

EX ALDERMAN NEWSLETTER 277 AND CHESTERFIELD 222



May 15, 2017

SIDEWALK (TRAIL) TO QUEENY PARK IS KILLED. INSTEAD PARKS GRANT COMMISSION WANTS AN EXTRA WIDE SIDEWALK FROM BUCKLAND HALL TO CLAYTON ROAD. City Administrator Gary Hoelzer announced at a Monday morning May 8 meeting put on by Ward-2 alderwomen Lindsey Butler and Tiffany Frautschi at the Longview Farm House that the sidewalk from Clayton Road to Queeny Park is not going to happen anytime in the near future.

Hoelzer said the city could not get or buy easement sections from two homeowners on Mason Road after Buckland Hall that killed the deal since the city was unwilling to use eminent domain. From across the room Tiffany Frautschi indicated it was four homeowners not two. Emails we obtained seem to support Frautschi's "four."

The new plan would still include the crosswalk at Lochinvar, the site of a high number of accidents involving people driving off of the east side of Mason Road. Also the new plan would create wider 8-foot sidewalks.





FIRST OF THREE TOPPING ROAD SIDEWALK GRANTS APPROVED, MAYBE. City Administrator Gary Hoelzer announced on Monday May 8 that the City's grant request for sidewalks along Topping Road was approved. However, Public Works and Planning Director Craig Wilde told us it has reached the approved list and should be awarded the grant in the next six months, but it is not quite a done deal yet. The total cost of the project is \$1,628,667. Town and Country's cost is 50% or \$814,400.

Here is Craig's explanation:

It hasn't been accepted yet. It has been placed on the recommended for funding list by East West Gateway Staff. Formally, there still needs to be an open house and award by the East West Gateway Board and then acceptance by the City. That should all occur over the course of the next six months or so.

This phase is planned to go from Clayton to Kent Manor with subsequent phase(s) completing the link all the way to Pingry Place. This may be one more phase or could be two depending on how the funding climate looks for the program. Funds for this phase will be available for use in October 2018. This is when we can start engineering. In October 2019 we can begin ROW acquisition and in October 2020 we will have construction funds available, but it is more likely that we will not start construction until late winter / early spring 2020.

We are allowed to obtain one grant per cycle (year). I would anticipate applying for grant funds for the subsequent phase(s) in 2018 (with implementation in 2019 – 2021) and beyond as needed to complete the project.

Here are the projects in St. Louis County selected for funding by the Missouri Transportation Planning Committee:

**Missouri Transportation Planning Committee Recommendations
Missouri Local Program: Surface Transportation Program - Suballocated (STP-5)**

Recommended for Funding					
Sponsor	County	Project Title - Description	Federal Cost	Total Cost	ID Number
Ballwin	St. Louis	Holloway Road - Manchester Rd (MO 100) To Baxter Rd - Resurfacing	\$1,003,600	\$1,254,500	6813-19
Bi-State Development/ Metro	Multi-County-M	Call-A-Ride Van Replacement - 2020 (A) - Replace Eight (8) Call-A-Ride Vans -	\$1,104,000	\$1,380,000	6814B-20
Bi-State Development/ Metro	Multi-County-M	Call-A-Ride Van Replacement - 2020 (B) - Replace Seven (7) Call-A-Ride Vans -	\$968,000	\$1,210,000	6814A-20
Brentwood	St. Louis	Rosalie Avenue Sidewalk - Brentwood Blvd To Mary Ave - Lighting - Sidewalk (5') On South Side	\$331,964	\$414,955	6815-19
Creve Coeur	St. Louis	Fernview Drive - Gallagher Dr To Olive Blvd - Resurfacing	\$250,000	\$386,000	6816-21
Fenton	St. Louis	Allen Rd - Old Highway 141 To Jefferson County Line - Reconstruction	\$436,400	\$545,500	6817-19
Olivette	St. Louis	Dielman Road, Phase 2 - Tamarack Drive To MO 340 (Olive Blvd) - Resurfacing - Sidewalk (5') East Side- Widening To 13' Lns	\$574,577	\$821,645	6826-20
Sponsor	County	Project Title - Description	Federal Cost	Total Cost	ID Number
Richmond Heights	St. Louis	Lovella Avenue Bridge - Over Claytonia Creek - Replace Bridge - Sidewalks (5')	\$388,000	\$495,000	6827-19
		Preliminary Engineering			
St. Louis County	St. Louis	Bayless Avenue Bridge - Over Gravois Creek (Approx 130' East Of I-55) - Replace Bridge - Sidewalk (6')	\$2,100,000	\$3,354,000	6834B-21
St. Louis County	St. Louis	Creve Coeur Mill Road - 2021 - Prichard Farm Rd To Approx 350' W/O Mckelvey Rd. - Resurfacing - Slab Replacement - Fiberoptic	\$1,100,000	\$2,351,100	6834D-21
St. Louis County	St. Louis	Hanley Road - 2021 - Canton Rd To MO D (Page Ave) - Resurfacing	\$1,100,000	\$2,001,000	6834E-21
St. Louis County	St. Louis	Mckelvey Rd/Bennington Pl/Ameling Rd - 2021 - Mckelvey/Bennington - Dorsett To Ameling; Ameling - Bennington To Mckelvey - Resurfacing - Slab Repl.	\$1,000,000	\$2,291,300	6834C-21
St. Louis County	St. Louis	Mckelvey Road, Phase 2 - 2021 - Glenpark Dr To Creve Coeur Mill Rd - Resurfacing - Sidewalk (5') E: Smoke Rise To Cr. Coeur Mill	\$1,128,610	\$1,612,300	6834F-19
St. Louis County	St. Louis	Meramec Bottom Road Bridge - Over Lemay Creek (Approx 1200' West Of I-55) - Replace Bridge	\$1,095,200	\$1,369,000	6834G-19
St. Louis County	St. Louis	US 67 (Lindbergh) - At MO 340 (Olive) - Sidewalk (6') South Side Of 340 - Replace Cloverleaf With Folded Diamond Interchange	\$4,000,000	\$5,000,000	6834A-19
St. Louis County	St. Louis	Washington Street - 2021 - Rue St. Pierre To Fatima Ct - Resurfacing	\$1,100,000	\$1,795,000	6834H-21
Town & Country	St. Louis	Topping Road - Clayton Rd To Topping Estates / Kent Manor Dr - Resurfacing - Shared Use Path (8')	\$814,400	\$1,628,667	
University City	St. Louis	Westgate Ave - Delmar Blvd To MO 340 (Olive Blvd) - Resurfacing - Upgrade Sidewalk	\$932,274	\$1,915,342	
Valley Park	St. Louis	St. Louis Avenue, Phase 2 - Third St To Seventh St - Reconstruction - Sidewalk (5')	\$1,312,344	\$1,640,430	
Webster Groves	St. Louis	Big Bend Boulevard Sidewalk, Phase 1 - Oakwood Ave To Dale Ave - Sidewalk (6') North Side - Lighting	\$247,730	\$343,726	



