

## UNAPPROVED CHESTERFIELD NEWSLETTER 2

June 25, 2012

By John Hoffmann

**PLANNING AND PUBLIC WORKS COMMITTEE...The Snow Job:** On Thursday June 21 the Planning and Public Works Committee met. It was on the same night as the Monarch fire Protection District had a rare open meeting. I attended both and I'll be damned if the Planning and Public Works meetings was far more exciting with more conflict.

In 2010 after reducing the budget by \$1.5 million and having layoffs from the city hall staff and the police department, the City Council cut the reimbursement program for snow removal to private subdivision from \$125,000 to be shared by about 33 subdivisions with private streets to \$75,000.

Subdivision trustee and directors want the reimbursement fund moved back to \$125,000.

Interestingly with last winter's light snow, all subdivision bills under a current formula will be paid this July. \$63,000 will be paid out due to the light snow.

Public Works staffer Brain McGownd indicated that the staff wanted to spend two more months looking at this program and possibly devise a new formula for reimbursement. <http://www.chesterfield.mo.us/webcontent/Agendas/PlanAgendaDocs/06-21-2012-PPW-II.A.pdf>

**NOTHING MORE THAN AN ENTITLEMENT PROGRAM:** Councilman Matt Segal made some statements that were not going to win the hearts of some of the subdivision trustees at the meeting.

"Something is better than nothing," said Segal referring to the lower amount of \$75,000 to be split 33-to-40 ways. "I will support the proposal to return to the old amount."

"This has turned into an entitlement program," continued Segal. It is public government subsidizing private entities. Recently we had people come to meetings and say "We want government to stay out of our business (CID sales tax for outlet malls). Now we have people here saying we want government in our business. "



*An unhappy Matt Segal doesn't like what a subdivision trustee is telling him about his suggestion 40 private subdivisions get one bid for snow removal. Photo by John Hoffmann*

“The forty private subdivision need to get together and take it out to bid and get economics of scale, reduce their costs before coming to us for a reimbursement.”

A subdivision trustee told Segal his suggestion isn't as easy as it sounds as some condo associations have snow removal contracts for multiple properties region wide and other subdivisions already have long term contracts with low cost snow plow operators.

**ON THE FIRST DAY OF CHRISTMAS MY TRUE LOVE GAVE TO ME...NOTHING BECAUSE THE CITY OF CHESTERFIELD WOULDN'T LET THE STORES STAY OPEN LATE:**

Last year the City of Chesterfield said Bah Humbug to national retailers in Chesterfield who were opening on Thanksgiving night or as early as 3am on the day after Thanksgiving for special sales. Chesterfield doesn't allow 24-hour retail stores, other than gas stations, some restaurants and grocery stores. And Wal Mart is not happy about it.

In 2011 the city cited a number of national chain stores in the Chesterfield Valley for being open during unapproved hours mainly for Black Friday. Planner Aimee Nassiff made a proposal that stores that apply for a special exemption be allowed to be allow for up to 72 continuous hours during a Federal Holiday. Christmas, Thanksgiving, Columbus Day and Presidents' Day would be acceptable for overnight store openings, Valentine's Day and Mothers Day stores could not have special hours.



*Councilman Randy Logan, Chair of the Planning and Public Works Committee and Planner Aimee Nassiff. Photo by John Hoffmann*

<http://www.chesterfield.mo.us/webcontent/Agendas/PlanAgendaDocs/06-21-2012-PPW-III.A.pdf>

**IRONY 1:** Councilwoman Connie Fults who was voting to put a CID tax giving money to developers to build an outlet mall thus putting another tax on the consumers back all in the name of creating new taxes for Chesterfield doesn't want added taxes Thanksgiving weekend.

"I personally don't want any 24 hour retail operations," said Fults. "There a whole lot of people who were not from Chesterfield," said an apparently offended Fults. It was just a month ago that Fults and other councilpersons were telling the public that the vast majority of shoppers at the proposed outlet malls paying the CID that would go directly to the developer would be from out of town.

