

UNAPPROVED CHESTERFIELD NEWSLETTER 10

September 6, 2012

By John Hoffmann

VACATION TIME: We will be gone for vacation so it might be as long as three weeks before the next newsletter is out. I hope Jean Whitney, former Chesterfield Patch editor might stop by a couple of meetings and send us reports we can pass along when we get back.

CITY COUNCIL MEETING September 5, 2012:

SPEED LIMIT CHANGES: The city plans to raise the speed limit on Olive Blvd from Highway 40 to Hwy 141 from 40 MPH to 45 MPH. The bill is up for a first reading.

Olive is a State highway and a MODOT traffic study showed the average speed on this section of Olive is above 45 mph and closer to 50 mph. This section of road has a lot of businesses with traffic slowing to turn right or to get into left turn lanes.

Councilman Elliott Grissom spoke during the agenda meeting and said when the bill comes up for a vote he will vote against it as he feels there is too much traffic on that portion of Olive and that an increase in the speed limit would be dangerous.

Councilman Barry Flachsbart said the city has a tradition of listening to city staff and MoDot staff on these matters and to follow what they suggest.

In reality Grissom might have a point. The police don't write speeding tickets until you are doing 10 mph over the posted speed limit. That means currently you would need to be doing 50 MPH on that section of Olive and 55 MPH on Clarkson south of Highway 40/I-64 to get a citation. If the limit changed you will have to be doing 55 mph in front of supermarkets, shopping areas, restaurants and a bowling alley to be cited for an unsafe speed.

Students Honored: Parkway Central High School seniors were given proclamations by Mayor Bruce Geiger.

Henry Chin and Joy Yang last spring received perfect scores on their ACT tests.



Mayor Bruce Geiger reads the proclamations applauding Joy Yang and Henry Chin with receiving perfect ACT scores.

PROPERTY TAX STAYS AT 3-CENTS:

At the agenda meeting followed by a public hearing where no one came, city administrator Mike Herring explained the city planned to keep the current property tax at 3-cents per \$100 valuation. The property tax does not finance any general fund items, but is used to pay off bond debt from 1995 that was used to build the parks and recreation system.

The property tax rate started at 13-cents per \$100 in 1995 and has steadily fallen. The debt service will end in 2015.

Herring's presentation included that Chesterfield has the highest assessed valuation of any municipality in the County at \$1.78 billion. The property tax to pay off the parkas debt service is 0.4% of the property tax paid by residents. 61% of the \$1.78 billion represents Chesterfield's residential property.



City Administrator Mike herring (left) talks about keeping the property tax used to pay off the debt service for the parks and rec system at the agenda meeting.

REPRESENTATIVE SUE ALLEN SAY HI TO...WELL SHE IS NOT SURE: State Rep. Sue Allen, who no one in Chesterfield voted for two years ago, was at the meeting. Allen's old district was the west end of Town and Country and Manchester. She now is one of six state reps whose district includes part of Chesterfield.

Allen: "Thank you mayor and uh...uh...members of?"

Mayor: "City Council"

I believe in the old adage. It is important to know your audience.

CHESTERFIELD PRESBYTERIAN CHURCH LOOK OUT: Heard in the hallway before the start of the meeting.

"What are we going to do about the Chesterfield Presbyterian Church buying up all the land over there?"

This was said by Councilman Randy Logan to a colleague as they walked into the city clerk's office area. The church has bought a couple parcels of residential property.

They do the Pledge of Allegiance prior to the meetings, but apparently Randy doesn't think that through and remember that churches are protected by the first amendment and they get to buy property without interference from government.

Best Quote of the Night: This one is actually in second place, behind the statement of Councilman Logan about the Presbyterian Church.

It was from City Administrator Mike Herring making a side comment to someone before the start of the agenda meeting.

“It is like giving signals at a baseball game.”

This little off the cuff remark reminded us that we checked the Missouri Ethics Commission website and saw that Allied Waste, the sole waste contractor for Chesterfield who had their multiply million dollar contract renewed without a competitive bid, did not declare giving \$250 World Series tickets to various city managers around the county who they have exclusive contracts with.

Herring has yet to answer our email that simply asked if he attended a World Series game as a guest of Allied Waste.

Perhaps Mr. Herring should avoid baseball metaphors for a while.