Topping Road looking north from Kent Manor toward Clayton Road.

ART COMMISSION, IT IS TIME TO BRING DOWN THE CURTAIN: The first two Art Commission meetings of the year were not official as there was not a quorum at either one, even after Town and Country dropped the Quorum rule from 50% to 40%. They did not have an official meeting in January or March. For some strange reason they compiled minutes for each non-meeting. In April they had a meeting.

The May meeting was suppose to be on Wednesday May 10 at 6pm at the Longview Farmhouse. I checked the city's website and on Monday the meeting was still scheduled. I arrived at Longview on Wednesday at 5:55. I found one unlocked side door. The main doors were locked. There was no sign on a door about the meeting.

I returned home and rechecked the city's website and saw that the meeting had been CANCELLED. That means three out-of-four Art Commission meeting so far in 2017 didn't happen. Summer vacations are right around the corner. I can't see things improving.

The commission only has six members and a aldermanic chair. It should have 10 members and an alderman. If the people on the commission won't show up and they can't fill the seats, why have the commission and why not let the Parks Commission deal with art issues?



TOWN AND COUNTRY APRIL POLICE ACTIVITY REPORT:

Apr-17				
Stats for Chief				
CATEGORY	APR. 2017	YTD 2017	APR. 2016	YTD 2016
Calls for Service	1831	7329	1891	7374
Reports Written	180	666	218	809
Vehicle Crashes	86	270	102	347
Criminal Reports	25	97	30	112
DWI Arrests	10	48	19	67
Misc. Arrests	32	99	21	109
Traffic Citations	348	1307	297	1327
Speeding	219	869	172	821
Traffic Warnings	383	1204	239	809
Total Traffic Contacts	731	2511	536	2134

APRIL DEER VS VEHICLE REPORT: The number of deer involved in vehicle crashes mirrors the Census Report from White Buffalo indicating there are more than 60 deer per sq mile in Town and Country and over 70 deer per square mile in parts of Ward 2.

There were seven deer-vehicle crashes in April of 2017 compared with five in 2016. So far in 2017 there have been 24 deer-vehicle encounters compared to 14 in 2016. Here is where the April accidents occurred:

		April		
18	V	3	0427	Mason Road at Park Place Court
19	S	9	0225	WB 64 W of 270
20	S	17	0630	NB 141 S of Clayton Road
21	S	18	0019	SB 141 at Clayton Road
22	R	21	0338	WB 64 Ramp to Mason Road
23	S	26	0425	NB 141 S of Clayton Road
24	V	28	0455	NB 270 at 64



Here are 2017 YTD Deer vs. Vehicle stats



2017 Town and Country Deer Accident Locations

I-64 **3** (Wards 1, 2, 3, 4)

I-270 **2** (Ward 1)

Topping Road **2** (Wards 1 & 2)

S. Mason Road Clayton Road to South City Limits **3** (Ward 2)

Clayton Road Mason to Bopp **4** (Ward 1 & Ward 2)

Clayton Road Mason to Woods Mill (Ward 3 & Ward 4)

Park Place **1** (Ward 2)

Fairfield Oaks Drive **2** Ward 3

Highway 141 **4** (Wards 3 & 4)

Conway Road **2** (Ward 4)

Woods Mill Road **1** (Ward 3 & 4)

CHESTERFIELD DEER REPORT OF ONLY DEER INCIDENTS WHERE THE POLICE ARE CALLED: While Town and County Police, Manchester Police and the Missouri Park System Rangers count the dead deer on the side of the road that clearly were hit by cars, Chesterfield continues to operate with their head in the sand and only count incidents when the police are called to a scene. Here is the laughable April 2017 Chesterfield Deer Report:



Chesterfield Police Department DEER RELATED INCIDENTS



APRIL 1ST TO APRIL 30TH 2017

REPORTED INCIDENTS

SECTOR	DAY / DATE	TIME	LOCATION	DEER DISPATCHED	PROPERTY DAMAGED	REPORT NUMBER	NOTES
1	Saturday 004/08/2017	2359	14550 Ladue	N	None Reported	N/A	Struck by car. Driver of vehicle refused report. Deer deceased on scene.
1	Friday 04/14/2017	2030	Olive & Toreador	N	Minor front end damage on vehicle	17-1743	Deer running across road and driver could not avoid. Deer deceased on scene.

UNAPPROVED CHESTERFIELD NEWSLETTER 222



May 15, 2017

DEVELOPER KAIMAN TELLS CHESTERFIELD HE IS DROPPING HIS PROPOSAL TO APARTMENTS ON SCHOETTLER ROAD: We learned last week that on May 2 the Developers for the 40 West Luxury Apartments proposed for on land at Schoettler Road and South Forty Outer Road withdrew their request for rezoning to R-6A for a 258 apartments in a 7 building complex. There was mass opposition to the project.





A Chesterfield Planning Commission in September was moved from City Hall to a nearby Marriott Conference Center to handle the overflow crowd of people in opposition.