Connie needs to make up her mind. Either out of town shoppers are good (outlet malls) or the out of town people are bad (at stores open over night on Black Friday). Apparently to Fults one kind of increase in sales taxes is good and another is bad.

"I am anti 24-hours retail operations for any reason. I will not vote for this 72-hour proposal," said Fults.

**MAYOR DIGS IN:** Mayor Bruce Geiger tried to simplify this issue and hopefully the staff's long proposal full of regulations.



*Mayor Bruce Geiger made strong points about simplifying the issue to just Black Friday.  
Photo by John Hoffmann*

“In my mind we should be addressing Black Friday and not worrying about these other holidays,” said Geiger. “I went out and sat on people’s decks last year and there was noise. But this is such a critical. We cannot tell our merchants... sorry you can’t compete with other stores in the region.”

**MORE CONFLICT:** This committee was intent to find conflict and controversy even if they had to manufacture it. There was a long discussion whether the operators of an entire shopping center should apply for the exemption or if each store wanting the exemption should apply.

“Let the developers go in and apply for the whole shopping center,” said Matt Segal.

“If you do that do you want the restaurants and bars all open late,” asked Planner Aimee Nassiff.

“Each store should apply for a permit and the shopping center developer should have to sign off,” said Fults. “There is a bigger issue,” Fults continued. “We need to enforce the existing ordinances. We are now in the eleventh-hour they want to change the rules.”

I guessing Fults is referring to the city’s Planning Department wants to change the rules late in the game, since they are pushing the issue.

Fults then really made things confusing by asking why big box stores should get special opening hours exemption if they are open on the holiday itself.

“If the box stores don’t recognize the holiday (by being open on Thanksgiving) why should you give them special day after holiday hours,” asked Fults.

Apparently this is another case of Connie’s special rules. She apparently has a love hate relationship with retail establishments.

**YOU GET A CHANCE TO SOUND OFF...SORT OF:** It was decided there would be a public hearing on the issue, likely to be held before a City Council meeting.

The only problem is the public is getting a little suspect of public hearings in Chesterfield. The last public hearing was on CID taxes for a proposed Outlet Mall, where the council ignored strong public opposition and voted to create a new sales tax,

**IRONY TWO:** For the second time a sweet family pet has caused me a severe injury.

The first time was in the fall of 1995. My wife had not come home after work as she was doing a sculpture project after work. I got home after dark at about 7pm. Our dog, “Lady” needed to go for her nightly walk.

Lady was adopted from the Montgomery County Maryland dog pound. We had asked to be called if they had a Springer Spaniel. A couple months later they called and asked us to come over and look at “Lady.” She was a little bit Springer Spaniel and a lot Border Collie. She wagged her tail a lot and came when my wife called so home she went.

Our house backed up to a 44-acre County Park that featured a pond and a nice stream.

I was still in my police captain’s uniform. I attached Lady’s leash went out to the backdoor to the gate in our fence that opened into the park. As soon as we entered the park, some ducks and geese on the pond started quaking and honking and the 75% of Lady that was a Border Collie was off pulling hard in attempt to get somewhere and herd something.

There were a few tree branches down and as I was being pulled toward the pond there was a SNAP. It wasn’t a branch, but instead was my right foot. The cast on my foot meant I could not drive my car or a police car for six weeks. I was off work and dog walking until the first week of December.

So the latest dog related injury was last Friday night. My wife and I had gotten home around 11:30 after listening to a jazz quartet in Webster Groves.

On Saturday morning my wife was scheduled to join a group doing plein air painting in western Franklin County. I went to my office to work on this column. Our two dogs were laying at our front living room windows watching for deer.

**Here comes the irony part.** About an hour later, Sadie, our loudest barker, let out two preliminary low barks which indicates a number of very loud barks are about to follow. I jumped out of my chair and headed to the living room to let the dogs out or quiet them down.

In the hallway I tripped on the schooched up throw rug. I stumbled forward for about 12 feet before the law of gravity took affect. As I screamed on the floor waking my wife I was hoping my shoulder was merely separated but fearful it was broken. A trip to the hospital ER on a Friday night was necessary.