NEW MANAGEMENT AT SONIC: A couple of weeks ago my wife said she felt like a Sonic burger. We went to the Sonic in Chesterfield Valley. I was instructed to pull into a stall on the west side of the drive-in so we could watch the sunset. Being married to an artist can create unique demands.

When we pushed the button to order we were connected to Joshua. He seemed to be a little over the top.

“Hi, this is Joshua, we are having a great day at Sonic, thanks for joining us on Tuesday half-off burger night.”

Wow we had not been to Sonic for a while and it had been a couple years since they had half-off burger night.

Joshua delivered the food six or seven minutes later. He was no longer “over-the-top” but very engaging. We mentioned it had been awhile since we had been to Sonic. He said the half-off Tuesday promotion was brought back in March. He added that only the Chesterfield Valley Sonic had extended hours of 2-to-5 for half-off on drinks.

Our two burgers and onion rings were less than \$5.00. They were also delicious.

Later we were asked how everything was. We weren't asked on the speaker, but Joshua returned as if we were in a restaurant.



Joshua Payne, carhop and Asst. Manager of the Chesterfield Valley Sonic

When we were done I got out of the car and inquired as to what had changed at Sonic. It turned out that the drive-in was no longer just another corporate location or dot on the map. In May Trent Brewer bought the drive-in and was an owner/operator.

Brewer was on the job still at 8 o'clock on a Tuesday night. He told me the goal was to make sure every sandwich and burger was perfect. To do that it helps if the owner is on the property.

It turns out our waiter/carhop Joshua is actually Joshua Payne, the assistant manager.

ROCKWOOD STAYS AHEAD OF PARKWAY IN TEST SCORES:. The last time we looked at Missouri Assessment Program tests scores by school district the Rockwood District was sixth and Parkway was seventh or eighth. Lindbergh had soared to the top and has stayed there.

The 2012 scores are out. The scores list a score for communications arts (English, writing and reading) and Math scores.

http://www.stltoday.com/news/local/stl-info/map-scores-by-district/html_21b469ea-e5a3-11e1-b88b-0019bb30f31a.html?appSession=1369888265548

We took the two scores, added them together and divided by two. I used the final number to rank the school districts. Webster Groves which had been in the top five for

years dropped significantly, while Brentwood improved noticeably since the last time we looked. Here are our rankings using the combined MAP scores:

- 1) Lindbergh 81.22
- 2) Ladue 78.42
- 3) Kirkwood 77.465
- 4) Brentwood 75.505
- 5) Clayton 75.225
- 6) Rockwood 73.75
- 7) Parkway 71.5
- 8) Webster Groves 69.28

THE LONG...LONG CASE OF OFFICER WHITELEY: The Chesterfield City Council has been going into Executive Session more and more and legal issues. Sometimes I think these closed meetings are not really necessary, like when the Taubman Outlet Mall people filed court papers to form a Traffic Development District to stick shoppers with a sales tax to help pay off the development. Part of the procedure required the municipality and MoDot to be served with court papers. But it isn't really a lawsuit seeking damages are alleging wrong doing. The City Council didn't tell the public about it and instead met in secret executive session meetings.

They have continued to meet in secret session on for legal issues. I checked Case.net where Missouri lawsuits filed in circuit courts are listed. The case of Officer William Whiteley against the City of Chesterfield, filed in 2011 is still pending. Reading through the suit it appears as if Chesterfield made a few blunders on this case.

Officer Whiteley had worked for the Chesterfield PD for 11 years on September 18, 2009 when he was taking a fitness test for part of the promotion process for the rank of sergeant and badly injured his ankle.

He went on medical leave and was treated by the city's work comp doctor. Instead of getting better he reported that his ankle was getting worse, with pain, swelling and loss of function.

Whiteley alleges that the city's doctor approved him to return for full duty despite his continued pain. His workers comp case was closed.

On May 5, 2010 Whiteley filed a claim for compensation with the Missouri Department of Labor for the injury.

On June 25 he underwent surgery by his doctor to repair the ankle.

On July 13, Whiteley says he was informed by the police command staff he would have to be on unpaid leave.

Whiteley returned to "light duty" on July 27, 2010 wearing a medical boot on his foot. He was working the front desk.

On September 20 he was placed back on the schedule to full duty effective October 5, 2010. Until then he remained on "light duty."

Nine days later on September 29 Whiteley received a letter from the city administrator Michael "Mr. World Series" Herring saying his position as a police officer was being eliminated effective October 2.

