

## UNAPPROVED CHESTERFIELD NEWSLETTER 9

August 21, 2012 12:01am

By John Hoffmann

**IRONY AND \$8,000:** It was more than a little ironic that two months after the City of Chesterfield in an attempt to go paperless found a number of officials disregarding their new computer notebooks for paper at the August 6 meeting. City staff projected over an extended period of time the notebooks replacing paper would be cost effective.

Mayor Bruce Geiger's electronic notebook wouldn't download according to his honor. Councilman Barry Flachsbart, a professor of Computer Science at the University of Missouri-Rolla reported that the power in his notebook was drained while it was downloading an especially long bill involving a zoning change forcing him to return to pen and paper.

**AT WHAT AGE ARE YOU REALLY RESPONSIBLE FOR YOUR ACTIONS?:** We begin to receive education on the dangers of driving while intoxicated by the time we are 15. That's when we started studying the Missouri Driver's Guide and those of us over 50 took Driver's Ed classes in high school.

After that point the effects of DWI were hammered home regularly. As we get older we know people who have either been injured by a drunk driver or arrested for DWI. In some unfortunate cases we know someone killed by a drunk driver.

When drunk driver Patrick McCormick, 55, of Chesterfield killed Janet Esrock on August 26, 2011 and seriously injured Esrock's teenage son I was happy that the case was filed in the St. Louis County Circuit Court. Had there only been injuries there would have been a chance the case would have been field by the Chesterfield Police in municipal judge Rick Brunk's court.

I have written this before when I was writing columns for Patch.com. Judge Rick Brunk is perhaps the most dangerous person in Chesterfield. He is soft on drunk drivers, even those in accidents and rarely takes a plea where a driver gets a permanent record of having a DWI. He hands out probation sentences to drunk drivers like after dinner mints at a restaurant.

Brunk is the guy who gave Cardinal broadcast Dan McLaughlin probation with no points on his driving record after McLaughlin was stopped for weaving in 2010. He was so drunk he fell down. He tried to bribe the arresting officer and refused to take a breath test. A year later, McLaughlin was arrested for DWI, again in Chesterfield, after having several accidents. He could not figure out how to unlock his door. He was falling down drunk, refused to take a breath test and was unable to dial the phone to call his lawyer. When McLaughlin pled guilty to the second offense, Brunk refused to revoke his probation for the first DWI and made sure he didn't get enough points to revoke his drivers license for a year.

However, Associate Circuit Court Judge Thomas Prebil perhaps is even softer than Brunk. On Friday August 17, Prebil sentenced McCormick to one year in the County Jail for second degree assault by injuring Esrock's son, Jonathan. He then sentence McCormick to probation for manslaughter in the death of Esrock, the popular high school teacher.



**PROBATION!** For killing a member of your community! While I don't agree with it, I can understand when a judge issues a probation sentence to the 20-year old who was drunk and killed a friend who was a passenger or another motorist. The judge will usually rationalize that the defendant has his whole life in front of him and how this is a life changing event he will never forget.

In the case of McCormick how much more of a learning curve do you get when you are 55 and drive drunk and kill someone. 40 years of articles about police crackdowns of drunk drivers plus drunk driver killing people, new tougher laws for DWI, public service announcements and ads on TV and in papers constantly harking about drunk driving,

free rides home in cabs during the holidays for drunk drivers, MoDot message boards along the interstates saying “Don’t Drink and Drive” doesn’t’ any of this sink in?. Judge Prebil must think McCormick’s skull is made of radium making impossible for 40 years of information about how dangerous drunk driving is to penetrate.

McCormick pled guilty on June 22. Prebil had two months to do research before the sentence. He apparently failed to look at the victims. They didn’t include just Janet Esrock. There were all of her students for the 2011-12 school year she never taught. There is her family, especially her teenage son who is undergoing a painful recovery that will take years, without his mom to help.

When is enough, enough when dealing with drunk drivers? Why have our friends in Europe taken a much tougher stance in dealing with drunk drivers beginning 30 years ago than we are doing now? I think it is because they believe it is government’s job to protect people, thus tough DWI laws and bans on cell phone use and texting while driving all across Europe.