The developers did not have enough land to meet green space requirements and bought a six-acre site that was not connected. They tried to explain that the land was connected by sidewalks and curbs. The Planning Commission never voted on the project as it was withdrawn, resubmitted and then plans were withdrawn again at a December meeting. On May 2 the entire rezoning request was pulled.

It was interesting that despite there being so much community opposition to the plan, people and businesses wrote letters endorsing the project. Such a more clearly backfired for some.

State Representative Sue Allen filed a letter with the city supporting the project. Allen was term limited out of office at the end of 2016, but her husband Mike Allen was running for her seat.

The letter backfired as Allen was beaten by former Chesterfield City Councilman Derek Grier by a margin of 15%. It turned out that apartment opponents found a connection between Mike Allen and one of the developers dating back to college frat days at the University of Missouri. After seeing the mistake she made, Rep. Sue Allen withdrew her letter of support but it was too late.

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COMMITTEES

- Committee on Fiscal Review
Chair
- Select Committee on Social Services, Chair
- Select Committee on Budget
- Standing Committee on Employment Security
- Joint Committee on Legislative Research

SUE ALLEN
State Representative
District 100



February 18, 2016

RE: 40 West Luxury Living Apartment Development

To Whom It May Concern,

I would like to express my support for the 40 West Luxury Living Apartment Development at the intersection of Schoettler Road and South Outer 40. I am in full support of this development and I believe it would provide a great opportunity for Chesterfield to demonstrate the ability to attract a variety of individuals wishing to live in a maintenance free luxury environment.

Your favorable consideration of this plan would help to meet a growing need for this type of housing in our community. I appreciate your attention to the needs of Chesterfield.

Sincerely,

Sue Allen
State Representative, District 100

Here is a list of other businesses that filed letters or clearly signed form letters that were submitted by the developers. I know they were submitted by the developers because most were on "fill-in" the black form letters. Also they were all delivered to City Hall on May 18, 2016. I have to wonder how many people along Schoettler Road immediately stopped patronizing the ones that were retail businesses.

- Block Hawley** Real Estate Services 16253 Swingley Ridge Road
- Coldwell Banker Realtors**, President Jim Dohr 13718 Olive Blvd.
- Tom Shaw Realtors** John Shaw 17813 Edison Avenue
- The Scarecrow Restaurant** Shawn Mulholland 1095 Chesterfield Parkway

APC (Automotive Product Consultants) Ken Murer Spirit of St. Louis Business Park
True Title Company John Duckworth, President 16091 Swingley Ridge and 17107
 Chesterfield Airport Road
Keystone Construction Company Bill Hardy, Owner 732 Spirit 40 Park Drive
Birkle Electric Mike Birkle 652 Trade Center Blvd.
Nexus Construction Service Group Peter Buback, V.P. 13900 Olive Blvd
Premium Retail Service Kevin Travers, owner 618 Spirit Drive
Berry Door and Window Matt Zehner, owner 714 Goddard
R&F Financial Group Michael Flemming, owner 14567 Nourth Forty Outer Rd
Mass Mutual Damon Phelaw 14567 N Outer Forty Road
NM-Chesterfield Village Doug Berry 217 Chesterfield Town Center
M.W. Weber Architects Mike Weber, owner 129 Long Road
Highcroft Design Christine Allen, owner 15367 Highcroft
Harpo's Steve Barnes, Owner 136 Hilltop Village
Firehouse Subs Robert Phillips, Owner 1649 Clarkson Road
Naked Vine Bryan Hertz, owner 1624 Clarkson Road
Simply Health Chiropractic Bryan Deloney, owner 126 Hilltop Village
Gian Fabio's Italian Café Matteo Terzo, owner 127 Hilltop Village
Vito's in the Valley Giavanni LaFotz, owner 138 Chesterfield Town Center
The Hanger Grill (now out of business) Bob Chitwood, owner 27 Chesterfield Town Ctn
Wente's O.W. Restaurant Terry Wente, owner, 18000 Chesterfield Airport Road
Print Today, Inc. Huck ?????
CSI Commercial Services Brad Earnhardt, owner 1833 Edison
Gateway Medical Equipment Mary Beste, owner, 181 Chesterfield Business Parkway
Slipstream Consulting Group, Inc. Gary Woodcock, owner, 15048 Manor Creek Dr
Rachel's Grove Rachel Sorst, owner, 129 chesterfield Towne Center
Signature Bridal D. Shackelford, owner, 703 Long Road Crossing
West Oak Cleaner Warren Schultz, owner, 1736 Clarkson Road
The Screen Savers John Knirr, owner 13722 Olive Blvd
Low T StL Dave Jansen, owner, 124 Chesterfield Town Center
Amelia's Fine Linens Angela Carter, owner 17041 Baxter Rod
Smoothie King Tim Mahon, owner, 1721 Clarkson Road
Kampai Sushi Bar Y. Lee, owner, 1637 Clarkson Road
Salon Bella Diane Hill, owner, 1655 Clarkson Rd
Hilltown Cleaners Kyungsim Yoon, owner 175 Hilltown Center
VIP Corporate Housing Brad Laspe, owner, 18421 Edison Road
Nail Techs, Rosalie Ho, owner, 128 Hilltown Village Center
Instant Imprints, Kim Blumenberg, owner, 132 Hilltop Village Center
St. Louis Corporate Housing Rich Rehrbach, owner, 100 Chesterfield Bus Pkwy
The U.P.S. Store Hamid Karim, owner, 36 four Seasons Center

Super Cuts M. Roy, Owner, 1678 Clarkson Road

The Dark Side Comics and Games, Scott Swanger, owner 218 Clarkson Wilson Cntr

The letters in opposition came in all forms, sizes and from June to December. They include some form letters, online petitions with hundreds of signatures, many emails, hand written letters and even two post cards.

In high school and later in between radio station disc jockey jobs before I became a cop I worked at Webster Records at 124 W. Lockwood. The store's owner was Roy Gleason. Roy at times was active in local politics and was even a campaign manager for a mayor. But he never put a political sign of any kind in his store window.