Here the rub. His position at the time he was fired as part of a city wide layoffs was in an injury light duty position.

The city had eliminated a number of positions including command staff officers from the police department. When you eliminate a position filled by a lieutenant or captain it makes sense laying-off the person filling it. Chesterfield was smart in doing this during their downsizing in reaction to the recession. They reduced more from the police budget this way than allowing the ranking officers to take a demotion and laying-off a police officer without rank.

However, Officer Whiteley was not filling any position that was being eliminated when he was laid off. Instead he was still on "light duty" due to an on-duty injury. Chesterfield did not eliminate the position of "light duty" or the position of "police officer."

It seems to be easier to lay off a command officer in charge of a unit you are eliminating than a rank and file police officer. Since a police officer does a myriad of jobs you should have some criteria for the layoff, such as seniority or overall evaluation scores.

For me the last thing you would want to do is can a 12-year member of the force who is still on light duty from an on-duty injury.

Whiteley filed complaints with the Missouri Commission on Human Rights and the Federal Equal Employment Opportunity Commission in 2010 and in 2011 was given letters with permission to sue Chesterfield.

The City then countered by first refusing to give up discovery documents and then hiring a second law firm, the 125-attorney Hinshaw & Culbertson firm with to go with city attorney Rob Heggie, of the four person firm of Stewart, Mittleman, Heggie & Henry. Whiteley is represented by Gregory Kloeppel an attorney with an office on Lackland Road in Overland.

A settlement conference was scheduled for the end of August. It has been continued to December 11, 2012. The long wait for Officer Whiteley gets longer. You have to wonder if that is not a defense strategy.

17 DAYS OF DWI PATROLS RESULT IN ONE DWI ARREST: When I was still a police officer patrolling the streets, I would get picked for special DWI patrols on a regular basis.

Sometimes it was easy to spot a drunk driver, like Tony LaRussa asleep behind the wheel of his running car in the middle of an intersection. For me there was the guy who tossed a cigarette butt out of his car that hit my marked police car. Then there was the 60-year-old woman who left a well known Maryland country club at slow speed weaving back and forth across three lanes of traffic. Those and the ones speeding, weaving and involved in accidents are all easy to catch especially like the drunk driver who backed into my unmarked police car at a busy intersection after leaving a bar.

But I used to get picked for such details because I was good at spotting how the color of the state inspection sticker did not match the right color of the license plate renewal tab. IN other words the car was improperly registered. (This was a feat that I am no longer any good at.) The more times you legally stop cars during specific hours the more likely you are to make DWI arrests.

Over 17 days recent special DWI patrols in Chesterfield resulted in just one DWI arrest. Apparently broadcaster Dan McLaughlin was on a road trip with the Cardinals, as he is due for his annual DWI arrest in Chesterfield. (August in 2010 and September in 2011)

The Chesterfield Police average between 180 and 190 DWI arrests per year according to Chief Ray Johnson. That is about one DWI every other day.

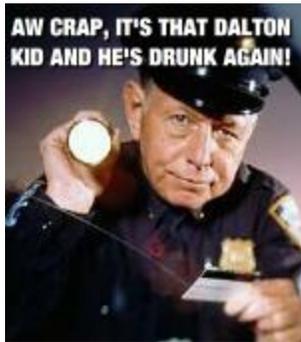
The department did make DWI arrests other than the one during the 17 day period...however the special squad only made one.

The regular repeat DWI driver I have been keeping an eye is the 23-year-old son of Town and Country mayor, Jon Dalton. Jon Dalton, Jr. was arrested for DWI in January

and in June, both times by the Ladue Police. The reports indicated Jon Dalton, Jr. a recent graduate of Dartmouth was highly intoxicated driving his father's 2011 Audi. Each time the cops towed the car.

Dalton, a lawyer with Lewis-Rice a cigarette lobbyist in Jefferson City and perhaps best known other than being a mayor of a city in the heart of snoburbia, is that he was behind the use of eminent domain to grab the property and business operated since 1948 by Opal Henderson on South Broadway in St. Louis for a nightclub district that never got built.

