11.

In regard to local services, police and parks rate very high for all residents in the County and 80% of those surveyed are happy to live where they do.

In regard to transportation, only 29% feel that traffic is a problem, while a slight majority would support an additional sales tax for Metrolink.

Walkable communities enjoyed support, perhaps due to increasing gas prices and an aging population that desires more services closer to home.

The membership also elected new officers and board members at the meeting (see Article on Page 1 for a list of those elected).

In addition, President John Nations presented a proclama-

tion to Mayor Matt Pirrello of Ellisville in recognition of the 75th anniversary of the city's incorporation.

We would like to thank Mayor Nations and the officials and employees of the City of Chesterfield for their warm welcome as hosts of the meeting.



President John Nations (L) presents a proclamation to Ellisville Mayor Matt Pirrello.

## Supreme Court Upholds Utility Relocation Requirement

In a significant case involving the City of Bridgeton, the Missouri Supreme Court upheld a municipality's authority to require that utility companies relocate their infrastructure at the company's expense when public improvements are implemented.

Bridgeton planned to expand and improve Taussig Road, which serves an industrial area, the Bridgeton Athletic Complex and the Mills Mall in Hazelwood. The project requires the relocation of water mains, pipes and fire hydrants that are owned by Missouri American Water Company.

Missouri American argued that because a nearby development was helping to pay for road improvements, the utility should not have to pay for the relocation of pipes.

However, the Court ruled that because the City Council passed a resolution finding that the improvement is a public purpose, the relocation costs should be paid by Missouri American.

The County League and MML filed amicus briefs in this case. Congratulations to Bridgeton.

Utility companies are now pursuing legislation to reverse the court decision.

### Clarification

In last month's Newsletter we ran an article about the cities of Creve Coeur and Eureka working to reduce power outages due to storms. We indicated that Creve Coeur has a committee to address these issues. To clarify, the group of citizens serves as an advisory task force to the Mayor, rather than a formal city committee.

## Legislative Update

In the last weeks of the session, the legislature is debating bills from the other chamber. The last weekly update will be sent on May 11 and all cities will receive a year end wrap up following the session. Please contact our office if you would like to be added to the email list.

The major bills for local governments are:

AT&T Video: SB 284 has passed both chambers and was signed by the Governor. It will be effective on August 28, 2007. The bill strips cities of control over cable TV and replaces that authority with weak PSC oversight. Some of the main provisions are:

Build Out - AT&T must provide access to only 25% of the households in its entire telecommunication service area in the state (not any one jurisdiction) within 3 years;

Pre-emption of Cable Franchises - no existing franchise shall be renewed beyond its expiration date.

PEG - the incumbent cable operator only needs to provide monetary and other support for PEG access facilities if it is in a franchise and only until the end of the term of the franchise or until January 1, 2012, whichever is earlier.

Fees - a city may continue to collect up to a 5% gross revenue fee.

Regulation of boxes - Cities may require landscaping, notifying property owners of construction, alternate placement of the boxes for safety reasons and relocation to accommodate public works projects.

Overtime Provisions: SCS SB

255 (Loudon) clarifies that the 2006 system for overtime for police/fire/EMS is lawful for use in the future. The bill passed the Senate but House leaders propose lowering the wages for waiters and removing cost of living increases in the minimum wage. Chances for passage appear slim. (Support)

Cities may wish to consider reducing the base salary and applying the savings towards overtime so every employee is kept whole and city liability is reduced.

Telecommunications Taxes - Deal or No Deal: HB 165 (S. Cooper) has passed the House and is near the top of the Senate Perfection Calendar. The main provisions are:

- A prohibition on class action lawsuits against telecoms;
- Dismisses current lawsuits and 9 years of back taxes;
- Allows DOR to modify gross receipts tax rates. (Oppose)

MML Attorneys, County League staff and industry attorneys worked for several months to try to forge a compromise. In a last minute reversal, the telecom industry negotiators now say they do not have management support. AT&T has rejected the original interests used as a basis for negotiations and now says its position is based on the odds of winning the suit on back taxes. Sprint and others have proposed only paying what is collected from customers, and insists that cities reduce future rates. These are new proposals omitted over the 3 1/2 months of negotiations.

City attorneys negotiated for months at the request of the Senators and gave up most of the back taxes and all interest and penalties. Perhaps the most honorable path now is for cities to insist that any

compromise be in the way of a court settlement approved by a judge and end the dishonorable process just sabotaged by some telecommunication companies in the legislative process

TIF Restrictions: SB 327 was amended to establish a countywide TIF commission that would have to approve local TIF projects. The bill also prohibits TIF in most floodplains statewide. It is in a conference committee to work out differences between the House and Senate versions. Once again the legislature is proposing special economic development limitations in our County that would put us at a disadvantage. (Oppose)

4th Class City Mayor's Term: SB 22, a large local government bill was amended to require voter approval to change the mayor's term in 4th class cities from 2 to 4 years or vice versa. The 3 year option sought by some mayors is not currently in the bill.

Red Light Cameras: SB 239 (Stouffer) The amendment to send the fines to schools was deleted in the House but other amendments could surface.

Utility Relocation: After cities won a unanimous Supreme Court victory (see article on page 2), utilities are now pushing an amendment that would reverse the opinion and no longer require that utilities pay to relocate their own facilities.

St. Louis County Municipal League  
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Plan to join us at the May 19 Installation  
Dinner and our Annual Golf Tournament on  
June 7.

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## Grants Available for Recreational Trails

The Missouri Department of Natural Resources has begun accepting grant applications for up to \$100,000 from private organizations, and municipal, state and federal agencies for the Fiscal Year 2007 grant round of the federal Recreational Trails Program. A minimum of \$900,000 is expected in this cycle.

The Recreational Trails Program is funded through the Federal Highway Administration as part of the Safe, Accountable, Flexible, Efficient Transportation Act (SAFETY-LU).

Grants are to be used for trail development, renovation, maintenance and/or the development of trailheads. All project must be maintained for a period of 25 years. Eligible applicants include cities and counties, schools, and

private non-profit and for profit businesses.

To assist potential project sponsors, the Department of Natural Resources is planning a grant application workshop on May 31 for applicants located in the St. Louis area. It will begin at 10 AM at the offices of East-West Gateway, Gateway Tower, One Memorial Drive, Suite 1600.

Online registration for these workshops is also available at <http://www.mostateparks.com/workshops.htm> or by calling (573) 751-5374.

All grants are awarded on a reimbursement basis and a 20% match is required. Applications must be postmarked by July 16.

### Local Park Grants

The Municipal Park Grant Commission recently approved its budget setting aside \$3 million for construction grant, which will be due at the end of October. The Commission also set aside \$80,000 for planning grants which will be available this summer. Information will be mailed to all cities in May.

Mayors reappointed three commissioners in recent elections. They are Jim Brasfield, Trudy Hoey and Nancy Greenwood.

A meeting will be held in mid-May to name a new commissioner for the 1st District to replace Errol Bush, who was elected to the Northwoods Board of Aldermen.