"Even if my candidate wins by a 70% landslide, I have still made 30% of the voters mad at me," Roy told me. He was right. I wonder if any of the residents along Schoettler Road might tell some of these business owners how unimpressed they are with them getting in the middle of a very contentious local issue.



Roy and Dorothy Gleason in front of Webster Records.

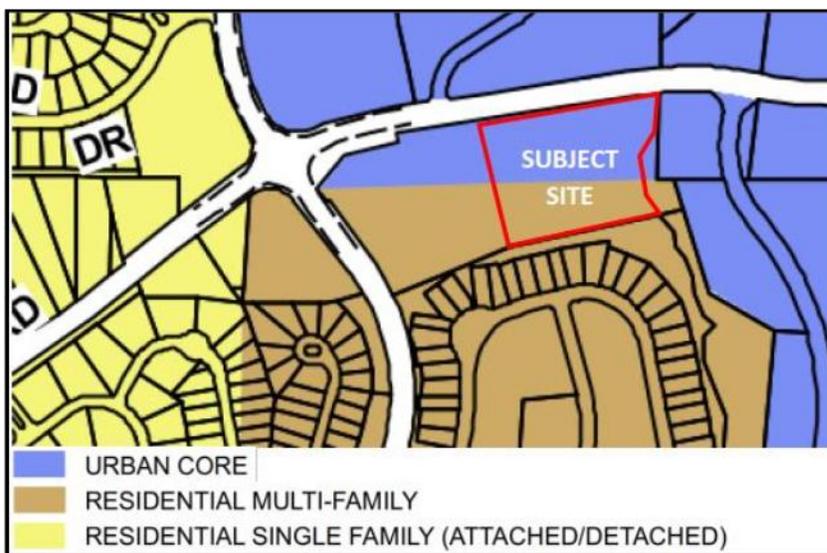
CHESTERFIELD PLANNING COMMISSION VOTES DOWN ASSISTED LIVING FACILITY AT BAXTER AND WILD HORSE CREEK ROAD: This story got pushed back for a couple of weeks due to a lack of room in the newsletter, but it is a story of residents winning one against developers at the April 27 Chesterfield Planning Commission meeting. The Developers out of Pennsylvania had flown in and had local

development attorney Mike Doster at the ready. It was for gaining approval for Shelbourne Senior Living facility, consisting of 75 independent living units, 37 assisted living units and 17 memory care units on 5.2 acres.

The developers were ready to make compromises with the residents of the Reserves at Chesterfield Village, but they wanted some from the City's Planning Commission.



Figure 1: Aerial Photo



They agreed to reduce the height of the 3-story building from 75 feet to 54 feet and were willing to go to 48 feet by removing architectural features. They also were ready to give nearby residents \$25,000 for landscaping for plant screening.

They wanted from the Planning Commission a reduction of the depth of the driveway entrance from 80 feet to 70 feet. They got this, however it would prove to be meaningless.

The residents did get threats from the developers however.

Jim Kane from Radnor, PA used some doublespeak to try and still the crowd. It didn't work.

"Our communities always become part of the communities we are in," said Kane.



Kane flew in from Philadelphia to make double talk.

Next up was "Vince" with Saks Properties who threatened the residents from the Reserves at Chesterfield. He spoke and told them instead of having a beautiful assist living facility they could have:

A bar

A Used Car Lot

A Checking Cashing Store

A Pawn Shop

A Motor Vehicle Repair facility

A Convenience Store

(Actually even more than that is permitted, but let's face it, even with the 141 unit trailer park nearby there is not much of a market in affluent Chesterfield for a pawn shop or a check cashing store.)



This is Vince from Saks Properties. He laid down the threats of bringing in a Check Cashing Store or a Pawn Shop.

The Planning Commission takes comments in the order of “in favor” “opposed” or “neutral.” There had been large crowds in the past and there was still a good size crowd that had waited 2 ½ hours for a huge number of people to speak about the trailer park being rezoned for apartments issue. (Covered two weeks ago in depth.)

Maurice Hirsch, who lives in The Reserve was the lone person to speak in favor of the project.

“I’m a longtime resident. I have lived here for 33 years (in Chesterfield). I’m in favor of it. What is in the public interest? I hope we take advantage of this opportunity.”

Then came the opposition! They all appeared to be from The Reserve.

“No residents were contacted until three weeks ago. We did a survey of all The Reserve residents and 95% of our residents were opposed. People with their homes for sale are not getting any offers. A lot of my friends are not interested in buying because of this project, said **Sathish Maklcapati**.

Mr. Kahn of The Reserved complained that Shelbourne wants to use almost three times more building space than should be allowed. “It too damn big,” he said.

“I am one block away. If the majority of the residents are against it, are they willing to withdraw it? Only one house of seven for sale was sold and it sold for \$30,000 less than the asking price,” said **another neighbor**.

I heard threats tonight. I heard fear. If they don't put it in, Saks will put in a tattoo parlor. If we don't let them build, bad people will show up. You are looking at eight properties (assist living facilities) around here and none of them are at 80%," said **Roger Chiu**.

"We have spoken at four meetings. I love you all, but enough already! Let's remove the statement that something awful will be here. The height is big. It was reduced a little, but it is still three stories," said **Ramana Kumar Madupalli**.

"Shelbourne should have refreshed their minds to have a good memory," said **Ping Wung**.

Srinivisa Yanamamanda, the president of the HOA at the The Reserve spoke and said a memo of understanding concerning setback and landscaping proposed for the subdivision included five houses that are not in the subdivision.



Hirsch Maklckapati Kahn Reserve Resident Chiu Madupalli



Wung Yanamamanda

The Planning Commission then pitched a couple of curve balls that fooled some of us. They voted to approve two amendments. One was about the length of the driveway onto the property reducing it from 80 feet to 70 feet. The next one was reducing the height of the three story building to 48 feet. They both passed 8-0.



If they are passing amendments concerning the construction of the project, you might think the project is now on track. Wait a minute!

The Commission voted 6-to-2 against the project. Only Chairman Stanley Proctor and James Rosenauer voted for it. The developers from Pennsylvania and Saks properties, the land owner, can still bring it before the City Council where it would need a super majority vote of 6-2 to pass.