The Ladue Police were rewarded for keeping the streets safe from Dalton, Jr. by an attorney from Lewis-Rice filing motions in the Associate Circuit Court claiming the cops lied in their reports and did not have a reason to stop Dalton, Jr. and his refusing to take a breath test twice should not be reasons to revoke his driver's license. The first time Dalton was observed driving dad's car at 3:30am with its lights off and running the stop sign at Clayton and Price Roads. The second time he was clocked speeding on Highway 64. Luckily for Chesterfield residents Dalton appears to go east when he parties.



The Chesterfield cops will try again with special DWI patrols in September. I hope they have some better luck.

PATCH USING OTHER MEDIA'S WORK FOR THEIR STORIES: After Jean Whitney left Patch.com the Chesterfield site was given to Carlos Restrepo, a college student from South America who had been a freelancer at Patch. Patch dumped freelancers forcing editors to carry most of the load. Carlos was moved to an "intern" position and started filling in at patch.com sites where the local editor had quit. (Besides Jean, the editors at the Maryland Heights site and Ballwin-Ellisville site also quit this summer.)

Carlos, like most other site editors had been posting about one new article a day. They would then share articles so it would look like more original material was being filed. This was totally opposite of what Patch.com planned in 2010 when they launched in St. Louis. In 2010 they had multiple freelance writers, columnists and photographers. Each site was suppose to be different. Within three months they were cutting back. Last year after Patch.com lost \$100,000,000 the cuts got more drastic. Now it is pretty much only the editor per each site.

On Monday August 27 the Chesterfield site had what appeared to be four new articles. The Southwest Airlines plane that landed at Spirit of St. Louis in the Chesterfield Valley due to bad weather at Lambert field and low fuel. A story on the Outlets, an article on Dr. Paletta's proposed orthopedic center and one on Todd Akin's coverage on the Sunday talk shows. ,

None were actually original. The Southwest Airline article was taken from a KSDK newscast. The Outlet stores was based on a KWMU talk show, the Dr, Paletta piece was based on a Post-Dispatch editorial and the Akin piece had a You Tube video link to the ABC's This Week. .

I have to think the end may be near for Patch or at least Patch.com in St. Louis. There is almost no local advertising and fewer and fewer original stories.

SHOWS YOU HOW OUT OF TOUCH I AM: While watching Clint Eastwood's 12 minutes at the GOP convention, I thought..."How refreshing he is up there without a script."

WHO NEEDS OUTLET MALLS? When we lived in the Maryland suburbs of Washington, DC we didn't need no stink'in outlet malls. We had a Nordstrom Rack in Rockville. The second Nordstrom Rack is opening in West County in Manchester on September 13.

COMING TO CHESTERFILED VALLEY: Barron Glass on Manchester Road near Mason Road has signs up announcing they are moving to the Valley.

GOING OUT: Frontenac Grill A couple of weekends ago I was out on Friday and Saturday nights. Friday was a little odd. I started at my wife's art show opening at the Art Guild in Clayton and then we (me and about 25 other people) went to the Frontenac Grill for some food and to listen to Jim Manley and the Charley B. Group. The Frontenac Grill is on Lindbergh where the old Coco's restaurant used to be located.

In the past I have seen this group, Dean Christopher's trio (one of my favorite area signers) and Anita Rosamond at the Frontenac Grill.

The food can be pricey and average or you can buy a Talayna's pizza and a cup of chowder and have good food at the reasonable price.

The restaurant has large photos of Frank, Sammy and Dean on the walls, but the management apparently doesn't know what it wants or doesn't know crap about music. Dean Christopher, who has a Rat Pack stage show, is one of the smoothest and coolest vocalists around. He was there for three gigs and they have not rebooked him.



Dean swings with Carolbeth true on keyboard and Dave Troncoso on bass this winter at the Frontenac Grill.



On the same night jazz trumpeter Jim Manley sits in with the group.

Well on Friday I was disappointed. First of all I had reserved a TABLE for six. They tried to put us in a booth, claiming that was a table. I had to point out that a table is a table and a booth is a booth. We eventually put tables together until he had a table for 12.

The next problem was the management sent most of the waiters home at 9 o'clock, just when we showed up. The one left was overwhelmed and service was AWFUL. While my food was okay, those who showed up later complained about the slow service and the food.

To make matters worse when the music started the manager complained it was "too jazzy." Unfortunately that was the kind of music most of the people wanted. I mean what would you rather hear some upbeat songs by Rodgers and Hart, Harry Warren, and Cole Porter or Sweet Caroline?

