

**Happy New Year from CVR!** The attorneys and staff of Cunningham, Vogel & Rost, P.C. wish all municipal officials, staff, and officers a safe and successful 2019!

**Better Together Task Force to Reveal Plans for Unification of St. Louis City and County** – Although the Better Together Task Force has not yet finalized its report (expected to be released in January 2019), a St. Louis Business Journal article predicts that, according to sources, the report will propose the creation of a new governmental entity based in downtown St. Louis and consisting of the current city and county land mass. The article also states that the new government would replace the current city of St. Louis and St. Louis County governments. The St. Louis Business Journal reports that although St. Louis County's 88 municipalities, their officials and legislative bodies "would still exist," they would "lose the ability to collect most sales taxes, [or] have their own police departments and courts." The article reports that an operation will begin soon to collect signatures for a Missouri Constitutional amendment with the goal of placing it on a statewide ballot in November 2020. To read more, see Jacob Kirn, [Goodbye, city and county: St. Louis would get new government entity in Better Together plan](#), St. Louis Bus. J., December 28, 2018.

**United States Supreme Court rules that all local government entities, regardless of size, must comply with Federal Age Discrimination Act** – On November 6, 2018, in [Mount Lemmon Fire District v. Guido](#), the United States Supreme Court held that all state and local governments, no matter their size or how many employees they have, must comply with the Age Discrimination in Employment Act of 1967 (ADEA). The ADEA was enacted to protect workers against "arbitrary age discrimination." Private employers with less than 20 employees are not bound by the ADEA and cannot be sued for violations of the law. Many lower courts across the country (including the 8th Circuit Court of Appeals, where Missouri is located) have held that local governments with less than 20 employees are similarly not bound by the ADEA. That position was rejected in [Mount Lemmon Fire District](#). In that case, a small fire district in Arizona was faced with a budget shortfall and laid off its two oldest firefighters. The firefighters sued, alleging age discrimination in violation of the ADEA. The fire district, in defense, argued that the definition of "employer" in the ADEA was limited to political subdivisions with "twenty or more employees," and therefore that the ADEA did not apply, because the fire district employs only 11 full time employees. The fire district argued that applying the ADEA to small local governments could require governments to cut services due to an increase in costs. The United States Supreme Court rejected those arguments and ruled that the strict language of the ADEA requires that all local governments, regardless of size, comply with the anti-discrimination provisions. The Court also noted that many states already have specific state legislation that prohibits age discrimination by local governments. Missouri is one such state, as §§ [213.010](#) and [213.055](#) RSMo., prohibit age discrimination by political subdivisions that employ 6 or more persons. Accordingly, it is now clear that local governments in Missouri may be sued under the ADEA, even if they have fewer than 20 employees.

**Municipal Officials Training Academy announces the 2019 program** – Based on your input and recent municipal developments, the 2019 tentative Academy training session topic schedule has been established as follows:

<u>Date</u>	<u>Topic</u>
January 24	Nuisances
February 28	Municipal Revenue/Economic Development
March 28	Telecom/ROW
May 23	Legislative Update
June 27	HR/Employment
August 22	Sunshine Law/Fraud
September 26	Planning & Zoning
October 24	Know Your Boards/Leadership
November 22	Elections

We want to thank all of our members for their continued support and input, keeping the Academy a success! Since 2012, more than 600 public officials and employees have now received low cost educational training through the Academy!

We continue to urge municipalities to participate in the Academy with a tuition membership. With the tuition membership, all city officials and employees can reap the benefits of all training sessions for the 2019 year. Also, all city officials and employees will have access to past training sessions of the Academy. The 2019 tuition rates\* are as follows:

- **Cities with 25 or less employees** – \$50 single payment for the year (for all officials and employees/all year)
- **Cities between 26 and 100 employees** – \$100 single payment for the year (for all officials and employees/all year)
- **Cities with more than 100 employees** – \$200 single payment for the year (for all officials and employees/all year)

\*Any city financially unable to allocate this amount may apply for and may qualify for a need-based tuition waiver. Contact Lyndee for more details.

