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LINKING LOCAL COMMUNITIES | STRENGTHENING LOCAL GOVERNMENT

February 2020

UPCOMING LEAGUE MEETING

Thursday, February 27
Membership Meeting
City of Glendale

Thursday March 26
Membership Meeting
Brentwood City Hall

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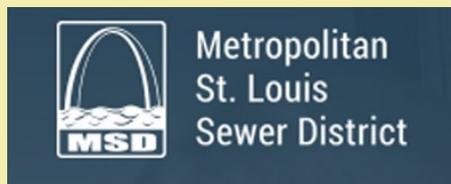
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February League Meeting



The next League meeting will be held on Thursday, February 27 at the newly remodeled Glendale City Hall, 424 N. Sappington Rd. 63122, about one mile south of Manchester Rd. [Map](#) Refreshments will be served at 6:30 pm with the meeting to follow at 7:15 pm

Program: MSD



MSD will be going to the voters in April asking for authorization to issue \$500 million in additional bonds to fund a \$1.58 billion capital improvement program for fiscal years 2021–2024 (July 1, 2020 to June 30, 2024). The funds are needed to meet regulatory and system improvement needs. The bonds will make rate increases more manageable.

Rich Unverferth, the Director of Engineering for the Metropolitan St. Louis Sewer District will explain why MSD believes this is the best approach to funding the improvements. Rich oversees the development, implementation, and management of MSD's ongoing multibillion-dollar, multi-decade capital improvement program. His responsibilities include the planning and implementation of the District's long-range plans to address combined and sanitary sewer overflows, stormwater issues, asset management, and other regulatory

initiatives. Rich has worked at MSD in numerous engineering and management positions since 1987.

Rich earned a Bachelor of Science degree in Civil Engineering from the University of Missouri-Rolla (Missouri S&T) and is a licensed Professional Engineer in Missouri. He is a member of the Engineers Club of St. Louis and represents MSD as a member of the National Association of Clean Water Agencies (NACWA), and the St. Louis Council of Construction Consumers.

On the agenda for consideration will be an amendment the League bylaws. The proposal would increase the number of elected board members to 9 from 7 and allow for the removal of non-participating board members. This proposal was on the January agenda, but because of the snow storm, a quorum was not present so no vote was taken.



Attorney General Challenges SB 5 Ruling

On January 29, Attorney General Eric Schmitt filed a motion in the Cole County Circuit Court, arguing that because of a ruling by Missouri Supreme Court on December 24, 2019, the Attorney General's Office should be able to enforce the SB 5 provisions challenged by the League and member cities in 2016. Those provisions impose a more stringent 12.5% cap on revenue collected from fines and fees and require police department certification in St. Louis County but not the rest of State.

To see the announcement from the Attorney Generals Office go to: <https://www.stlmuni.org/wp-content/uploads/2020/01/Attorney-General-Eric-Schmitt-Reopens-SB-5-Challenge.pdf>

Mark Your Calendar



The League's Annual Installation Dinner and Awards Ceremony will be held on Wednesday, May 27 at the Renaissance Hotel in Berkeley. Governor Mike Parson has accepted our invitation to be the guest speaker. This is the first time that Missouri's Governor has attended this event and we are very pleased he has chosen to do so.

January Meeting Synopsis

At the January 23 League meeting, Executive Director Pat Kelly provided a legislative update, including bills related to video franchise fees, local government financial reporting and use tax legislation to implement the *Wayfair* court decision. For the second part of the program, State Senator Jill Schupp from the 24th District introduced Jeff



Marke from the Office of Public Counsel, who she invited to discuss infrastructure surcharge legislation. Mr. Marke said that HB 2074 and SB 592 would expand the current infrastructure surcharge for Missouri American Water, that is levied only in St. Louis County, to all of their customers statewide. The legislation would increase the surcharge from 10% to 15% to raise revenue to replace mains for customers in other cities. It would increase the cost for St. Louis County customers but would not increase service, which he described as socializing the privatization of a natural monopoly. Senator Schupp described legislation she is proposing, including bills to: curtail gun violence; assist mothers with post partum depression; address campaign finance laws; lower taxes on sanitary products; and veterans suicide prevention. She expressed concerns over legislation on charter schools; and changes to initiative petitions and redistricting bills.

A proposal to amend the League bylaws was on the agenda, but due to the snowstorm a quorum of members was not present to vote on this issue. It will be on the agenda for the February meeting.

We would like to thank Mayor Lawrence Besmer and the officials and staff of the City of Woodson Terrace who hosted the meeting at their impressive new community center.