As the night went on I think Jim Manley decided to play for his audience and not the manager of the joint. Often when Manley plays other musicians show up hoping to sit in. Friday was no exception, saxophonists Joe Bayer and Larry Johnson both sat in and vocalist Valerie Tichacek sang a song during the last set. The people who stayed finally got what they came for. I don't understand what the management of the Frontenac Grill expects. Perhaps they should take down all the Frank, Dean and Sammy photos.



Larry Johnson on sax, Mark Fredericks on piano, Jim Manley on trumpet, Joe Bayer on sax, Joe Weber (in back) on drums and Charley B on vocals.

EDGEWILD: The Edgewild Winery took over the old Bahama Breeze restaurant on the north side of Chesterfield Mall. I had been meaning to go for some time. I happen to be on the email list of Chesterfield signer Joe Mancuso and learned that Joe and his trio would be performing at the Edgewild on Saturday night. My wife and I were going to Charlotte's Rib on Clayton and Kehrs' Mill Road for a sandwich and decided to go over and see Joe on Saturday night.

I ate light or as light as you can at a B-B-Q place, thinking I'd try something at the Edgewood. Former Chesterfield Patch Editor Jean Whitney met us there.

We arrived after 9:00 o'clock and were surprised to find the parking lot almost full. We made our way to the bar area where the music was. It was packed. The tin roof and concrete floor made the place almost unbearable. The noise level was so high it was almost like being at Fast Eddie's on a Saturday night. This did not bode well for a jazz trio during songs from the American Songbook.

We got a table and had to shout across it to talk. The service was bad. My wife's cocktail was weak. The waiter did not seem interested in getting a food order so I gave up trying to order anything. Jean had a salad that she reported was pretty good.

During a set break Joe stopped by to talk to us (yell might be a better description) and was interrupted by the waiter, who earlier had not shown much interest in us.

I was disappointed that they advertise music, but put it in such a setting where you cannot hear it. I would have loved to have tried a side order, but it was not to be, so I will probably pass on coming back to buy the expensive entrees. We left before the last set, but Jean reported that from 10:30 to 11 it was a little better.

Four days later on Wednesday Joe was at the Frontenac Grill for an early show from 7-10. He reported things went well with a nice crowd.



Joe Mancuso and the trio from a photo I took at a club, where the audience was actually listening to the music.

CARTOONS:

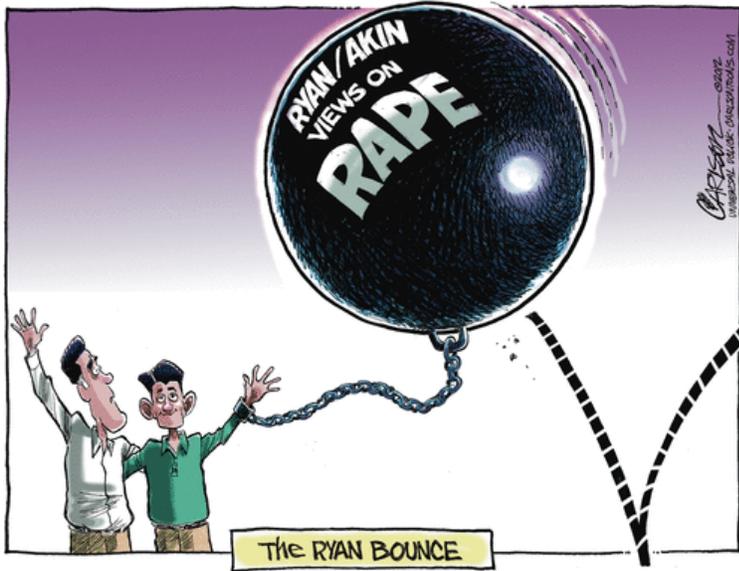
From Charlotte Peters Son, Mike Peters, who grew up in Webster Groves during the height of the Phyllis Diller experience in Webster Groves. Diller was a god friend of Stan Kann who was a regular on Charlotte's mid day variety show. Diller was responsible for getting Kann on the Tonight Show where he would show Johnny Carson his collection of antique vacuum cleaners with disastrous and funny results.