We arrived a little after 1am and left a little before 5 pm. We left the 24-hour Walgreens with a bottle of Oxycodon at about 5:30. My wife was finally asleep at 6 o'clock.

So in an attempt to keep the dogs from waking my wife, I had my wife up all night causing her to miss her painting outing. I needed up with a broken arm and shoulder.

**A LITTLE UNDERSTANDING:** I promise with a broken right arm and shoulder there will be more than the usual amount typos in the two newsletters I produce (Town and Country & Chesterfield). Your understanding is appreciated. If by October or November there is still a higher than usual number of typos, please start complaining or ridiculing.

**THIS SHOULD BE INTERESTING:** This is a records request with the City of Chesterfield concerning the email between staff and elected persons and the PATCH.com staff complaining about coverage they received from PATCH.com and waiting meetings with Patch.com staff.

In past government jobs I have been in charge of record keeping so I know this is a pretty easy request. It should not take more than 30 minutes to find this stuff. I will be happy to pay for one hour of a staff member's time to research. There is nothing in this request that requires legal review (no personnel issue, lawsuit, purchase or sale of property, etc.) so if the city asked for \$2,500 that will be a story in itself plus a complaint to the Attorney General's Office.

Now if they claim there was nothing found...I happen to have a copy of one such email...so that will make for another story and complaint.

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June 21, 2012

City Administrator Michael Herring  
City Clerk Judy Naggiar  
City of Chesterfield  
690 Chesterfield Parkway West  
Chesterfield MO 63017

RE: Sunshine Records Request

Dear Sir and Madam:

This is a request for public records under the Missouri Sunshine Law, Chapter 610, RSMo.

This request is for copies of all emails concerning coverage of Chesterfield government and/or proposed legislation done by Patch.com and/or any meetings with Patch.com editors, to or from Ast. City Administrator Libby Malberg-Tucker, City Administrator Michael Herring, Mayor Bruce Geiger, Councilpersons Randy Logan, Matt Segal and Connie Fults to or from Kurt Greenbaum or Jean Whitney between the dates of May 7 and May 16, 2012 and between the dates of June 1 and June 14, 2012.

Sincerely,

John Hoffmann

**MONARCH FIRE MEETING DOWNRIGHT CIVILIZED:** Things were out of whack last Thursday at the Monarch Fire Prevention District meeting. Airline pilot Robin Harris was

in attendance, but board president Kim Evans was not. She attended via telephone in a non-voting capacity.

The other thing unusual about the meeting was there was nothing controversial.

**A COUPLE OF CHUCKLES:** Before approval of cash disbursement (paying bills) Chief Tom Vineyard was asked exactly what a “Strike Team Vest” which the district was purchasing for \$1,200. The chief did not know and called on the training officer, who sprung up and reported that he did not know either. Despite this the expenditure was approved.

Ast. Chief John Borgman was asked how old a piece of equipment on a pumper truck was that had to be replaced.

“It’s about one year old. No two years, I think. You know maybe it is three years old,” said Borgman.

**HIRING LIST:** The hiring list for two FF/Paramedics that started with well over a hundred candidates has now been whittled down to a short list which will be presented at the next “Closed” meeting. The list is being presented at a closed meeting because most of the applicants are working at other departments and the district doesn’t feel it would be fair to allow those departments to know employees were looking elsewhere.

Of course everyone knew who was on the short list for the chief’s job last fall.

**STAFFING DISCUSSION:** The discussion of daily shift staffing for the five station houses came up. Staffing goal is 35 FF/Paramedics and supervisors per day. However staff admitted that number is never reached, due to vacations, injury & sick leave, training and other accepted excuses. 28 is the minimum number for staffing. The Board was told the average number on duty per day is either 29 or 30.

**EEOC COMPLAINT FILED:** District attorney Chuck Billings reported that a complaint alleging discriminatory hiring practices was filed with the Federal Equal employment Opportunities Commission. This not a lawsuit, but a complaint the EEOC will investigate first. The female firefighters, Dana Buckley and Donna Kessler each were award \$200,000 by a County jury. Monarch appealed the judgment and lost in 2011.