We have some choice in replacing Prebil. His name will come up sometime on a judge retention ballot. The trick is to remember to vote against him.

As far as Judge Brunk goes...it is up to Mayor Geiger and the city council to get rid of him. It does not appear as if the Chesterfield City Council is ready to get tough on drunk drivers and start protecting the residents against them anytime soon.

**MANGE WANTS TO RASIE TAXES AGAIN:** Skip Mange is the former mayor of Town and Country, a two-term County councilman and since April is back at ground zero of Snoburbia on the board of aldermen in Town and Country.

Skip is unique as he claims he is a Republican but loves creating new taxes and making recommendations on doing things taxpayers are against. Here is what he has done recently.



**Emergency Dispatching:** Three years ago Charlie Dooley got him to head a committee for the 9-1-1 Sales Tax. Mange sold the need for this tax because the FCC was requiring a change in police and fire frequencies nationwide that would be quite an expense to local government. The tax was touted to pay for required technical upgrades. However, there was no sunset on this tax. Once the upgrades were made you would still be paying and paying. The public, quick to support police officers and firefighters passed the tax.

Part of the deal of running a police or fire department is that you have to provide someone to answer the phone and dispatch the troops. That was a basic part of providing public safety. If a city could not afford to provide or contract for dispatching they needed to look at disbanding and let the County do it.

Now all those small cities with five and six officers police department along Natural Bridge Road that offer substandard police service have just had a sizeable portion of their budget costs vanish thanks to Skip's hard work. With no sunset provision on this tax, Skip Mange is helping to continue unprofessional police services in parts of St. Louis County.

**City Park:** Two years ago, Town and Country Mayor Jon Dalton, a noted cigarette lobbyist who was behind the use of eminent domain to steal widow Opal Henderson's business and property on S. Broadway for a nightclub district that never got built, followed Dooley's lead and put Skip as he head of a committee. This time the mission was to force expanding a parking lot at a popular city park down the throats of citizens who don't want it. Opposition was overwhelming at public hearings. Manage did not care.

The project is proceeding forward at the cost of over \$100,000 in a combination of sales tax money from a regional parks fund and a special city parks tax.



Mange looks over the shoulder of T&C Mayor Jon Dalton and City Clerk Pam Burdt

**County Parks:** Since February of 2012 Skip has headed a County Parks funding advisory committee. He was appointed by County Executive Charlie Dooley. Guess what? Mange's committee recommends a tax increase for the Parks. It turns out that Mange was not opened minded when reviewing the options. In November of 2011 prior to being appointed he sent Dooley an e-mail reminding Dooley that when he and Dooley were co-chairs of the last Parks committee they floated a tax increase that almost passed at the polls. Threatening to close parks unless a new tax is passed is easy. Cutting unnecessary spending such as patronage jobs created for Dooley's former campaign staff from the entire County budget is politically tougher but the better way to go.

Mange woke on Sunday morning August 12 to find he was the center of Post-Dispatch editorial claiming collusion with Dooley in recommending the tax increase.

[http://www.stltoday.com/news/opinion/columns/the-platform/editorial-dooley-should-stop-playing-with-the-county-s-parks/article\\_ea96f437-9531-5509-837b-36858f4e6997.html](http://www.stltoday.com/news/opinion/columns/the-platform/editorial-dooley-should-stop-playing-with-the-county-s-parks/article_ea96f437-9531-5509-837b-36858f4e6997.html)

Mange can't help himself, since being elected again to the Town and Country Board of Aldermen he finds himself the chair of the city's Conservation and Historic Preservation Commission. He just announced at a meeting despite the city operating under a deficit budget with more red ink projected in 2013 and 2014 that he wants to spend close to \$10,000,000 dollars in buying property in town. Included on his list is to buy a Frank Lloyd Wright designed home, that is not currently for sale, 18 acres of land and a house on Conway Road and somehow obtain a move a log cabin that a house on Conway Road was built around.

I'm shocked that Mange was not at the Chesterfield hearings supporting the CID and TDD tax districts for the Outlet Malls.

If Mange does show up in Chesterfield to talk about County Parks (or anything else) be warned, be careful and be sure to keep your hand covering your wallet, because Mange wants some of your money.