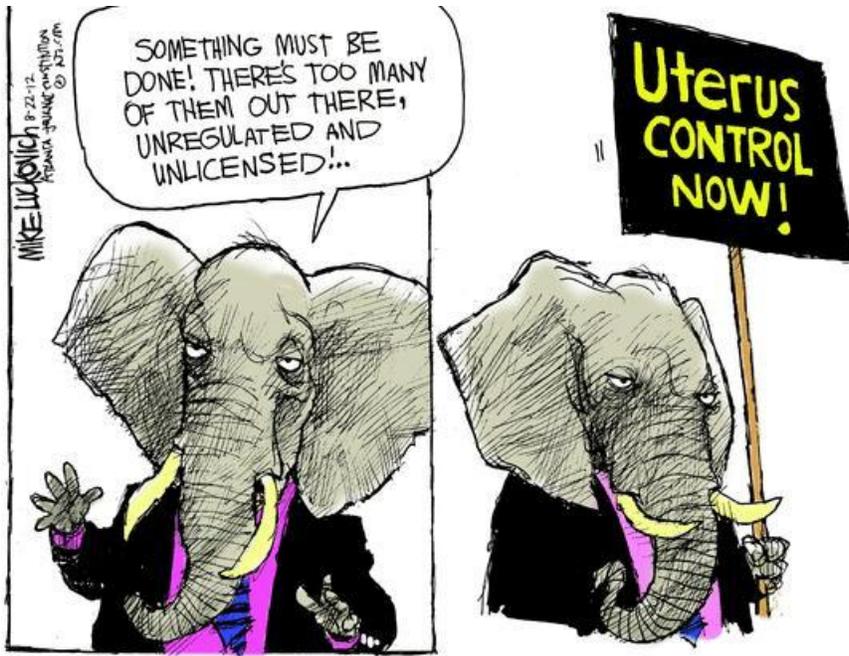
I remember that Diller shocked the Webster Park neighborhood when she painted the 3-story frame house on Mason Avenue, two doors behind the City Library pink to match her Thunderbird. I can remember one afternoon when with my mother at the Bettendorf-Rapp store at Elm and Big Bend. This was back in the early 1960s when you could smoke when, where and at anytime you wanted to. Phyllis was pushing a shopping cart, wearing a pink feather boa, smoking a cigarette at the end of a foot long cigarette holder.

Hurricane Isaac may have caused the republicans to cancel the first day of their convention, but it was Hurricane Todd that made a direct hit on the GOP a week earlier. The editorial cartoons about Mr. Akin were abundant.





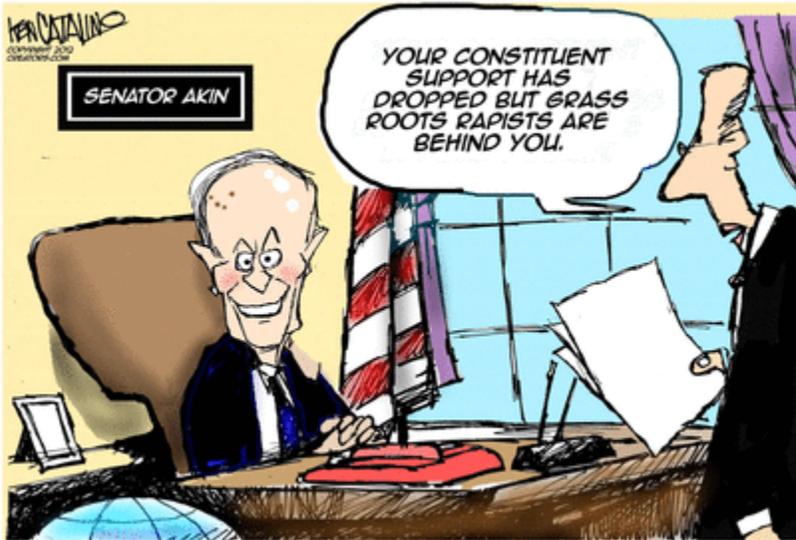
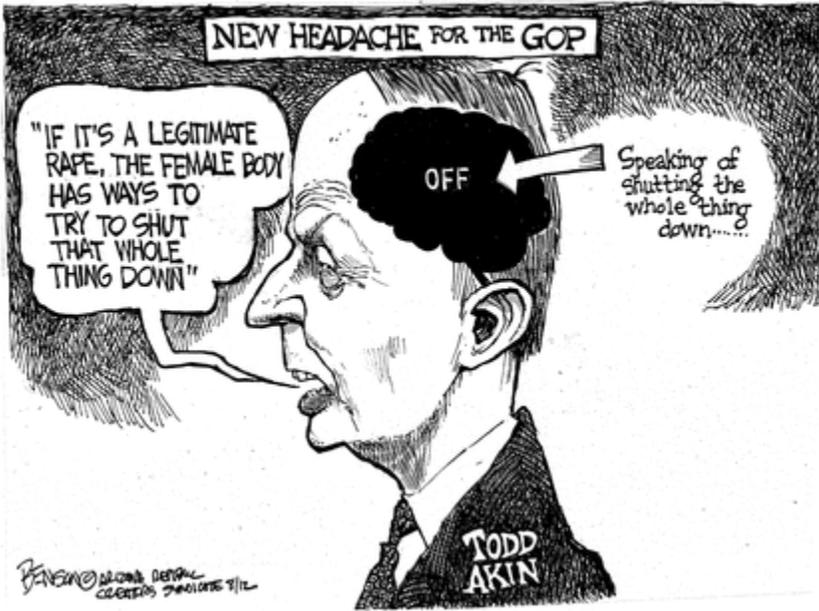


