



October 26 Meeting at Beyond Housing in Pine Lawn

OCTOBER 2017

Upcoming League Meetings

- Thursday, October 26, Membership Meeting, Beyond Housing in Pine Lawn
- Thursday, November 30, Membership Meeting, Berkeley

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The next membership meeting will be held on Thursday, October 26 at the Beyond Housing Office, 6506 Wright Way in Pine Lawn. Refreshments and building tours will be begin at 6:30 pm with the meeting getting underway at 7:15 pm. ([Map](#)) Directions: from eastbound I-70, exit at Jennings Station Rd. and turn right (south). Go 4/10 mile to Bircher Ave. and turn right. Go 3/10 mile and turn left on Wright Way. The office is on the right.

Program: Chris Krehmeyer, President & CEO of Beyond Housing, will provide an overview of Beyond Housing’s community development work in 24:1, focused on housing,

economic development, health, jobs and education. The presentation will also discuss the history and accomplishments of the 24:1 Municipal Partnerships, an effort to increase efficiency, collaboration and impact among the 24 municipalities that make up the Normandy Schools Collaborative. Accomplishments have included cost-savings through bulk purchasing and contracts, and more recently police department and municipal courts consolidation.

The main business item on the agenda will be the consideration of the Report of the Legislative Affairs Committee. This will be emailed to members in advance of the meeting.

October 26 Training Program on

The next Municipal Officials Training Academy program is set for **Thursday, October 26** from Noon to 1:15 p.m. The program is entitled “Ballot Questions & Initiatives: Best Practices.” It will be presented by Joseph Bond of the Cunningham, Vogel and Rost law firm.

Officials are invited to attend via Webinar or in person at Frontenac City Hall. Click [HERE](#) to register for the webinar.

Contact the Municipal League office at staff@stlmuni.org for in-person attendance. Space is limited to the first 25 registrants.

The cost is \$20 per person unless the city has an annual subscription. Please make checks payable to and mail to the Municipal League of Metro St. Louis.

Registration by Tuesday, October 24 is encouraged to ensure that all materials are emailed to registrants prior to the program.

Due to the subsidized and focused nature of the Academy, persons attending must be authorized to attend on behalf of a Missouri municipality or political subdivision. Additionally, registrants will need to state the jurisdiction that has authorized the attendance of the registrant on its behalf upon registration. Approval for persons not attending on behalf of a specific municipality will be subject to the discretion of the Municipal League of Metro St. Louis and Cunningham, Vogel & Rost, P.C on a case-by-case basis and such approval may be denied.

September Meeting Synopsis

At the September meeting, the membership heard a presentation from Dr. Mark Tranel, Director of the Public Policy Research Center at UM-St. Louis. He and colleagues Jim Brasfield and Terry Jones had, at the request of Cities Strong, conducted a study on the cost of regional governments for St. Louis City and County versus Indianapolis. The Indiana Capitol has been cited by Better Together as having a cost of government that is \$600 per person lower than St. Louis City, County and the municipalities. Local supporters of governmental change have opined that a decentralized government inhibits regional economic development.

Dr. Tranel noted that Urban Scholar Richard Florida has written "Rise of the Fragmented City", where he states that decentralized governments may be inefficient and duplicative, but they do not inhibit regional growth and may actually fare better than regions with centralized governments.

While Better Together used budget totals for their study, his group used the Comprehensive Annual Financial Reports (CAFRS) for the regions to present a more complete analysis of costs.

Dr. Tranel noted that not all governmental functions in Indianapolis are under the Unigov umbrella. There are eight components of the regional government. Four of these units were not included in the Better Together report while similar functions were included in the St. Louis costs. Some of the costs left out of the Indianapolis study include:

- Other municipalities - \$63.5 million

- Public health - \$226 million
- Townships with governmental functions \$49 million

The total costs not included in the comparison is \$589 million. The total for St. Louis regional government is actually \$45 less than Indianapolis on per person basis when comparable services are compared.

Dr Tranel also presented a chart showing a Fragmentation Index. Chicago and Pittsburgh are two cities that have a large number of local governments and have higher fragmentation index than St. Louis. These cities have had better growth rates than cities with centralized governments such as Indianapolis, Louisville and Baltimore.

He also indicated that many regions have a metropolitan economic development organization that can work with all local governments to attract and retain jobs. St. Louis does not have such a region wide association but Bi-State could be the type of agency to implement this with the backing of regional leaders.

He urged the membership to work to ensure that if change is implemented, it should be based on a through analysis of all issues for it to be truly productive.

We appreciate the warm welcome from Mayor Greg Carl and the employees and officials of the City of Olivette, who hosted the meeting. Their new City Hall is a very impressive facility.

Reminder That Park Planning Grant Applications Are Available

The Municipal Park Grant Commission is accepting applications for quarterly planning grants. The applications are available on the Commission website, www.muniparkgrants.com. Applications will be due by October 23 so that they can be reviewed by the Commissioners at their November 2 meeting. If you have questions about the Planning Grant applications, please contact the Municipal League office.

