

Resolution 19-3284.1

Introduced By: Alderman Kleinschmidt

RESOLUTION

A Resolution proposed jointly by Mayor Mark Becker and Alderman Jim Kleinschmidt, Alderman John Pound, Alderman Sean Concagh; Alderman Ben Sansone, Alderman Pat Barrett and Alderman Dean Fitzpatrick

A RESOLUTION EXPRESSING THE BOARD OF ALDERMEN'S CONCERNS AND OPPOSITION TO A PROPOSAL FILED BY BETTER TOGETHER WITH THE MISSOURI SECRETARY OF STATE (INITIATIVE PETITION 2020-042) CALLING FOR A STATEWIDE VOTE ON A CONSTITUTIONAL AMENDMENT TO RESTRUCTURE LOCAL GOVERNMENT IN THE ST LOUIS REGION BY COMBINING THE CITY OF ST LOUIS AND ST LOUIS COUNTY INTO A SINGLE "METROPOLITAN CITY OF ST LOUIS" TO SERVE AS BOTH A CITY AND COUNTY AND TO ABOLISH ALL EXISTING MUNICIPALITIES IN ST LOUIS COUNTY INCLUDING THE CITY OF DES PERES

WHEREAS, Better Together, (a "project" of The Missouri Council of the Environment – a 501 (c) (3) tax exempt non-profit corporation), has submitted to the Secretary of State proposed initiative (Petition 2020-042) encompassing 21 pages and comprising over 1,300 lines of text calling for a state-wide vote on a constitutional amendment to repeal six sections of the Missouri Constitution [Article VI, Sections 30(a), 30(b), 31, 32(a), 32(b), 32(c) and 33)] and to adopt a new section 30 to consolidate the existing governments of St Louis City and St Louis County into a single governmental entity to be called The Metropolitan City of St Louis and includes abolition of all existing local governments (including the City of Des Peres) in St. Louis County; and

WHEREAS, the Missouri Constitution, Article VI Section 30(a) outlines a process for establishment of a Board of Freeholders (Electors) which can be established by joint action of the St Louis County Executive and Mayor of St Louis and such board would have one year in which to develop, with public input and transparency, a plan to reorganize government in the St Louis region and such plan would be subject to a vote of only the residents of St Louis City and St Louis County; and

WHEREAS, the actions of Better Together to amend the State Constitution on what is a local issue is nothing short of an attempt to circumvent the citizens of St Louis City and St Louis County in making their own determination on self-governance and to over-ride a local determination; and

WHEREAS, the City of Des Peres, which has been an incorporated municipality since 1934, provides comprehensive municipal services to the residents of Des Peres through its Department of Public Safety (police, fire-ems and emergency management), Public Works (Planning & Zoning, Building Permits & Regulations, Streets & Roads, Solid Waste Management, and Sewer Lateral Repairs) and general support (Administration and Finance); and

WHEREAS, the proposal of Better Together reserves all responsibility to The Metropolitan City of St Louis to provide certain services within the combined areas of St Louis City and County including all traditional county functions; all police services including emergency dispatching services; court services; economic development including zoning, permitting and licensing & regulation of business; and maintenance and improvements of all roads and bridges including snow removal; and

WHEREAS, the proposal of Better Together effectively abolishes all cities in St Louis County including the City of Des Peres which survives as the “Des Peres Municipal District”, subordinate to and under the control of The Metropolitan City of St Louis, with limited powers and duties restricted to fire & ems protection, parks & recreation, and proprietary functions (interpreted to be limited to utilities and trash collection); and

WHEREAS, the proposal of Better Together continues all existing taxes, licenses and fees in place in the City of St Louis, St Louis County, and the existing municipalities within St Louis County but redirects all sales & use taxes (except those dedicated to retirement of certain financial obligations), intergovernmental revenues from the state relating to roads & bridges and all licenses & fees not relating to parks & recreation or trash collection services to the Metropolitan City; and

WHEREAS, the City of Des Peres has completed a preliminary fiscal analysis of the impact of the Better Together Proposal on the remaining City of Des Peres and determined that the resulting entity would have a substantial deficit of nearly \$7,000,000 per year requiring either substantial increases in local taxes property and utilities taxes or substantial reductions in services in parks & recreation and/or fire & ems.

	City of Des Peres	Municipal District	
	2019 Budget	2019 Budget	Difference
Revenues	21,330,402	6,830,152	(14,500,250)
Expenses	(21,262,151)	(13,548,818)	7,713,333
Surplus (Deficit)	68,251	(6,718,666)	(6,786,917)

Footnote: The 2019 Budget has been modified for this analysis by deletion of all costs for debt service for The Lodge in 2019 since prior to the proposed effective date of Better Together all bonds for The Lodge Des Peres will be fully retired

WHEREAS, implementation of the Better Together proposal as outlined in initiative petition 2020-042 would require that the surviving Des Peres Municipal District impose or seek voter approval on substantial increases in locally imposed real estate taxes or utility taxes both to continuing to provide “municipal district services” and capital investments relating to “municipal district services” in order to sustain current levels of service;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF DES PERES, MISSOURI AS FOLLOWS:

THAT, the Mayor and Board of Aldermen do not subscribe to the basic premise of Better Together that bigger government is better government or necessarily more effective or more efficient in providing quality services to the community; and