Nominating Committee to Meet in April - Board Positions Available

The League's Nominating Committee will meet in early April after the municipal elections. The committee will make recommendations to the full membership on a slate of candidates for officers and board members for the 2020-2021 year. There will be at least two vacancies on the Board to be filled (or four if the bylaws amendment is passed).



The Board meets about nine times per year and is open to any elected official from a member municipality. If you would like to be considered by the

Committee, please send a letter to the League office by April 1 indicating your interest and outlining your qualifications, including service on committees and attendance at League meetings or other events.

The Committee will be chaired by Mayor Norm McCourt of Black Jack, Immediate Past President. The recommended slate of candidates will be presented at the April meeting. So, if you are interested in serving on the Board please let us know!



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Park Planning Grants Available

The Municipal Park Grant Committee has vote to allow submission of planning grants at any time during the year, rather than on a quarterly basis. The commission has given the staff authority to approve planning grants so that applicants can begin the planning process sooner. The Planning Grant process was initiated to assist municipalities in developing strong, well-planned, applications. This program awards grants to municipalities in order to help plan future parks and recreation projects. Unlike the construction grants, planning grants must be met by a 20% match by the municipality, and cannot exceed an award amount of \$6,400. The planning grant application can be found [here](#).



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\$26M

invested in BioGenerator portfolio companies

\$950M

follow-on capital raised by BioGenerator portfolio

170

VC & strategic investors

\$48M

national grants secured for our companies

15

international countries engaged

337

diverse future founders trained

Earlier this month the Bill & Melinda Gates Foundation announced that they were going to make St. Louis the headquarters for its new agriculture nonprofit, Gates Ag One. It will focus its research on helping "smallholder farmers adapt to climate change and make food production in low- and middle-income countries more productive, resilient, and sustainable. This is just the most recent investment in this exciting growing industry in St. Louis to learn more about BIOSTL go to; https://www.biostl.org/?mc_cid=345d210e58&mc_eid=13da7b0d73



MISSOURI ETHICS COMMISSION - Paid for By Requirement for Printed Materials

It is important to be aware of laws related to "paid for by" requirements on printed materials. The law requires that any pamphlet, circular, handbill, sample ballot, advertisement including newspaper or other periodical advertisement, sign, including signs for display on motor vehicles, or other imprinted or lettered material relative to a candidate or ballot measure, must contain the proper "Paid for By" information.

It is often misunderstood that informational materials for ballot issues do not require a "paid for by" disclaimer, but they do.

See [Paid For By Requirements](#) brochure and tutorial for the proper statement and exclusions.

SIGNS - Frequently Asked Questions

Can I use my old signs from a past election?

Yes, but you must assign them a fair market value and record/report them as an in-kind

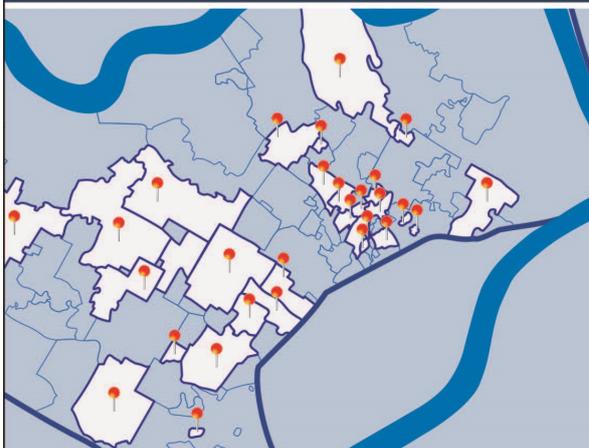
contribution. The "paid-for-by" on the signs must be correct as of the time the signs were originally paid for (prior election info).

Where can I put up my signs?

MEC has no authority to govern placement of campaign signs, however, does recommend that candidates have the permission of the property owner before placing signs. Also verify with municipality if an ordinance exists and with MoDOT for their regulations.



To see the MEC January 2020 newsletter go to: https://www.mec.mo.gov/WebDocs/PDF/Press/Newsletter_January2020.pdf



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Keep up with CHGO on LinkedIn



The legislative session began on January 8 and both the House and Senate have held hearings and begun debate on priority bills. Below are some of the main bills the League is tracking that affect local governments.

