



MUNICIPAL LEAGUE
OF METRO ST. LOUIS

MEETING NOTICE

DATE: October 17, 2023

TO: Mayors, Board Chairmen Chief Administrative Officers &
Affiliate Members

FROM: Pat Kelly, Executive Director

RE: Membership Meeting, **7:00 pm**, Thursday, October 24, 2023
Brentwood Park
Refreshments will be served at 6:30 pm

The first League meeting of the fall will be held at the above time and location. The address is 2924 Brazeau Ave, Brentwood Mo, 63144.

Program: Jim Brasfield holds an MA in Political Science from St. Louis University and a PhD in Political Science and Public Administration from Case Western Reserve U. He taught Political Science and Management at Webster University for forty years and retired in 2015. He was elected to the Crestwood Board of Aldermen in 1978 and served for 18 years on the Board before being elected Mayor in 1996 and served for six years. He is a former Board Chair of the Municipal League and has served as a Municipal Parks Grant Commission member for the past twenty years. He was one of the founding members of Cities Strong and served as its Board Chair for several years. He has written several academic papers on local government structure and finance in St. Louis County.

The membership will also be asked to consider the Report of the Legislative Affairs Committee, which establishes the League's priorities and policy statement for the 2025 session. It will be presented by Committee Chair Mike Clement, Mayor of Manchester.

Enclosed for your review are the Minutes of the September meeting and the Legislative Affairs Committee Report.

We hope you will be able to join us.

MINUTES
MUNICIPAL LEAGUE OF METRO ST. LOUIS MEMBERSHIP MEETING
September 26, 2024
Des Peres Lodge

I. CALL TO ORDER

The meeting was called to order by President Tim Lowery at 7:06 pm.

II. Introduction of Host – Alderman Jim Kleinschmidt

III. APPROVAL OF MINUTES

The Minutes for the April 25, 2024, meeting was approved.

MOTION by Chuck Caverly, seconded by Marcietta Reed, to approve the Minutes for the April 25, 2024. MOTION UNANIMOUSLY APPROVED ON A VOICE VOTE.

IV. REPORT OF THE FINANCE CHAIRPERSON

Finance Chairman Edward Mahan gave the Financial Report as follows: Expenditures for July 1 through August 31, 2024, totaled \$70,659.76 and were allocated as follows: General Expenses - A. Personnel Expenses \$47,940.29; B. Operating Expenses \$22,719.47; The total unexpended General Fund budgeted balance is \$414,170.24 – 84% of the budget with 83% of the fiscal year remaining. General Fund cash and investments as of August 31 totaled \$806,904.05. Expenses from the restricted settlement fund totaled \$3,557.85. The Settlement fund balance as of August 31 is \$620,078.35.

V. PRESIDENT’S REPORT

- A. Introduction of the Board President and Board Members for 2024-2025.
- B. Introduction of Affiliate Members – I5 Group, FBBS, Commerce, Armstrong Teasdale, Ameren UE
- C. Introduction of Chris Walker from US Senator, Eric Schmidt’s office
- D. Reminder there is an election on November 5th.
- E. Mayor Clement is chairing The Legislative Affairs Committee. They have held two meetings with the final one set for early October. Their recommendations will be presented to the Board and membership at the October meetings.
- F. We will once again hold an Open House for our Affiliate Members in lieu of a November membership meeting. It will be held on Thursday, December 12 at the Maryland Heights Community Center. This is a fantastic opportunity to gain more experience with our valued affiliate members and meet other elected officials from throughout the region.

VI. EXECUTIVE DIRECTOR’S REPORT

- A. Mr. Kelly announced Staff completed an initial scoring of the thirty-two park grants received in late August. The Park Advisory Board met yesterday to do a final scoring and develop a report for the Commission. The Commission allocated \$9.3 million for this grant round; total requested was \$11.5M. The Commission will meet in late October to award the grants and contracts mailed by mid-November. Jim Brasfield, the Chairperson of the Park Commission, will be our guest speaker at the October meeting. He will talk about the history of the Park Commission and some of the exciting projects your cities have completed over the years.
- B. Mr. Kelly advised a Training Academy session was held today. Leesa Ross and JoAnne Cova presented Running Public Meetings. Over 70 people registered.

- C. Mr. Kelly reminded all that the next meeting is on Thursday, October 24th. The City of Brentwood will host at their new Brentwood Park Facility.