THAT, the Mayor and Board of Aldermen of the City of Des Peres **oppose** in the strongest terms any proposal, including that submitted by Better Together (Initiative Petition 2020-042), **that provides for a state-wide vote addressing any issue that should be crafted, debated and decided only by the citizens directly affected by the change** in governmental structure, service delivery or taxation; and

THAT, the Mayor and Board of Aldermen oppose in the strongest terms the proposed reorganization of governance in the St Louis region as detailed in the constitutional amendment submitted by Better Together (Initiative Petition 2020-0452) which calls for combining St Louis City and County into a single unit of government and effectively abolishes existing municipal governments in St Louis County including the City of Des Peres; and

THAT, the City of Des Peres strongly objects to the usurpation of local control by the Metropolitan City over land use regulations including zoning regulations and enforcement; and

THAT, the City of Des Peres proudly recognizes the achievements of the Des Peres Department of Public Safety in providing quality police, fire and ems services as evidenced by the award of the Class 2 fire protection rating for fire operations thru the Insurance Services Office (ISO) effective on March 1, 2019; certification of police operations through the Missouri Police Chiefs Association awarded in April 2016; and the recommended accreditation of police operations through the Commission on Law Enforcement Accreditation International (CALEA) with accreditation expected at the annual CALEA Conference to be held May 4, 2019.

The City of Des Peres **strongly objects to the usurpation of local control over police services and confiscation of all buildings and equipment paid for by Des Peres taxpayers and utilized by the Des Peres Department of Public Safety in providing police services to the community; and**

THAT, the City of Des Peres **strongly objects to usurpation of local control over maintenance of streets and roads** within the city and confiscation of all buildings and equipment paid for by Des Peres taxpayers and utilized by the Street Department in street maintenance activities. The City of Des Peres anticipates the shifting of responsibility for street and road maintenance, including residential streets, will result in a substantial reduction in the quality of maintenance and continued investment in street improvements in Des Peres; and

THAT, the City of Des Peres has grave concerns that it will be able to maintain fire and emergency medical service response at the same level and quality of service as currently provided in Des Peres given the limitations on fiscal resources from the remaining revenue streams allowed "municipal districts" under the Better Together proposal without a significant increase in local real estate taxes; and

THAT, the City of Des Peres is proud of its park and recreation facilities including The Lodge Des Peres and Des Peres Park both of which are a local community resource and broadly used by the residents of Des Peres and the larger St Louis County community. The City of Des Peres has grave concerns that it will be able to maintain, refresh and expand as needed its 100+ acres of parks located throughout the city given the limitations

on fiscal resources from the Better Together proposal without a significant increase in local real estate taxes; and

THAT, the City of Des Peres fully anticipates that as a direct result of the takeover of current services provided by Des Peres by The Metropolitan City of St Louis that the residents of the community will see a dramatic reduction in the quality of police services, especially emergency response times and neighborhood patrol; a substantial reduction in the condition of local streets and sidewalks and in basic street maintenance services including snow removal; and a total erosion of community control and meaningful input over basic land use decisions that directly impact the citizens of Des Peres; and

THAT the City of Des Peres, acting through and at the direction of its Mayor, shall take such administrative and legal steps necessary to protect the rights of the citizens of Des Peres to make decisions on self-governance and to oppose any attempts to circumvent a local vote in favor of a statewide vote or legislative mandate. Any decision to formally file legal challenges in a court of law, whether independently or in concert with other governmental entities or associations, shall require concurrence of the majority of the Board of Aldermen prior to Des Peres entering into such actions; and


FURTHER, THAT the Board of Aldermen urges all residents of Des Peres, and of the St. Louis City and County, to educate themselves thoroughly on the extremely complex, obtuse and critical public policy issues impacted by the Better Together proposal before voting on the proposed constitutional amendment.

This resolution passed and approved this 11TH day of March, 2019.



Mark Becker, Mayor


ATTEST:

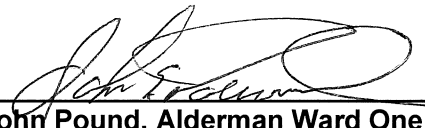



Stacey Mann, City Clerk

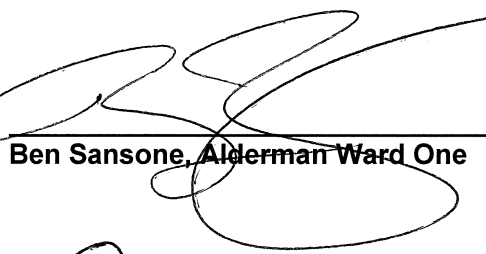
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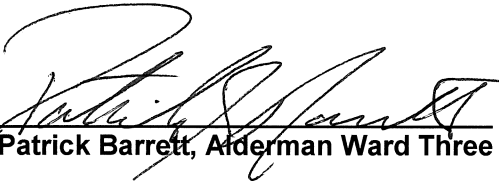
CONCURRING IN ADOPTION OF RESOLUTION 19-3284

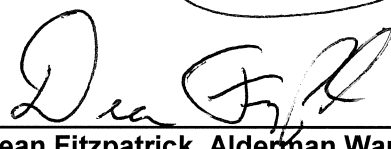

Jim Kleinschmidt, Alderman Ward Two


John Pound, Alderman Ward One


Sean Concagh, Alderman Ward Three


Ben Sansone, Alderman Ward One


Patrick Barrett, Alderman Ward Three


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