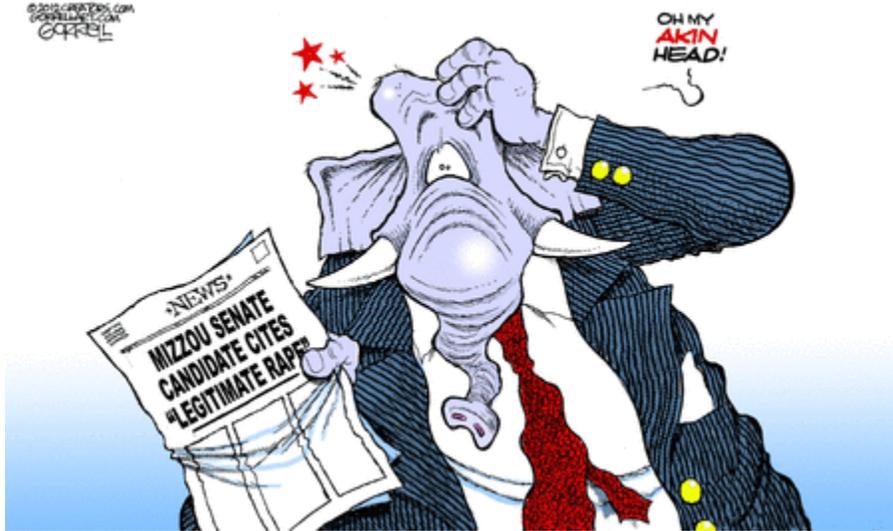




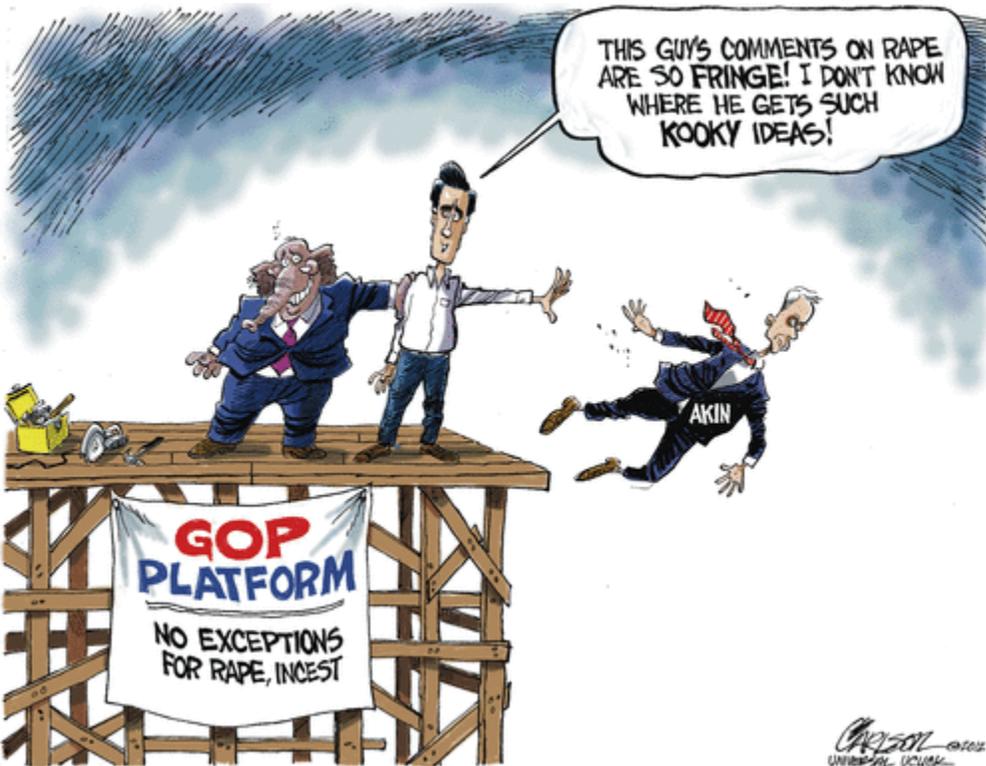
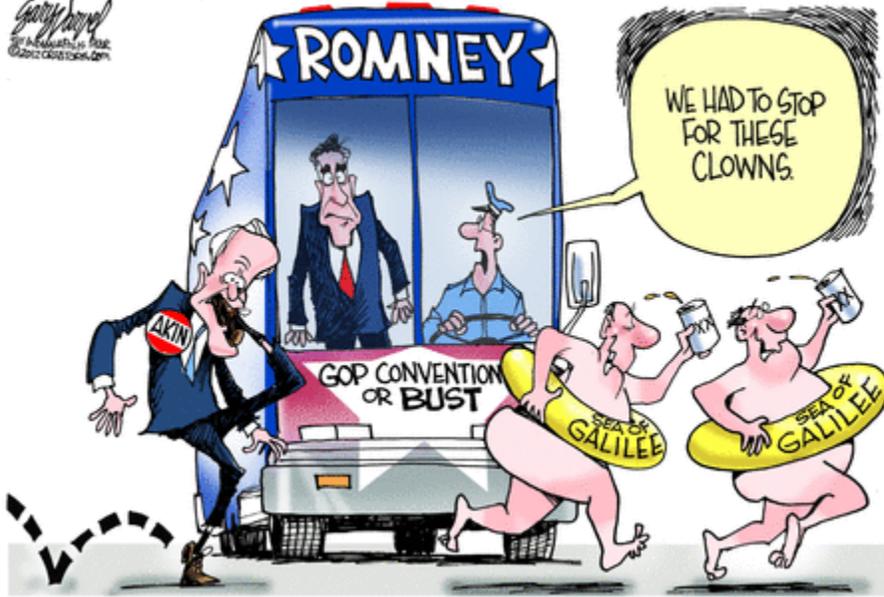