Several bills have been filed to address the *Wayfair* use tax issue. These include: [HB 1957](#) (Eggleston)- Passed Committee 1/29; [SB 529](#) (Cunningham) - Local Government Committee, Heard 1/29; [SB 659](#) (Arthur) - Ways & Means Committee; [SB 805](#) (Hoskins); [SB 872](#) - (Crawford)

[SB 526](#) (Emery) - modifies provisions relating to video service providers. No political subdivision shall adopt a linear foot fee to be charged to any entity that holds a franchise or video service authorization. (Oppose) Heard 2/5

[SB 570](#) (Koenig) - modifies several provisions relating to tax increment financing. Committee Substitute passed Senate

[SB 539](#) (Libla) - increases the tax on gasoline from 17 to 19 cents per gallon. Passed Committee 1/16. (Support)

[SJR 44](#) (Eigel) - eliminates personal property tax (Oppose) Ways & Means Committee

[SJR 46](#) (Cierpiot) - constitutional amendment provides that any proposal by the state or a county, municipality, or other political subdivision for a new tax or fee, an increase in an existing tax or fee, or a reauthorization of an existing tax or fee that is submitted to the voters for approval shall not become effective unless it receives a qualified majority in favor and at least 22% of qualified voters cast a ballot in the election. Elections Committee

[SJR 52](#) (Eigel) - constitutional amendment provides that any proposal by the state or a county, municipality, or other political subdivision for a new tax or fee or an increase in an existing tax or fee that is submitted to the voters for approval shall not become effective unless it receives a qualified majority in favor and at least 50% of qualified voters cast a ballot in the election. Elections Committee

[HB 1658](#) (Proudie) - specifies that St. Louis County shall be included in the list of places in which limited liability companies that own or rent real property are required to designate by affidavit the name and street address of a natural person with management control of responsibility for the real property. Urban Issues Committee.

[HB 1760](#) (Spencer) - requires public officials from special districts or political subdivisions, where the district or political subdivision has 10,000 or more individuals, to be physically present when casting a vote. Electronic voting of any kind is not allowed in such cases. Elections Committee. Heard 1/29

[HB 1854](#) (Pfautsch) - changes the laws regarding the consequences of a political subdivision for failure to file an annual financial statement with the State Auditor as required. Heard 1/28.

[HB 1933](#) (Wiemann) - establishes the "Missouri Local Government Expenditure Database", to be maintained by the Office of Administration. Participation would be voluntary for cities and counties. Passed Committee 1/28.

[HB 2091](#) (Bondon) - changes provisions relating to video service providers by specifying that no political subdivision can adopt a linear foot fee to be charged to any entity that holds a franchise or video service authorization. (Oppose)

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VS



Plastic straw bans are popping up in municipalities across the country – in Washington, DC, on the first day of 2019; in Seattle in 2018; in a handful of Massachusetts towns starting as far back as 2015; statewide in California in 2019. Some brands, including Starbucks, Hyatt, and SeaWorld, phased them out preemptively. But what happens went when social reforms, banning straws to protect the environment and the American with Disabilities Act (ADA) collide?

The paper below was written by third year law student, Isaac Caverly; son of Maryland Heights Council, Chuck Caverly. It looks at the impacts of plastic and the environment, the movement to ban straws and why these local movements violate the American with Disabilities Act (ADA). Below is the introduction to Mr. Caverly's paper and a link to the paper in its entirety.

Water, Water Everywhere, but Not a Straw to Drink: How the Americans with Disabilities Act Serves as a Limitation on Plastic Straw Bans

*Isaac T. Caverly**

ABSTRACT: Congress passed the Americans with Disabilities Act ("ADA") to ensure that individuals with disabilities have access to society. This revolutionary piece of legislation implemented standards for which places of public accommodation must conform their business practices to. As a result, places of public accommodation are required to provide auxiliary aids to individuals who request them. This Note will first examine the background that has led to plastic straws being banned or removed from places of public accommodation. This Note will then discuss the negative consequences that banning plastic straws has on individuals with disabilities. These consequences can lead to the de facto exclusion of individuals with disabilities from public life, which is what the Americans with Disabilities Act sought to prevent. To avoid exclusion, this Note argues that plastic straws are the only type of straw that can serve as an auxiliary aid. Therefore, in order to comply with the ADA places of public accommodation must provide plastic straws. This ensures that individuals with disabilities can fully and equally enjoy their beverages. Finally, this Note will examine the impact this classification has on current actions being taken and propose simple steps to ensure that companies and government actors do not subject themselves to litigation that they can easily avoid. [Read more.....](#)



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UPCOMING EVENTS

MML Legislative Conference
February 11 – 12

[https://mocities.site-ym.com/
general/custom.asp?page=LegConf](https://mocities.site-ym.com/general/custom.asp?page=LegConf)

American Planning Association
Spring Workshop
March 31, 2020

[https://apa-stl.regfox.com/apa-spring-
workshop-2020](https://apa-stl.regfox.com/apa-spring-workshop-2020)

National League of Cities
Congressional City Conference
March 8 – 11

[https://www.nlc.org/event-calendar?
field_event_type_target_id=2447](https://www.nlc.org/event-calendar?field_event_type_target_id=2447)



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