VI. PROGRAM

- A. The rebuilding and widening of I-70 across Missouri is the largest and most expensive project ever planned by MODOT. It is anticipated that it will have an incredibly positive impact on economic development in the State once completed. With us this evening to discuss the project is MODOT's St. Louis District Engineer, Tom Blair. Tom Blair leads more than 700 dedicated team members in taking care of and operating the state transportation system in the St. Louis region. The district includes the City of St. Louis, St. Louis, St. Charles, Jefferson, and Franklin counties, making it part of the 7th largest transportation system in the nation.
- B. Mr. Blair updated the membership several out state highway projects including Highway 44. He then talked about the I-55 project for Lindberg to downtown, I-270, the new bridge project for I-270 over the Mississippi river and finally the I-70 project to add a third lane across the entire state.

VII. UNFINISHED BUSINESS - There was no Unfinished Business to consider.

VIII. NEW BUSINESS - There was no New Business to consider.

IX. INTRODUCTION OF GUESTS - None

X. ADJOURNMENT - The meeting adjourned at 7:54 p.m.

Attendance Record – Representatives from the following members signed the register:

Bel-Nor	Black Jack	Brentwood
Calverton Park	Clayton	Crestwood
Des Peres	Ferguson	Florissant
Greendale	Hazelwood	Kirkwood
Ladue	Maryland Heights	Northwoods
Overland	Pasadena Park	Rock Hill
St. Louis	St. Louis County	Town & Country
University City	Vinita Park	

Also in attendance were representatives from:

Ameren Missouri	FBBS	I5 Group
Armstrong Teasdale	Commerce Bank	



2025 Legislative Priorities

Preservation and Expansion of Municipal Revenue Sources – Numerous bills were proposed during the 2023 and 2024 sessions which would negatively impact municipal revenues. The most concerning was legislation which would have exempted food from local sales taxes. This would significantly reduce sales taxes for cities, counties, and other local taxing entities – perhaps as much as 25%. A recent fiscal note estimated the financial impact to be around \$1.3 billion across local governments statewide. Other revenues, likely property taxes, would have to be increased or vital services would need to be reduced or eliminated. Neither is a desirable option.

Also, proposed in 2023 and 2024 was legislation to eliminate personal property taxes and freeze property taxes for senior citizens, no matter their income level. The latter bill passed and is being implemented by St. Louis County; this will greatly limit future property tax revenues needed to provide vital services and keep up with inflation.

Current statutes limit municipal sales taxes to specific uses and amounts. For most municipalities in St. Louis County, the maximum sales tax rate is 1.75%, and for those municipalities with fire departments, the maximum rate is 2.25%. In 2022, SB 759 was introduced which would authorize any taxing jurisdiction to impose one or more sales taxes for purposes to be designated by the taxing jurisdiction, provided that the total combined rate of local sales taxes imposed by a municipality not exceed 4.5%; the total combined rate of local sales taxes imposed by a county not exceed 4.5%; and for all other taxing jurisdictions, the total combined rate of sales taxes in any given taxing jurisdiction shall not exceed 3.0%.

Policy – The League strongly supports maintaining current sales taxing authority and encourages the legislature to respect the will of the voters who voted for these taxes to provide vital municipal services. Legislation to allow a property tax freeze for seniors has passed and is being implemented by St. Louis County. While League members generally oppose this legislation, there is a need to limit the potentially significant financial impact. Therefore, the League supports revisions to these provisions that would establish an income-based means for implementing the property tax freeze.

The League further supports legislation that would simplify the sales tax statutes and allow municipalities the flexibility to designate sales tax use, subject to voter approval.

Juvenile Justice Reform – Currently, Missouri juvenile detention centers use a scoring system known as Court Operating Rule 28 to determine if a juvenile should be detained or released with or without conditions. Rule 28 allows broad discretion by juvenile officers and is not assessed consistently throughout the State. For example, St. Louis City and County Juvenile officers only use the points for the most egregious crime allegedly committed by the juvenile as opposed to a total of all points from all crimes allegedly committed by the juvenile upon being detained by law enforcement officers. This results in many juveniles detained by law enforcement for vehicle theft, tampering with a motor vehicle, resisting arrest, and gun violation being released without any record of being detained by police. Thus, a juvenile who allegedly committed the crime faces no consequence for making a bad choice and receives no available services to help prevent future criminal activity. In some cases, police officers are told by detention center officers to take the juvenile home with no notice to their parents or guardians.