Perhaps they should start looking for those pawn shops, gas stations, liquor stores, check cashing shops and tattoo parlors to come in with no rezoning required.

SO MUCH FOR TRANSPARCY IN GOVERNMENT. PLANNING COMMISSION CHAIR MAKES A MOVE TO SCREW WITH REPORTERS. I worked as an investigator and an enforcement agent for a typical bureaucrat in Montgomery County, Maryland outside of Washington, DC. She would screw with the press every time there was a request for information. She would make them file Freedom of Information requests and would not get back to them for 72 hours, even if the information was sitting on her desk.

If they would call me direct, I would stop what I was doing and immediately get them the information. Why do I want to piss off the press? If it was going to be a negative piece, why piss them off more and have them more suspicious and dig harder. Also when you wanted to put a story in the media it is a lot easier if you have a good relationship. Many bureaucrats everywhere including in Chesterfield don't understand this.

Stanly Proctor, the chair of the Planning Commission reminded me of my boss back in Rockville, Maryland in the County Government building.

If you noticed, some of the speakers who lived in The Reserves had some unusual names, that were not what we would call with, “common spelling.” During a 10-minute break in the meeting myself and Jim Erikson of West Magazine went to the dais and asked Proctor if we could look at the speaker cards turned in so we could get the correct name spellings. He flat out refused to let us look at them.

At the end of the meeting Proctor would hand over the cards to Jessica Henry of the City’s Planning Department. Jim and I then went over to a table where she was and asked if we could see the speaker cards for the correct name spellings. She also said no and told us to make a Missouri Sunshine Law request for the information with the city clerk.

The meeting restarted and finally ended after a total time of 4-hours and 20-minutes. On the way out the door Jim Erickson told me that City Attorney Chris Graville called him over and showed him the speakers’ cards so at least he got the names spelled right. I just hope that I’m close.



Stanley and Jessica, two city employees who want to make it as difficult as possible to get information to the public.

YOU ARE SERVED! A process server showed up at a City Council Agenda Review Meeting to serve just about everyone. The City and the City Council is getting sued over requirements for a new gas station, convenience store and retail shops on Chesterfield Airport Road at Olive Street Road, where there has been a Phillips 66 gas station for a number of years.



**Existing Service Station—View from North Side of
Chesterfield Airport Road**

Energy Marketing is suing Chesterfield because the City Council and Planning Commission is requiring them to provide traffic control devices, street lights and restricted turns on Chesterfield Airport Road, which is a St. Louis County road and not under the control of the City of Chesterfield. Energy Marketing claims the County has approved their traffic plans for the site.

The process server arrived and started to read off names of all the members of the city council except Michelle Ohley and Ben Keathley, who were just elected. The first name called out was Councilwoman Barb McGuinness. She simply replied,

“Give it to my lawyer,” and pointed to City Attorney Chris Graville, who then got up and accepted a box of subpoenas and lawsuits for staff, former staff, elected and former elected officials and members of the Planning Commission.

WHEREFORE, Owner prays for an Order from this Court declaring:

- a. The County has exclusive jurisdiction over Chesterfield Airport Road.
- b. The County's exclusive jurisdiction over Chesterfield Airport Road includes absolute authority to accept or reject traffic regulations relating to Chesterfield Airport Road.
- c. The Rezoning Ordinance conditions with regard to no left turn onto Chesterfield Airport Road and street lights along Chesterfield Airport Road involve an attempt to regulate traffic on Chesterfield Airport Road.
- d. The Rezoning Ordinance conditions with regard to no left turn onto Chesterfield Airport Road is beyond the jurisdiction of the City and void.
- e. The City's requirements to show street lights along Chesterfield Airport Road cannot be required by the City as part of the ministerial duty to approve a site plan in conformance with the Rezoning Ordinance and the City's Unified Development Code.

CHESTERFIELD POLICE BLOTTER: Check out where last week's police calls and what they involved.



CHESTERFIELD POLICE DEPARTMENT Media Report May 3, 2017 - May 9, 2017

<u>Time of Occurrence</u>	<u>Generic Address</u>	<u>Business/Location Name</u>	<u>Incident Type</u>
05/08/2017, 0830 05/08/2017, 1815	14XXX NORTH OUTER 40 RD	Delmar Gardens	Property Damage to Vehicle
Brief Narrative Description: Unknown subject dented door and window on victim's vehicle.			
05/09/2017, 1449 05/09/2017, 1449	2XX CHESTERFIELD MALL	Pac Sun	Larceny under \$750 Shoplifting
Brief Narrative Description: 23 yo male and 18 yo female concealed clothing and left store without paying. Both subjects initially ran from police but were stopped a short time later. Also in possession of prohibited theft device.			
05/09/2017, 0915 05/09/2017, 1730	11XX MARCUS AURELIUS WALK C		Larceny under \$750 License Plate/Tabs
Brief Narrative Description: Citizen report of stolen license plate.			
05/06/2017, 2130 05/06/2017, 2130	18XXX OUTLET BLVD	Burlington Coat Factory	Larceny Over \$750 Shoplifting
Brief Narrative Description: Unknown subjects concealed clothing and left store without paying.			
05/08/2017, 1600 05/08/2017, 1600	18XXX OUTLET BLVD	Burlington Coat Factory	Larceny Over \$750 Shoplifting
Brief Narrative Description: Unknown subjects concealed clothing and left store without paying.			
05/08/2017, 1720 05/08/2017, 1720	17XXX NORTH OUTER 40 RD	BeBe	Larceny Over \$750 Shoplifting
Brief Narrative Description: Two 24 yo females, one 27 yo female, and one 24 yo female concealed clothing and left store without paying. Also in possession of prohibited theft devices and one subject initially attempted to run away from police.			
04/17/2017, 1200 05/07/2017, 1200	2XX S WOODS MILL RD 3303		Larceny Over \$750 Residence
Brief Narrative Description: Unknown subject took jewelry from victim's residence.			
05/07/2017, 1030 05/07/2017, 2000	3XX S WOODS MILL RD 205		Larceny under \$750 Residence
Brief Narrative Description: Unknown subject took I Pad from victim's residence.			
01/12/2017, 2019 01/12/2017, 2019	4 MCBRIDE AND SON CENTER DR	IHOP	Fraud Credit Card
Brief Narrative Description: Unknown subject used fraudulent credit card to purchase gift card.			
05/08/2017, 1344 05/08/2017, 1344	1XX THF BLVD	Walmart	Larceny under \$750 Shoplifting
Brief Narrative Description: 41 yo female concealed printer cartridge and display cell phone and left store without paying.			
01/03/2017, 1300 05/08/2017, 1300	13XXX OLIVE BLVD	Ann's Bra Shop	Checks Insufficient Funds - Felony
Brief Narrative Description: 40 yo female passed insufficient funds check to business.			
12/16/2016, 1000 05/08/2017, 1030	9XX TARA OAKS DR		Fraud Identity Theft
Brief Narrative Description: Unknown subject used victim's information to open up loan account.			
05/08/2017, 2007			