The Academy will continue to allow one-time attendance to training sessions at the rate of \$20 per session per person. However, **we urge your municipality to consider the tuition option, rather than register for each individual session, to assist the Academy in reducing administrative costs. The volunteer services of the Municipal League of Metro St. Louis, Cunningham, Vogel & Rost, P.C., and all of the speakers and administrative support are provided because they, like you, are committed to the important non-profit role of public service and want it to be as professional, knowledgeable, and effective as possible. Please take this opportunity to support the Academy by moving your community to an annual tuition membership to continue its reach, success, and value.** Please contact Steve Ables at [staff@stlmuni.org](mailto:staff@stlmuni.org) to sign up for the 2019 tuition rate. Please make all tuition payments by February 8, 2019. If you have any other questions or concerns, please direct them to Lyndee Rodamaker at [lyndee@municipalfirm.com](mailto:lyndee@municipalfirm.com).

We hope you all have a wonderful New Year, and we look forward to seeing you in 2019!

**Welcome our Newest CVR Attorneys** – We are pleased to announce that Justin Harmon and Kendall Reeves have joined CVR as associate attorneys. Just received his J.D. in 2009 from the University of Missouri, Kansas City School of Law and spent more than eight years at the St. Louis City Counselor's office serving as Assistant City Counselor. Kendall received her J.D. and L.L.M. in 2019 from Washington University School of Law, where she also founded and served as president of the Community Development, Housing and Real Estate Law Society. Please join us in welcoming our two newest members of the CVR team!

**Presentations by CVR Attorneys** – The following recent and upcoming educational presentations and resources from CVR attorneys are available for your review:

- [It's \(Mostly\) Good to Be King: The Application and Limits of Sovereign Immunity](#) (Municipal Officials Training Academy) – [Maggie Eveker](#) & [Kendall Reeves](#)
- [Legalities of Planning & Zoning - Chancellor's Certificate Program - UMSL](#) – [Dan Vogel](#)
- [It's a Bird. It's a Plane. It's a Drone: Issues to Consider for Local Regulation, Panelist](#) (St. Louis Aviation Forum) – [Joe Bond](#)

**Feedback** – Your comments are greatly appreciated. If you have suggestions for improving these Municipal Issue Reports, please let us know at the contacts below.

If you need further assistance on any of these matters, please consult your City Attorney or Legal Department for particularized guidance or contact us at:

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To access previous Municipal Issue Reports on our website: [CLICK HERE](#).

## Upcoming Dates & Deadlines for Missouri Municipalities\*

**Dec. 11** – Opening of candidate filing period for General Municipal Election.

**Jan. 1** – Furnish State Auditor report of bonds and coupons retired since the previous report.

**Jan. 15** – Last day for candidate filing for General Municipal Election.

**Jan. 22** – Provide notice of election to election authorities with certified copy of the legal notice to be published pursuant to [§115.127.2](#).

**Jan. 31** – File report with DED on previous year's revenue bond and general obligation bond issuances for Industrial Development Projects.

**Jan. 31** – Send W-2s and 1099s to IRS; distribute to employees and service providers.

**Feb. 28** – Report to DOR businesses that have relocated within past year to TIF area or Downtown and Rural Economic Stimulus Act development area.

\*This list is not exhaustive. For the complete **Calendar of Procedural Deadlines for Missouri Municipalities**, click below:

[Jan. 1–Dec. 31 Fiscal Year](#)

[July 1–June 30 Fiscal Year](#)

Also see CVR's [Annual Requirements for Missouri Municipal Special Purpose Entities](#)

## Municipal Links

- [Missouri Municipal League](#)
- [Municipal League of Metro St. Louis](#)
- [Mid-America Regional Council \(KC Area\)](#)
- [East-West Gateway Council of Governments](#)

**For more, visit CVR's Resources Page**