Policy – The League supports legislation that would require Court Operating Rule 28 be applied uniformly across the State by assessing all points on the assessment form based on all crimes allegedly committed by the juvenile. This would

ensure that the juvenile goes before a judge who will determine the appropriate next steps, including social services and programs to help deter future criminal activity and proper notification of their activity is given to their legal guardians.

Maintaining Current Municipal Election Laws – Legislation has been proposed for the last several years to revise municipal elections by, among other things, changing the date to November and requiring partisan elections. Municipal residents have been well-served by keeping local issues and elections local and not having issues and candidates caught up in county, state, and federal elections.

Policy – The League supports maintaining the current local election dates and non-partisanship of candidates.

Video Service, Telecommunications Providers and Right-of-Way - With the passage of the 1996 Telecommunications Act, Congress sought to establish a pro-competitive, deregulatory framework for telecommunications and video service providers. In 2007, the Missouri General Assembly enacted the Video Services Providers Act. This Act allows video service providers to obtain a state-issued video service authorization to provide local video services instead of acquiring a municipal cable/video service franchise. Both the federal Act and the Missouri Act preempt municipal oversight of video service providers.

In addition, the right-of-way is a valuable piece of property maintained by local governments for the purpose of installing important facilities such as roads, sidewalks, sewers and utilities. Access to the right-of-way is a privilege, not a right, as private demands for space within the public rights-of-way increases due to expansion of broadband, internet, cable TV and other telecommunications technology, protection of taxpayers' investment in public rights-of-way is essential.

Policy - The League opposes any new federal and state legislation or regulations that would diminish the ability of local governments to manage the public rights-of-way or to charge a fee or taxes to telecommunications and video service providers that use the public rights-of-way to deliver their product or service. All video service and telecommunications providers must comply with all local right-of-way regulations and consumer protection provisions.

The League supports the authorization of local governments to impose reasonable fees for any use of the public rights-of-way and opposes any legislation that limits municipalities' authorities to manage the right-of-way for the public interest and/or transfer the cost of regulation of utilities from private industry to public entities.

Sunshine Law and Closed Records - Many cities maintain resident email addresses and phone numbers so that citizens can receive important updates from their local government. Under current law these email addresses are public records that must be shared with anyone requesting this information. SB 174 filed in 2023 and HB 1720 in 2024 would allow a public governmental body to close certain records if the records are related to resident's email addresses and telephone numbers submitted to a public governmental body for the sole purpose of receiving electronic newsletters, emergency alerts and other information. In addition, the legislation would close all records related to minors, including but not limited to physical address, email address, phone number, and employment information.

Policy - The League supports legislation such as SB 174 (2023) and HB 1720 (2024) that would allow the closure of certain email and phone records, including information pertaining to minors under the Sunshine Law. In addition, Missouri Revised Statute Section 610.010 Definitions, subsection (6) "Public Record" states "that personally identifiable student records maintained by public educational institutions" are not subject to the sunshine law. The League supports amending subsection (6) to include "public educational institution, city, towns or villages" to protect identifiable student information held by any governmental body.

Video Lottery Game Terminals – Currently, video lottery games are operating throughout the state unregulated and without any oversight. This leads to a lack of consumer protection, loss of state revenue, facilitates illegal activity, and increases problem gambling and potential fraud.

Policy – The League supports legislation that would regulate video lottery terminals. The legislation should authorize the State Lottery Commission to implement rules and regulations related to video lottery game terminals and to issue licenses to video lottery game manufacturers, distributors, operators, handlers, and retailers. Regulation should include a fee and

tax structure, age restriction, location of terminals, number of terminals per location, and penalties for noncompliance; similar to SB 824 (2024).

The League also supports legislation providing municipalities with the ability to ban or limit the number of video lottery game terminals operating within city limits.

LEGISLATIVE AFFAIRS POLICY STATEMENTS

2025

LOCAL CONTROL

Background - The issue of local control is discussed at all levels of government. Trying to solve a problem in one community creating statewide legislation can have unforeseen negative impacts on other communities when a fair, public/private solution is possible. In addition, businesses often try to sidestep local regulations by seeking legislative pre-emption of municipal oversight. This is questionable public policy and should be avoided because special interests can conflict with public interests.