05/08/2017, 2020	17XXX NORTH OUTER 40 RD	Polo	Larceny under \$750 Shoplifting
Brief Narrative Description: Unknown subject concealed clothing and left store without paying.			
05/06/2017, 1900 05/07/2017, 0700	26XX JOYCERIDGE DR		Property Damage to Vehicle
Brief Narrative Description: Unknown subject slashed tire on victim's vehicle.			
05/07/2017, 1634 05/07/2017, 1634	2XX CHESTERFIELD MALL	H&M	Possession of Stolen Property Clothing
Brief Narrative Description: Two 24 yo females in possession of stolen clothing after shoplifting investigation.			
05/07/2017, 1115 05/07/2017, 1145	20XX WINTERHAVEN CT		Harassment/Threat Texting
Brief Narrative Description: Unknown subject sending harassing text messages to victim.			
05/07/2017, 1255 05/07/2017, 1255	17XXX WILD HORSE CREEK RD	Mobil	Larceny under \$750 Gas Drive Off
Brief Narrative Description: Unknown subject pumped gasoline and drove out of gas station without paying.			
05/06/2017, 0025 05/06/2017, 0025	12XX CREVE COEUR CROSSING LN		Drugs Possession - Misdemeanor
Brief Narrative Description: 18 yo male in possession of marijuana and alcohol after suspicious vehicle check.			
05/06/2017, 0058 05/06/2017, 0058	14XXX CLAYTON RD	The Haus	Peace Disturbance Intoxicated Subject
Brief Narrative Description: 22 yo male was intoxicated and refused to leave bar when asked to leave.			
05/05/2017, 1500 05/05/2017, 1500	14XXX WETHERSFIELD TERRACE CT		Larceny Over \$750 By Deceit
Brief Narrative Description: Unknown subject convinced victim to send money for fraudulent phone ransom ware scam.			
04/28/2017, 1313 05/06/2017, 0000	11XX WILDHORSE MEADOWS DR		Property Damage to House
Brief Narrative Description: Unknown subject spray painted graffiti on side of house.			
05/05/2017, 2100 05/06/2017, 0700	14XXX NORTH OUTER 40 RD	Delmar Gardens	Larceny Over \$750 Residence
Brief Narrative Description: Unknown subject took jewelry from victim's residence.			
05/06/2017, 0100 05/06/2017, 1530	5XX EAGLE MANOR LN		Tampering with an Auto
Brief Narrative Description: Unknown subject damaged the steering column on victim's vehicle in an attempt to steal it.			
05/06/2017, 1725 05/06/2017, 1725	2XX SPRING BROOK CT		Ordinance Violation Dog Running Loose
Brief Narrative Description: 43 yo female failed to maintain control of dogs resulting in dogs becoming loose and attacking another dog.			
05/05/2017, 0022 05/05/2017, 0022	CLARKSON RD & COUNTRY RIDGE DR		Drugs Possession - Misdemeanor
Brief Narrative Description: 18 yo male in possession of marijuana after being stopped for a traffic violation.			
05/02/2017, 1423 05/02/2017, 1430	17XX CLARKSON RD	Dierbergs	Larceny under \$750 Scam
Brief Narrative Description: Unknown subject short changed cashier.			
05/05/2017, 1505 05/05/2017, 1510	XX FOUR SEASONS SHPG CTR	Dierberg's	Assault Common - Actual Assault
Brief Narrative Description: 18 yo male with mental illness struck caregiver in face causing no injuries. No prosecution to be made.			
05/05/2017, 1606 05/05/2017, 1736	3XX E CHESTERFIELD CTR	Drury	Property Damage to Vehicle
Brief Narrative Description: Unknown subject damaged victim's vehicle in hotel parking lot.			
05/04/2017, 1430 05/04/2017, 1430	1X RIDGE CREST DR		Fraud Identity Theft