In addition, the Commission Advisory Board, led by Des Peres Parks Director Brian Schaffer, has reviewed the scoring of the 25 applications that were submitted in August for Round 18. The cities requested \$9.3 million while the Commission estimates that \$7.6 million will be available. The Advisory Board, which is comprised of park professionals, completes an objective scoring of each project and submits a report to the Commissioners. Awards are expected to be announced in November.

Congratulations To:

Hazelwood Mayor Matt Robinson, who was elected President of the MML and to Creve Coeur Mayor Barry Glantz and Ellisville Councilmember Cindy Pool who were elected to the Board of Directors.

Land Use and the Law: Zoning Protests

By Mary B. Schultz

Section 89.060 (“Protest Provision”) of the Zoning Enabling Act applies to all cities, towns and villages. § 89.060, RSMo. (Comparable provisions apply to counties, e.g., §§64,140, 64.271, RSMo.) The Zoning Protest Provision of the Zoning Enabling Act provides in part:

...In case, however, of a protest against such change duly signed and acknowledged by the owners of thirty percent or more, either of the areas of the land (exclusive of streets and alleys) included in such proposed change or within an area determined by lines drawn parallel to and one hundred and eighty-five feet distant from the boundaries of the district proposed to be changed, such amendment shall not become effective except by the favorable vote of two-thirds of all the members of the legislative body of such municipality...§ 89.060 RSMo.

The Protest Provision applies when a certain minimum percentage of the landowners within a defined area near the property that is the subject of a proposed rezoning have filed a petition with the City Council, Board of Aldermen or Board of Trustees protesting that rezoning. In the event of such a Zoning Protest, in order to approve the rezoning, the Protest Provision requires a super majority vote of the governing body in favor of the proposed rezoning. The area of affected landowners is defined by the Protest Provision to be either the property that is the subject of the rezoning petition, or the property located within 185 feet of the perimeter of the property to be rezoned. (The area of affected landowners might be different for certain counties, e.g., §64.271, RSMo.)

Under the Zoning Protest Provision (§ 89.060, RSMo), if at least thirty percent (30%) of the landowners with the defined area file a protest with the City Council or Board of Aldermen, two-thirds (2/3) of all members of the Council or Board would have to vote in favor of rezoning in order for the rezoning to be approved. Significantly, the super majority required is two-thirds of *all* members of the Council or Board, not just of the quorum present at the particular meeting when the deciding vote is taken.

The Protest Provision was amended in 1988 to increase the percentage of affected property owners necessary for a valid statutory protest, and to decrease the super majority necessary to approve a rezoning when such a valid statutory protest has been filed. Prior to the amendment in 1988, a statutory protest filed by only ten percent (10%) of affected property owners would trigger a super majority requirement of three-fourths (3/4) of all members of the Council or Board. I recommend that municipalities review the protest provision in the Zoning Ordinance, and amend it if it is inconsistent with the Protest Provision of the Zoning Enabling Act. See, Springfield v. Guff, 918 S.W.2d 786 (Mo. 1996).

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This column is intended to provide general information only. It does not constitute, nor should be relied upon, as legal advice or a legal opinion relating to specific facts or circumstances.

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League to Celebrate 100 Years in 2018

In 2018, the League will be 100 years old. Vice President Norm McCourt, Mayor of Black Jack, has been asked to chair a committee to plan several events to commemorate this important milestone. The kickoff will be the Annual Installation of Officers and Muni Awards in May. Members will be notified of future events. Other committee members are Mayor Scott Douglass, Clarkson Valley; Mayor Edward Mahan, Rock Hill; Councilmember Cindy Pool of Ellisville and Councilmember Ruth Springer of Olivette.

Municipal League of Metro St. Louis
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The October 26 League meeting will be at
Beyond Housing in Pine Lawn.

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www.stlmuni.org*

League Seeks Resolutions on City-County Consolidation Proposal

Earlier this year the President Pro-Tem of the Missouri Senate suggested that he would sponsor a constitutional amendment to change the government structure of St. Louis City, County and the municipalities. This would require a statewide vote on an issue that is of little to no interest to residents outside the City and County. League President Chuck Caverly spoke about this issue at the MML Conference in September, noting that the legislature could impose their will on governments across the state if they perceive there are “problems” that need to be addressed. President Caverly’s remarks were well received by officials from MML attendees. The County League opposes a statewide vote and recommends that any plan be developed locally and voted only by voters of the City and County.

For this reason, the League staff sent to all member municipalities a resolution that urges the County Council and St. Louis Board of Alderman to oppose a statewide vote as well. We ask that your board or council consider the resolution and, if passed, send it to the League office by the end of October. We will present these to the County Council and St. Louis Board of Aldermen and request their support.

United Way Campaign Information

United Way of Greater St. Louis is a full-service helping organization that partners with individuals and institutions to generate, manage, and invest resources to help people live their best possible lives. United Way and its member agencies help 1 in 3 people in our region, and also provides the 24/7 human services hotline—2-1-1. Thousands of workplaces across greater St. Louis are coming together to raise funds for United Way, including many municipalities and government offices. If you would like to run a workplace campaign this year or learn more about what United Way provides in your community, please contact Beth Jung at beth.jung@stl.unitedway.org, or by phone at 314-539-4250