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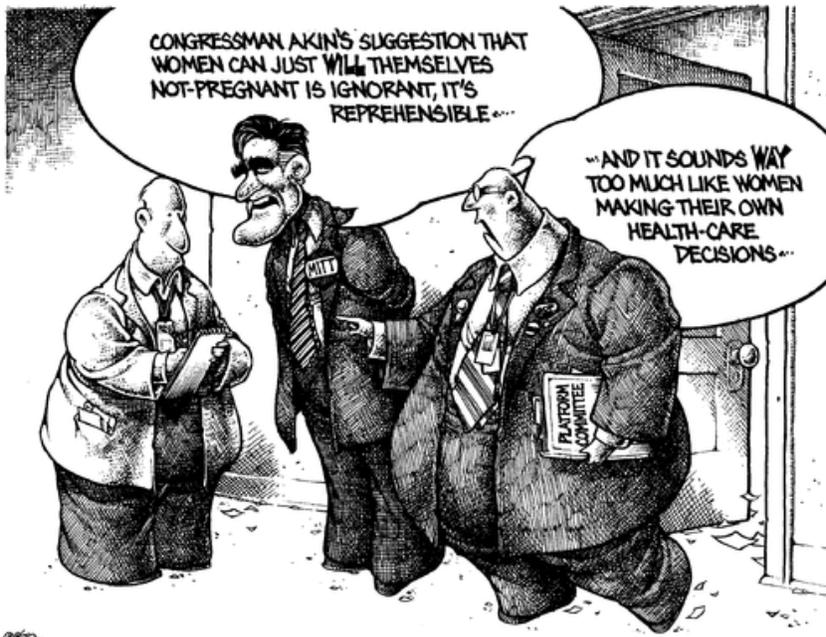






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