**CITY GOES AFTER ESTATE SALE SIGNS...WHY?** David Winters stopped me last weekend at a Chesterfield estate sale. If you don't know David, he and his wife Joan are the King and Queen of Chesterfield estate sales. Together they are known as Joan and David. Last weekend they held two estate sales in Chesterfield and next weekend they will be holding two more.

David stated Chesterfield has started enforcing commercial sign ordinances against them. Every Friday night before a weekend sale, David places directional signs to the estate sale. Every Sunday at about 3:30 he goes out and retrieves the signs.

Winters continued that a couple of weeks ago the City of Chesterfield had police officers go out and pick up his signs overnight.

"Joan had to go get them out of jail," said Winters.

David said he talked to someone at city hall (didn't remember who) and was told the enforcement began because "a councilperson" complained about the signs.

**Big difference between estate sale signs and business signs:** There is a huge difference between an estate sale sign with an arrow and a commercial sign, like when Armini carpets West County with special sales signs stuck in the ground along highways and at major intersections.

Estate sales involve residents! They involve people who lived in Chesterfield, shopped in Chesterfield and paid taxes in Chesterfield. Often it is the children putting on a sale for their deceased parents; children who grew up in Chesterfield. Government used to be considered for the people and by the people. Now is maybe more like government for a councilperson with a stick up their butt.

I can understand why the City doesn't want a tree service or Armini to use public right away to advertise a business, but a family trying to get closure after deaths or moving to a retirement community after raising a family in Chesterfield is a different story, just like folks or a neighborhood having a garage sale.

Taking down estate sale directional signs is heavy handed at the least and borderline gross overkill.

“I’d be happy to pay a license fee or a deposit said Winters. “Now I have to put up the signs Saturday morning. Take them down Saturday afternoon and put them back up on Sunday morning.”



David Winters in front of a Joan and David estate Sale sign in 2011.

Captain Steve Lewis said that the reason for the enforcement is “constant pressure from the city council.”

Councilman Barry Flachsbart admitted he and Connie Fults are the most vocal about signs.

“The problem we have is the real estate companies think they continue to put up illegal signs. (Flachsbart is not talking about “open house” signs but signs away from the property for sale that remain up for weeks at a time.)

“I have never gone to the police to complain about estate sale signs,” said Flachsbart. “I realize those are up for a short period of time.”

Now that David Winters has to put up and take down his signs twice as much in Chesterfield and during heavier traffic I just hope he isn’t hit by a car driven by a texting driver or Dan McLaughlin.

## **CITY COUNCIL MEETING 08/24**

**CITY APPROVES SURGERY CENTER WITH 3 NIGHT STAYS:** The City Council voted 6-0 to approve the building plans for Dr. George Paletta, one of the St. Louis Cardinals' orthopedic surgeons. The building to be located on North Forty Service Road at Boone's Crossing will be home to a orthopedic surgery center where patients can remain for up to three days while recovering from surgery.

Four people spoke on the issue before the vote. Paletta's attorney spoke first and complained of inaccurate media articles about the facility. He urged the council to vote for the building.

Representatives from SSM Healthcare and BJC both spoke and again made the argument that any facility that performs surgery where patients stay for three nights is by definition a hospital. However this facility would clearly not be a hospital. David Durbin with the hospital association Missouri Healthcare Group and a lobbyist for SSM and Gary Bratcher of BJC made points they had stated at a Planning and Public Works Commission meeting.

Joining them in opposition was former Creve Coeur Councilwoman and member of the Creve Coeur Planning and Zoning commission Laura Bryant who warned the council to protect the existing hospitals.

Some members of the council have contented their action was merely approving land use and that it is up to the State of Missouri to actually license the facility.

Councilpersons Connie Fults and Bob Nation both abstained from voting citing possible conflicts of interest, with Fults working in the healthcare industry and Nation's wife working for a hospital group.

**MAYOR WANTS NEW MEMBERS AND LOGAN WANTS TO KILL ADVISORY GROUP:** It was interesting in the agenda meeting on Monday. Mayor Bruce Geiger wanted to announce a new member to the Public Works Citizen Advisory Group and Councilman Randy Logan asked for him to delay the announcement. Logan it turns out wants to abolish the group.