Brief Narrative Description: Unknown subject used victim's information to open up credit card accounts.			
05/04/2017, 1124 05/04/2017, 1124	2XX CHESTERFIELD MALL	Chesterfield Mall	Possession of Stolen Property Clothing
Brief Narrative Description: 18 yo female and 16 yo male in possession of stolen clothing after suspicious person check. Also in possession of prohibited theft device.			
05/04/2017, 0505 05/04/2017, 0510	6XX SUNBRIDGE DR		Stolen Vehicle Automobile
Brief Narrative Description: Unknown subject attempted to steal motor vehicle from front of residence.			
05/04/2017, 0609 05/04/2017, 0609	CEDAR GROVE CT & SUNBRIDGE DR		Drugs Paraphernalia
Brief Narrative Description: 30 yo female in possession of narcotic paraphernalia after suspicious vehicle stop.			
05/03/2017, 1800 05/04/2017, 0800	15XXX SOUTH OUTER 40 RD 100	Crossroads Hospice	Property Damage to Business
Brief Narrative Description: Unknown subject broke glass front entry door to business.			
05/03/2017, 1800 05/04/2017, 0835	14XXX OLIVE BLVD		Stolen Vehicle Automobile
Brief Narrative Description: Unknown subject took work truck from business property.			
04/28/2017, 1433 04/28/2017, 1433	14XXX CLAYTON RD	Subway	Larceny under \$750 Employer
Brief Narrative Description: 30 yo female took cash deposit from employer.			
04/28/2017, 0711 04/28/2017, 0711	8XX JUDSON MANOR DR		Fraud Bank Account
Brief Narrative Description: 32 yo female fraudulently transferred money out of victim's bank account.			
04/29/2017, 2000 04/30/2017, 0800	14XXX SUMMER BLOSSOM LN		Property Damage to Mailbox
Brief Narrative Description: Unknown subject damaged victim's mailbox.			
05/03/2017, 1340 05/03/2017, 1340	1XX THF BLVD	Walmart	Larceny under \$750 Shoplifting
Brief Narrative Description: 20 yo male concealed video games and left store without paying. Subject initially ran from officers but was caught shortly after without incident.			
05/03/2017, 1411 05/03/2017, 1411	15XXX TIMBERVALLEY RD		Checks Insufficient Funds - Felony
Brief Narrative Description: 62 yo female wrote insufficient funds check to apartment complex management.			
05/03/2017, 1605 05/03/2017, 1610	XX FOUR SEASONS SHPG CTR 108	Dierbergs	Larceny under \$750 Shoplifting
Brief Narrative Description: 47 yo female concealed groceries and left store without paying.			
05/03/2017, 1635 05/03/2017, 1635	18XXX OUTLET BLVD	Adidas	Larceny under \$750 Shoplifting
Brief Narrative Description: Unknown subjects grabbed clothing and ran out of store without paying.			
05/03/2017, 2045 05/03/2017, 2050	1XX BEECHWOOD CT		Assault Common - Threat
Brief Narrative Description: 45 yo female was intoxicated and threatened victim.			

THE FOP MAKES AN APPEARANCE AT THE F&A MEETING: A marathon Chesterfield Finance and Administration Meeting was held on May 8. The meeting lasted for 2-hours and 57-minutes, creating a good reason for legislation to make it illegal to allow any committee meeting to last longer than 90 minutes.

Before the meeting started six off-duty members of the Chesterfield Police Department, entered the room, all members of the Fraternal Order of Police along with a FOP admin officer and took seats at the back of the room. The off-duty police officers lasted about 2-hours before leaving. Chief Ray Johnson sat at the opposite end of the room from the officers. He also bailed out long before the meeting ended.



They were trying to make a point. That point was that while Mayor Bob Nation had earlier said before the April elections that the city didn't want its share of the \$7-million it would raise (a little over \$2,000,000) for the Police/Public Safety Sales Tax pool with the majority of the money going to the County Police. They wanted use of the money received from the sales tax to be broken down and made public with some going to police raises.

F&A member Councilman Ben Keathley arrived about 5-minutes late and was not even aware the off-duty officers were present.



VICTIM'S RIGHTS AND ALL RANDY LOGAN IS FIXATED ON IS VICTORIA'S SECRET: At the F&A meeting the discussion of protecting victim's rights came up. As

the County Prosecutor's Office is declining to file charges on more and more cases, some of them felonies and is sending them back to municipalities to file in their courts. Some victims have been complaining about not having support or information concerning their cases from the City Prosecutor Tim Engelmeyer. Engelmeyer doesn't want victims to know that he is not prosecuting their cases and is offering deals reducing charges to "Littering."

Currently no municipality has a victim rights law. By passing one Chesterfield could hurt the way Engelmeyer gets rid of cases by turning suspects into litterers as victims are sure to scream. The City has an opportunity to be a regional leader; a role city leaders have never embraced.

"One of my concerns is since we don't prosecute felonies, should we have to notify them (businesses) every time there is a theft at Victoria's Secret?" Logan would make this a theme.

While Wal Mart, Target, The Sunglass Hut and Macy's are far more often shoplifting victims, Logan just would keep mentioning Victoria's Secret, five more times. He clearly was fixated on Victoria's Secret. This is from a guy who recently didn't even know that Ellisville has had its own police department for the last 60 years, but he knows Victoria's Secret.



\$18,000 FOR CITY TO MEET SUPREME COURT ORDER: Chesterfield's court records are not available on the internet for defendants, lawyers, victims, the public or the press to check on cases. The Missouri Supreme Court after reviewing the Ferguson Municipal Court instructed all muni court in new reform rules that all records should be available to the public over the internet. Most cities have complied with court records available on the State Wide system CaseNet or on the regional system run by REGIS called MUNICAESNET. However Chesterfield is on a computer system only used by Chesterfield and Columbia municipal courts. The Chesterfield Court officials do not want to be on a system that is open to the public. That is about to change.

For their system to be open to the public it would require an \$18,000 computer upgrade. Mayor Bob Nation and the City Council did not see fit to put that in the 2017 budget. The F&A Committee now wants to use reserve funds to have the City Court meet Supreme Court rules.

Chesterfield IT Director Matt Haug explained according to my hearing, plus notes and the statement of City Attorney Chris Graville that the system would be used so defendants could check when their next court date was. I was dumbfounded by this remark. When Chris Graville left the meeting to attend the Planning Commission meeting, I followed him out and asked him what Haug was talking about only saying how defendants could check on their cases.

“He misspoke. I have to talk to him about that. The system would be open to everyone,” said Graville.

After the meeting I was pointing this out to a couple of Councilpersons about Haug saying it would be for defendants. Haug erupted and said he never said such a thing. I replied that was what I heard and wrote in my notes and was what Graville said he heard. Perhaps we were both wrong along with my notes. I have only been taking notes for the last 42 years as a cop, detective and reporter, so I am kind of a rookie at this stuff.



Matt Haug

FORGOT TO INCLUDE ONE THING: Matt Haug was the lead man on another topic that was closer to the beginning of the meeting. Councilwoman Barb McGuinness has been pushing for City Council meetings and possibly Planning Commission meetings

with large citizen interest to be broadcast over the internet and with a link so residents could watch the meetings at their leisure.