This cause the district with a new Board of Directors makeup to can four command officers over the discrimination and harassment that led to the jury award. Three of the

command officers are now suing the district over their termination. A fourth committed suicide shortly after his dismissal.

**ROCKWOOD SCHOOL DISTRICT SUPERINTENDENT APPARENTLY A SLOW LEARNER:** Rockwood Schools superintendent Bruce Borchers has come out and stated he is interested hiring another consultant. This time he wants to hire a communications consultant to learn what the community's concerns are according to a June 20th article by reporter Mary Shapiro on stltoday.com.

Borchers wants to spend \$45,000 on the consulting company to figure out taxpayers' concerns and why an April bond issue failed.

**NOT TAKING ADVANTAGE OF FREE CONSULTING:** The district just got free consulting information...it was a bond issue defeat at the polls.

**CONSULTING WAS PART OF THE PROBLEM.** One of the big reasons that Borchers' bond issue went down in flames was because he first hired buddies from his old school district in Minnesota for some outrageously overpriced summer consulting work. Then he hired them as fulltime employees at six-figure salaries.

Consulting was part of the first part of Borchers' problems and was followed by several other PR disasters.

**Our recommendation:** Free of charge here is what we think Borchers should do. He should draft a policy where the words consultant and consulting cannot be used at the District offices for the next 18 months.

**DO YOU FIND THIS CREEPY TOO?** I am talking about the constant airing on Channel 4 of promos with morning anchors Claire Kellett and Andre Hepkins. First Claire was staring into Andre's eyes telling him how she wants to get him to let loose and explode...his laugh all the way from his toes.

A few weeks later Hepkins is telling Kellett how he was driving around her hometown, Webster Groves and wanted to take photos of her high school (Nernix Hall). Sounds like Andre is staking Claire plus hanging around an all girls Catholic High School.

What's next? Will the KMOV camera catch some conversation between Claire and Andre from a downtown hotel after some afternoon delight? I hope not. I have seen enough already!

**CHANGES AT THE POST-DISPATCH:** **Jerry Berger**...yes the former Globe-Democrat and Post-Dispatch gossip and man about town columnist has his own website...reported that his replacement at the PD, **Deb Peterson** has been moved to the editorial department for the summer and will be writing editorials. Her Saturday column will be suspended.

**Jake Wagman**, political writer is also leaving the PD to do political consulting. I have enjoyed Wagman's "Inside Politics" features that often showed lavish gifts showered on state legislators by lobbyists.

Jake was the victim of some of the worst "badge heavy" police action in recent years. A couple of years ago Jake was covering a Public Forum sponsored by Congressman Russ Carnahan at a south county public school. Wagman was standing on a sidewalk videoing a Tea Party supporter being attacked. The cops told Wagman to leave and he said he was out of their way on a public sidewalk and staying put. He was then arrested. <http://www.pixiq.com/article/newspaper-journalist-arrested-while-shooting-video-in-st-louis>

The charges were later dropped, but the County Police showed on that night they were sworn to uphold the Constitution of the Under States except the darn first Amendment. Here was someone from the "Liberal Press" documenting a person from a "right wing" group being assaulted by Democratic supports of Carnahan along with the police department's response and he gets arrested!

**FROM THE FORBIDDEN FILE OF PATCH.COM COLUMNS** Here is another column I had on file at the Chesterfield Patch that won't be run because the regional editor has banned my work. This one is pretty controversial.

## **The King's English Can Be Tough on TV or at the Movies**

**If you like murder mysteries, here are some suggestions for summer viewing from across the pond.**

By John Hoffmann

I was a big fan of the television program Law and Order. I'm talking about the original program, where there is a murder and the cops make an arrest in the first half hour and the second half hour is devoted to the prosecutors and defense attorneys.

It was a nice and simple television program; here's the murder, someone is arrested and tried. Knowing key plot lines from past programs was not necessary. While we learned a little bit about the background of some of the detectives and district attorneys, that never took away from the basic premise of the show.