"They haven't met in ten years," said Logan. The last time they met was in 2002."

Logan wants to go to the Planning and Public Works Committee and get a resolution to disband the Advisory Group. At the regular meeting he made a motion to continue the

Mayor's appointment to take the matter back to the committee. It passed on a voice vote.

You have to side with Logan on this one and wonder why the mayor is appointing someone to a group that has not met in 10 years.

**ANOTHER 0.7 MILE OF THE MONARCH-CHESTERFIELD LEVEE TRAIL TO BE COMPLETED BY THANKSGIVING:** Brian McGownd of the Planning and Public works Department announced at the agenda meeting that the next phase of the Monarch-Chesterfield Levee Trail will start in two weeks and should be completed in 45 days.



Brain McGownd informing the council at the agenda meeting that the next section of the Levee Trail will be completed in the next two months.

The trail will be extended from the Ice Arena to at about the Hilton Hotel where it will go under Hwy 40/I-64.

**Odd use for a TDD:** This section of the trail will be financed by sales tax money collected under the Great Rivers Greenway tax and issued to Chesterfield in the form of a grant and TDD tax money collected by the Chesterfield Valley TDD.

McGownd said this will exhaust the money from the Great Rivers Greenway grant.

TDD money from a traffic development district, is supposed to go to the development of a commercial area paying for street, traffic signals, lighting, signage and storm water improvements. The idea is the shoppers will help pay for the development and improvements of a shopping center or shopping district. Here shoppers are getting touched without their knowledge to pay for a recreational facility that has nothing to with the shopping district other than being in the same general area.

**SCHOETTLER ROAD STUDY:** McGownd also announced a \$60,000 contract was issued for a study of Schoettler Road improvements.

**LIVING SAVING AWARDS:** At the start of the Council Meeting three awards and four proclamations were awarded. Three lifeguard/managers at the Chesterfield Aquatic Center teamed up on August 6 to rescue and revive 3 ½-year-old Oscar Zabel. Oscar, his mother and 1 ½-year-old twin sisters were visiting relatives in Chesterfield when Oscar wandered off from the group and fell into the pool.

He was spotted by pool manager Andrew Edwards who dove in and pulled Oscar from the pool. Two other pool managers, Greg Dickinson and Michael Jurgensmayer then helped in CPR and reviving Oscar.

A Skype connection was made between the Council Chambers and Oscar's living room in St. Paul, Minnesota. The lifeguard/managers received awards and had the day proclaimed after them. Geiger also proclaimed Monday as Oscar Zabel Day apparently for not dying.

Oscar apparently is a handful. On the screen his right arm looked like a hot dog that had just come of the grill. He father Matt explained to the crowd that on Saturday Oscar had fallen into a campfire and landed on the grill branding his arm.



The three lifeguards who saved his life talk to Oscar Zabel and his parents, Matt and Jessica before the start of Monday's City Council meeting.



Mayor Bruce Geiger speaks before issuing the awards to the lifesavers.

**AKIN: WILL STUPID STATEMENTS GIVE MCCASKILL AN EDGE:** A year ago Todd Akin said in a radio interview how he thought liberals hated God. If you think of all the liberal Jesuits, nuns, Episcopal ministers who clearly believe in God, you have to wonder how a five-term congressman could say something that stupid.

The statement certainly didn't have any effect on Akin, as he upset John Brunner and won the Republican primary. Many have written how McCaskill wanted Akin to win. While Akin had a slight edge in polls over McCaskill it was less than polls showed Brunner or Sarah Steelman having over McCaskill.

When Todd won the primary he thanked God for the victory. My first thought was to wonder how much God really cares about primary elections. My second thought was Akin's comment reminded me of Norte Dame versus Boston College. Whose side is God on in that contest?

You would think being ahead in the polls, a good move for Akin would be to keep his mouth shut, especially since he has a habit of making Joe Biden-like statements on occasion. He didn't, he said he thought it was a good idea for the Federal government to stop funding the school lunch program.