Previous legislative discussions focused on an amendment to change the governmental structure of St. Louis City and County. The proposals completely usurp the idea of local control by requiring a statewide vote on issues of no interest to residents outside of these jurisdictions.

Another issue related to local control involves HB 1662 (2022), which provides that a political subdivision shall not prohibit the operation of a no-impact, home-based business or require a person to apply for any permit or license to operate such a business. Furthermore, zoning ordinances or regulations may not explicitly restrict or prohibit a home occupation. This sets a dangerous precedent that may lead to a growing number of home-based businesses that could negatively impact the quality of life in residential areas.

Policy - The League, in its effort to support citizen-driven decisions, supports clearly defined roles and responsibilities for local governments so that municipal officials can effectively and efficiently serve their communities while being held to certain standards of quality and responsiveness. The League strongly recommends that the General Assembly avoid enacting legislation to address localized issues that will impact communities statewide. Legislative proposals, especially budgetary issues, should be reviewed for their overall impact on municipalities before being considered.

The League also supports local autonomy and opposes legislation authorizing statewide votes on local issues pertaining to specific political subdivisions.

The League further supports legislation to allow municipalities to license, tax and regulate home-based businesses and to enact any such land use regulations that would preserve the residential character of neighborhoods that may be threatened by a proliferation of home-based businesses. In addition, the law should be amended to include a definition for those employees simply working from home as opposed to operating a home-based business.

REGIONAL COLLABORATION FOR ECONOMIC DEVELOPMENT

Background – Several years ago, the City of St. Louis studied the issue of privatizing St. Louis Lambert International Airport. The airport is a regional asset that benefits the entire metropolitan area as a major component in areawide economic development efforts. Assets that promote economic growth, such as airports and river ports should not be sold to private entities without a regional option to purchase the entity.

Policy - The League supports a collaborative approach for local review and the opportunity to develop a plan to purchase regional economic development assets through a right of first refusal and full compensation to the government entity relinquishing control.

LAND USE/PLANNING & ZONING

Background - Land use decisions can play a major role in preserving the investment of property owners and ensuring that commerce prospers. Whether planning a new local building or transportation corridor or changing the zoning designation, local officials must balance the interests of many parties. In addition, officials in municipalities have the responsibility to ensure that local planning and zoning laws are implemented fairly and protect the interests of residents, businesses and other important institutions that make up the fabric of society.

Challenges to municipal planning and zoning ordinances, comprehensive plans and architectural review board guidelines by special interests and businesses continues to be a challenge that threatens property values, safety, and community stability.

Another issue concerns absentee property owners who may neglect their properties to the detriment of their neighbors. Initially, such neglect may start with minor issues such as tall grass or trash in the yard. However, over time these issues may escalate to the point of which the property is unsafe for residents and a haven for squatters or other illegal activity. Such nuisance properties create eyesores for neighbors and may lower property values. Absentee owners may reside out-of-state and, in some cases, may have little interest in maintaining the properties. Municipalities need to have the means to contact the owners of these properties.

In addition, cities may have added staff costs for the implementation of such a program and some charter cities have enacted annual landlord fees to recover some of the costs.

Policy - The Legislature should support local efforts to maintain viable and sustainable communities and allow cities the necessary latitude to set guidelines for land uses that promote responsible development, balances the desires of citizens, preserves property values, and protects the rights of property owners.

The general framework for planning and zoning responsibility has been established in Chapter 89 RSMo. Cities are expected to abide by these provisions. Cities should have the necessary latitude and support to set and enforce guidelines for desirable land uses and limitations for those uses deemed to be incompatible or that would have a negative impact on others. Prudent balance is the goal.

The League supports legislation that would provide municipalities with the authority to require owners of rental property to provide contact information for responding to questions or concerns about the property. This contact information, at a minimum, must include the name, address, telephone number and emergency contact information for the owner of the property. Properties that are owned by individuals or entities that do not reside at that location should be required to have a local contact for the property.

Additionally, all cities should be granted legislative authority to enact minimal fees for landlords to help defray the costs of a landlord registration program or other issues related to rental properties.

QUALITY OF LIFE ISSUES

Background - In Missouri, and in St. Louis County, municipal park and recreation programs have received tremendous support from citizens. Park amenities and programs are critical to neighborhood vitality and positive health outcomes. Our recreational and cultural amenities are heavily used, available in all areas, and up-to-date because of overwhelming citizen support. We believe these amenities contribute to the vibrancy of the region and make St. Louis an attractive place to live and raise a family.