When I lived on the East Coast I was the table official for a local college basketball team. Weeknight games were on Wednesday, started at seven o'clock and were over in two hours. Overtime meant I would be in the gym until 9:15 at the latest. If anyone asked if I wanted to stop by somewhere on the way home, my reply would always be, "Sorry, but I don't want to miss the murder."

I was referring to the regular Law and Order with Jerry Orbach as Det. Lennie Briscoe. In the first sixty seconds of the show someone finds a body followed by Orbach at the crime scene making a sarcastic wisecrack. If you miss the first ninety seconds of the show, you may as well skip the whole thing. That is often the best part.

I never liked the Law and Order Special Victims Unit show. Who wants to look at shows about children molested, kidnapped or murdered? Give me a good old fashion murder mystery.

So when Law and Order went off the air in 2010, I was looking for a substitute. I quickly found it. The show was Law and Order UK. Murder mysteries set in London. Instead of Jerry Orbach, there is Bradley Walsh playing homicide detective Ronnie Brooks. <http://www.bbcamerica.com/law-and-order-uk/guide/>

It is almost the same as the American version. It is produced by Dick Wolf and co-owned by NBC and Universal. The intro to the show is familiar with just a bit of difference.



“In the criminal justice system, the people are represented by two separate yet equally important groups. The police who investigate crime, and the Crown Prosecutors who prosecute the offenders. These are their stories.”

But the big difference for me is the fact that often I cannot understand anything the cops or the crooks are saying. Now the second half of the show when we are dealing with people from the Crown Prosecutor’s office, I understand every bit of dialogue, even from a Scotsman.

You can get Law and Order UK from Netflix or on BBC America if you pay extra for that service from Charter, U-Verse or a satellite provider.

Also this spring I watched the movie The Guard, which was made in Ireland, where the police are called the Garda. The movie stars Irishman Brendan Gleeson as a local cop and American Don Cheadle as an FBI agent. <http://www.sonyclassics.com/theguard/>



I enjoyed the movie and recommend it with a caveat. Don’t get discouraged if you don’t understand over half of the dialogue. Also you are likely to spend extra time watching the movie, because you will find yourself shouting, “What did he say!” Then you will stop the DVD and rewind it several times trying to figure out what was just spoken.

Even though the movie is technically in English, subtitles would help greatly.

Finally my summer TV entertainment has been vastly improved by watching the Midsomer Murder series on ITV from England. <http://www.imdb.com/title/tt0118401/>

This is kind of a cross between Murder She Wrote and Colombo. Chief Detective Inspector Tom Barnaby has to solve at least one murder, which usually turns into three or four killings between oversexed English people living in country villages southeast of London.



The fictional Midsomer County may have replaced Cabot Cove, Maine for having the highest per capita murder rate in the history of television.

The big difference between the Midsomer Murders and Law and Order UK or The Guard, is that you can understand every word that is spoken. It may as well be from Iowa.

I think part of this is that the long running Midsomer Murders is shown on television all across Europe. In Sweden, Holland, Denmark, Norway, Finland, Iceland almost everyone speaks English and shows run in English. I think this program is easy for English-second language viewers to understand.

However, I decided not to simply guess at this. I wrote my friend and recently retired European banker Ronan Woods, who lives in Ireland. I was happy to learn that Ronan had as much difficulty understanding parts of The Guard as I did. Here is his reply.

*Hi John, Law and Order tends to have "the baddies" etc from the general "London" area, which can be very difficult at times. Midsomer murders is more "middle England" and the English spoken is generally slower and with better pronunciation?!*

*I wouldn't mind about The Guard. We can't understand most of the people in the west of Ireland ourselves!!!??? Ronan*

Here is the nice thing if you want to watch some murder mysteries to help pass the summer evenings, Midsomer Murders can be ordered at any County Library. Each box has four or five episodes.

You might not like the 90-minute shows as much as I do, but I promise you will be able to understand everything that is said.

\* Three weeks after filing this column I was at an estate sale of a Frontenac lawyer and bought ALL of the Rumpole of the Bailey television shows. This summer will be just like being in England without having to drive on the left side of the road.

### CARTOONS:



From Charlotte Peters' son Pulitzer Prize winning Mike Peters