Getting rid of the department of Education is one thing, taking food out of the mouths of poor children is another! Harry Truman signed legislation for school lunch aid long before the Department of Education was thought of by the Carter Administration and began operating shortly before the election of Ronald Reagan.

Next were Akin's remarks while being interviewed by Charles Jaco, when he said "Legitimate Rape doesn't cause Pregnancy." He went on to say very incorrectly how a woman's body shuts down due to the trauma of rape making pregnancy less likely to occur.

Akin later issued a press release saying he "misspoke." Watching the interview, he didn't appear to misspeak to me.

When you have the lead in the polls, why do you want to do interviews, especially if you have a history of "misspeaking?" Why not let McCaskill attack you and pick up more votes from people you hate negative ads?

I have to think some people, especially women who were not sure who to vote for, may have had their minds made up on Sunday.

The article in the Post-Dispatch at 1am on August 20 had six comments. A similar article about the interview in the Washington Post at 1am had garnered 2,973 comments.

<http://www.washingtonpost.com/blogs/the-fix/wp/2012/08/19/todd-akin-gop-senate-candidate-legitimate-rape-rarely-causes-pregnancy/?hpid=z2>

By dawn on Monday GOP insiders and commentators were calling for Akin to step down. Almost everyone was calling for Akin to step down except one person, Sen. Claire McCaskill.

**I MISS THE OLD OLYMPICS:** Call me old fashion but I miss the Olympics that occurred prior to November 9, 1989, the day protesters began making holes in the Berlin Wall.

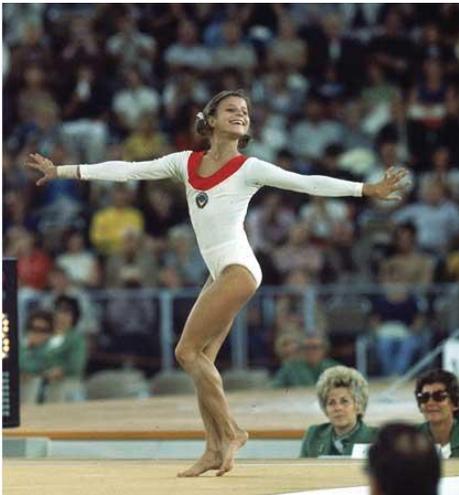
Spending five years working part time on the sports desk of large metropolitan newspaper and then covering college and professional sports on the East Coast you find yourself rooting for the underdog. It is purely selfish, more people are likely to read your article if it involves an upset. There is an old saying of "No rooting in the press box." This rule was created when too many locals working in the press box began cheering loudly for the home team.

Of course there is always an exception to a rule. The exception to this one is if late in a game you have already started writing your story, it can be okay to "root for the lead"

you just wrote if you do it quietly. But let's face it rooting for the underdog in the United States is as American as apple pie.

Back in the old days the United States was almost always an underdog. The Russians and East Germans were normally the favorites unless it was gymnastics, then the Romanians were also heavily favored.

Back in the old days Olga Korbut and then Nadia Comaneci had a better chance of being on a box of Wheaties before an American gymnast won a gold medal. Of course Korbut and Comaneci both moved to the United States. Comaneci, perhaps remembered more for some white trash photo ops in Florida after her defection, married American gymnast gold medalist, Bart Connors and now lives in Oklahoma.



Back in 1972 Olga Korbut was young but not a midget like most of the gymnasts winning medals in 2012.



Nadia Comaneci back in the old days.

In the old days, myself and rest of the free world were all rooting for Team USA or any other member of NATO to beat the Eastern Bloc. We had our track stars and an occasional swimmer but usually finished third in the medal count.

Things have changed. Now everyone in the world is rooting against TEAM USA. The poor Russians are now the underdogs. I stopped playing close attention to the Summer Olympics when they dropped baseball and added beach volleyball as a medal sport.

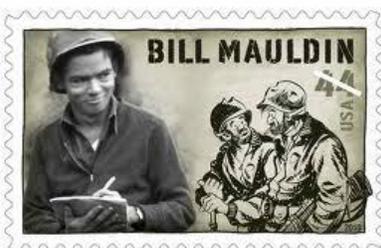
With the winter Olympics at least in the luge, curling and ski jumping I can still root for the Americans and the underdogs at the same time.