Policy - The League encourages all levels of government to continue the collaborative efforts that have resulted in premier parks, trails, cultural institutions, and a greater sense of community pride.

FINANCE AND TAXATION

Background - Technology and the economy are changing rapidly. Cell phones are replacing landlines. More goods are purchased on the internet. Services may be purchased more often than goods in our growing service-oriented society. People may work from home and not in commercial centers. These and other changes impact municipal revenues. As society changes, tax policy must also change to be fair, certain, and enjoy citizen support. Principles focusing on an equitable tax burden should apply across the County, region and State. This allows citizens and the officials they elect to produce the underlying support for services demanded and expected by residents and businesses.

Policy - The League supports financial and tax policies that allow greater flexibility for local governments to adapt to technological and economic changes that impact funding for core services. A new far-reaching tax policy discussion is needed with input from officials at all levels of government to design a system that moves Missouri into the 21st century. Isolated changes, especially exemptions with vague benefits, should be avoided. The League offers its assistance in this effort with the goal of creating a tax policy that is equitable to all while allowing local governments the needed revenue to maintain quality service levels. Objective analysis should govern efforts to offer state tax incentives and exemptions which should avoid financial harm to local governments.

GENERAL ADMINISTRATION (PERSONNEL, PURCHASING, LEGAL)

Background - Public administration must translate voters' visions into viable services. For example, personnel must be hired and managed, contracts arranged, streets and public facilities maintained, financial programs managed and monitored, codes written, laws enforced, land managed, parks developed and maintained, and programs offered. Cities are municipal corporations and are highly regulated by state and federal governments. Third- and fourth-class cities and villages can only do what state law permits, while charter cities have more freedom to do what state law does not restrict. The Sunshine Law provides additional options for public oversight of local governments as well as audits, the media, and regular elections.

One aspect of this relates to sovereign immunity. Under current law, the governing body of each political subdivision of the state is allowed to purchase liability insurance for tort claims. A recent court case established that municipalities which are listed as an additional insured on a construction project could be sued along with contractors working on the project if legal action is undertaken. Legislation is needed that would reverse the impacts of this decision and limit the liability of local governments. HB 2690 was introduced in 2022 to define "purchase" as only the direct acquisition by the governing body of a political subdivision of insurance coverage from an insurance company or other business entity and does not include any indirect action by contract or otherwise including, but not limited to, requiring additional coverage or insured status under the insurance policy of another person or entity.

Policy - The League advocates for legislation that encourages local decision-making within a framework that promotes transparency, fairness, high standards and positive sustainable outcomes in public administration. Training is very valuable to assure that best practices are known, especially in smaller cities without

professional management and sometimes frequent turnover. The League supports partnering with the legislature to foster best practices at all levels of local government.

The League further supports the provisions of HB 2690 (2022) which would shield local governments from the need to be listed as an additional insured on the policies of other non-government entities.

PUBLIC WORKS & INFRASTRUCTURE

Background - Governments and citizens throughout Missouri deserve a modern, safe, and well-maintained multi-modal transportation system along with utility services that are efficient, reliable and reasonably priced and can meet changing demographic needs. Over the years each of these systems has been developed and matured. Some components are showing their age while others are subject to mandates that do not adequately balance costs and benefits. Creating sustainable, cost-effective solutions that are equitably funded is a challenge. Many of the transportation projects in the past decades have tended to produce additional suburban sprawl while reducing population and tax base to much of St. Louis County.

Policy - The League supports solutions to solve ongoing public works issues and help maintain quality infrastructure at reasonable costs, including utility rates. Environmental directives from Washington, DC and Jefferson City are often very expensive to implement. The legislature should evaluate how best to meet these standards in a cost-effective manner without placing a large financial burden on residents and businesses.

Submitted by the Legislative Affairs Committee

Mayor Mike Clement, Manchester, Chairman

Mayor Ella Jones, Ferguson

Mayor Kate Hatfield, Frontenac

Mayor Marty Little, Overland

Mayor Scott Shipley, Crestwood

Mayor Sharon Pace, Northwoods

Alderman Gary Feder, Clayton

Councilman Gary Budoor, Chesterfield

Councilman David Franklin, Webster Groves

City Administrator Frank Johnson, Glendale

City Administrator Sam Johnson, Normandy

City Administrator Justin Klocke, Manchester