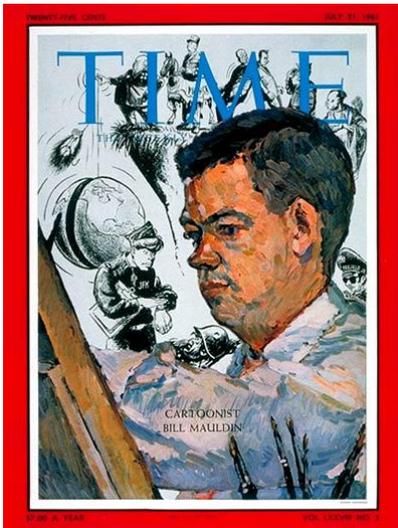
### **MEDIA WATCH:**

**Post-Dispatch is looking less and less like a newspaper.** The classified /real estate section for over a year has been putting up paid advertisements that look like articles for the Rivera of Warren County...also known as Innsbrook. Start keeping track yourself. At least once a week there is an ad that looks like an article touting the lifestyle and wonderful homes at Innsbrook.

**SAY GOODBYE TO A DAILY LOCAL EDITORIAL CARTOON:** It is hard to imagine that I live in such a small city where there is no longer a daily newspaper editorial cartoonist. On July 27 the Post-Dispatch laid off R.J. Matson who drew the daily editorial cartoon plus the Friday cartoon where readers submitted a caption. Matson and a number of other editors and reports got the ax. You have to wonder how much longer before the Weather Bird gets a pink slip.

Daniel Fitzpatrick for 45 years drew political cartoons for the Post-Dispatch and won two Pulitzer Prizes. He was followed for four years by Bill Mauldin, famous from the Willie and Joe cartoons during WWII for Stars and Stripes when he won his first Pulitzer. He won his second at the Post-Dispatch in 1959 and was on the cover of Time Magazine while toiling away at 900 N. 12<sup>th</sup> Street.





Maudlin was followed Tom Engelhardt, who signed his cartoons simply “Engelhardt” for 35-years. John Sherffius replace Englehardt for 15 years before making way for the last editorial cartoonist at the Post, Matson.

Besides these guys there was Amadee Wohlschlaeger who was an illustrator and cartoonist at the Post for a half century he drew famous sports figures and even the Weather Bird.

I grew up reading both papers in town. Don Hesse at the Globe Democrat was the Conservative cartoonist in town or 38-years from 1946 until Newhouse stop publication in 1984.

Even over in Kansas City they still have a first rate cartoonist in Lee Judge. That cannot be said about St. Louis anymore. Now there is only a part time cartoonist, so you might see a local cartoon on a Saturday.

**ANOTHER CASUALTY:** Newspapers used to be for everyone. They all included sections for different people. The sports section now gets the most number of hits online. But in day gone by there was the feature sections with comics, the twins Dear Abby and Ann Landers, bridge tips, gossip, TV listings and a TV and Radio columnist. Back in those days they even found room for Bill McClellan and Jerry Berger in the Everyday Section.

The same day R.J. Matson was let go, so was the PD’s Food editor Judith Evens. The gossip columnist everyone remembers is Jerry Berger and his Let’s Go Bergering

columns. He was replaced by Deb Peterson who at the time lived on a quiet cul-de-sac in Kirkwood. She wasn't really up to the task to of carrying on the local gossip. Plus the paper cut the space that had been Berger's. A week before the layoffs, Peterson was permanently assigned as an editorial writer, leaving the Post with no gossip gathering scribe.

Space for Gail Pennington's TV column was eliminated. They next cut the space for TV listings. In an amazingly stupid move several years ago the PD stopped placing a weekly TV Magazine in copies of the Sunday paper sold on newsstands. Only home subscribers got the TV listings. What a bonehead move! For decades a number of people only bought the Sunday paper and one of the reasons of doing so is that they got the TV listings. What did the Post-Dispatch do...they took that incentive to buy the paper away.

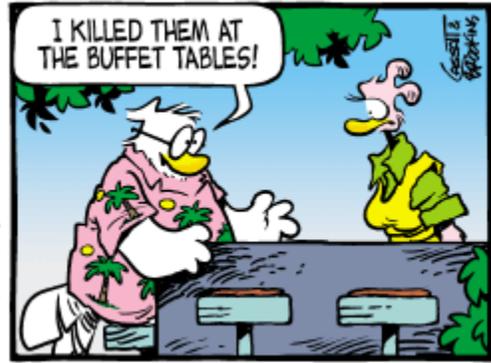
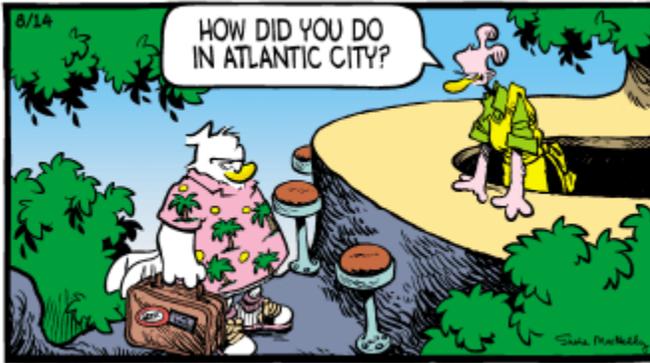
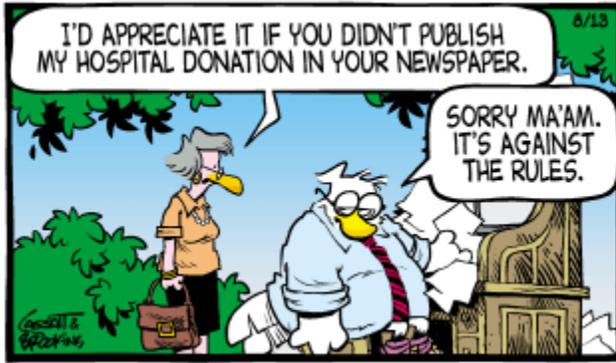
Now they are taking away the TV listings from the Sunday paper the subscribers get. Starting on September 9 you have to buy a separate subscription if TV Weekly magazine which will be place in your Sunday home delivered paper.

I think this move is likely to be as successful as the Journal newspapers. Somehow the folks at 122 W. Lockwood have been successful running the Webster-Kirkwood Times neighborhood papers covering the Webster and Kirkwood school district areas for 30 years, but Lee Enterprises after buying the Journal papers could only drive them into the ground. There was little and then no news or advertising in the Journal papers. Delivery was spotty. Some weeks you got a paper and some weeks you didn't.

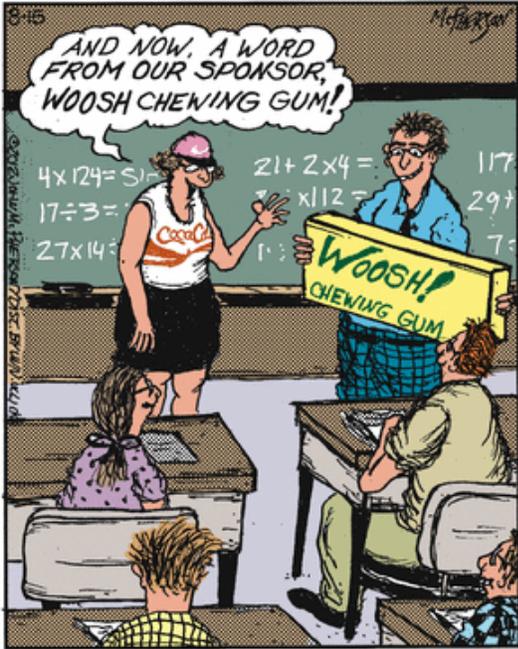
While the same week they announced cuts, Lee enterprises CEO Mary Junck was award a bonus of stock options worth over \$500,000.

### CARTOONS:





"The defendant, owner of Chompo Hot Dog Buns, INTENTIONALLY sells buns in bags of 8, despite the fact that hot dogs are sold in packages of 10!"



Facing a severe budget crisis, Brockford School District found other ways to bring in revenue.