Randy Logan immediately complained that citizens can simply come to the meetings. Of course that is not true. Some might be out of town, have conflicts with school events and other homeowners could be handicapped and unable to easily attend meetings. Also there are some meetings that have such overflow crowds that it is difficult to get everyone in the room. Over the years it has been like Logan to think about himself or his friends and not all the residents.



Logan, doesn't think people who can't make it to meetings should see and hear what happened.

Matt Haug went on and on about how expensive it is to video record the meetings, edit the video and place it on the internet. There are several cities in St. Charles County that provide that service. Haug emphasized how at least one additional full time employee would have to be hired and at least one part time employee.

However he failed to mention one thing and possibly failed to research it. How much would be the cost to contract the work out and not hire anyone?

F&A COMMITTEE VOTES TO RESCIND THE \$3,000 OF TAX MONEY FOR A PARTY FOR AREA POLITICIANS. In March City Administrator Mike Geisel along with Mayor Bob Nation got the City Council to vote to spend \$3,000 for a party for area State Representatives and Senators and municipal elected officials from West County cities so they could all get to know each other. To make this appear to something other than tax money paying for a private party, the get together would be before a free concert at the city's amphitheater.

There are now newly elected councilpersons plus nickel squeezers Barb McGuinness and Tom DeCampi on the council. Rescind the party was on the agenda of the F&A Committee which has DeCampi, McGuinness and newbie Ben Keathley as members.

Attending the meeting was the rest of the Council except Barry Flachsbart.

“I could not defend it (private party for politicians) to residents who asked me about it,” said Michelle Ohley.

City Administrator Mike Geisel then commented how Missouri Municipal League members at a meeting in Jefferson City commented how Chesterfield was not in contact with other cities. (Of course Chesterfield is suing to have the County Sales Pool Tax declared unconstitutional, which has lots of city leaders in St. Louis County pissed.)

“It made sense since we were having a concert to get to know them so we have some contact with these people,” said Geisel.

Logan to the defense of having a party! “I bashed Bob (Mayor Nation) on the campaign trail on how we don’t get along with other people (cities),” said Logan. Of course Logan lost to Nation in a landslide, so his bashing had little effect on voters.

“The people are paying for this (party) but they are not invited. I don’t think that is right,” said Barb McGuinness. “Those state reps are suppose to be responsible to the voters and not wasting money,” she added.

“It’s the perception that we are having a party for politicians,” said Tom DeCampi.

“It is all about the perception,” said Ohley.

“We are not going to a party. We are going there to work,” said Logan.

The vote was 3-1 to rescind the money and cancel the party. Logan voted against it. The measure then goes to the full Council, where it should be a close vote. If it is a tie vote, Mayor Nation is likely to vote to PARTY HARDY!.

MORE NEXT WEEK: We will have more on this meeting including another possible vote to release the emails between then councilwoman Connie Fults and city prosecutor Tim Engelmeyer that have been withheld from Lynn Dull who was cited, but never convicted for a trash can violation based on Fults’ complaints.

MONARCH BOARD VOTED 3-0 TO START BILING FOR AMBULANCE SERVICE USED BY RESIDENTS, BUT RESIDENTS DON'T HAVE TO PAY:

At the May 7th Board of Directors meeting of the Monarch Fire Protection District there was a 3-0 vote to begin charging residents for ambulance and EMS service. In the past all EMS to residents was free. Board president Rick Gans said the higher costs of EMS equipment and ambulances (Monarch does not grossly overspend on ambulances like the West County EMS & Fire Protection District does and in fact pay about 2/3s less for the vehicles. But the equipment inside is the same.)



Monarch normal size ambulance



West CO EMS&FPD super sized amb

It was also pointed out that Paramedic training has gone up in cost as have the number of calls with more assisted living care facilities in the district.

Gans promised “No Out of Pocket Expenses” for residents. They also promised to drop the tax rate on the end of this year’s property tax bill by 2-cents. There are three different components to the property tax billing, including Fire Service, EMS and employee pension. The total comes to 80.5-cents per \$100 of assessed valuation.

However, the Directors have to decide what the new tax rate will be in September. You would hope that it would be 78.5-cents or less. But the other two components of the tax could go up, while EMS goes down. That is not likely at this time.

Gans explained that the “No Out-of-Pocket Expenses for Residents” means that residents would not be billed for expenses that insurance companies or Medicare would not cover. The District would basically consider the resident is paying the deductible when they pay their taxes.

Is This Fair? Keep in mind that insurance companies are either owned by the policy holders or stockholders. How fair is it to those people, some who surely live within the

fire district? So if you live in the district and don't have insurance or your insurance deductible is so high that it does not cover EMS/ambulance bills nobody pays or in theory is billed. It is odd to provide a service including products (drugs, splints, neck braces, slings, etc. that sometimes are billed and paid for and sometimes not paid for.

The Board of Directors thinks this is fair. I would think that most residents think it is okay too. I just wonder what happens when an insurance company sues over the policy.

BEST SIDE COMMENT OF THE WEEK: Kevin McCullough was promoted from Firefighter/Paramedic to Engineer and there was a ceremonial swearing-in at the May 3 Monarch Fire District Board meeting. The engineer drives a fire truck and operates the equipment on the truck, such as pumps at the scene of a fire. The Engineer can also act as a supervisor if there is no command officer on the truck.

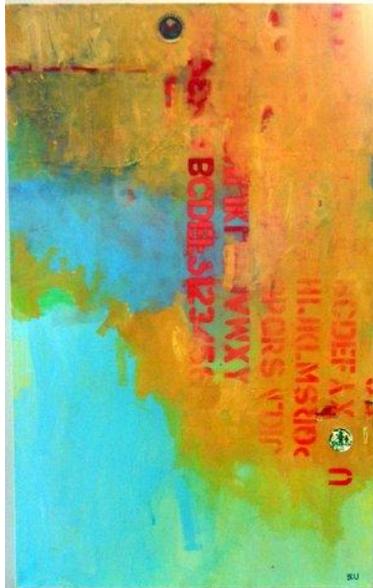
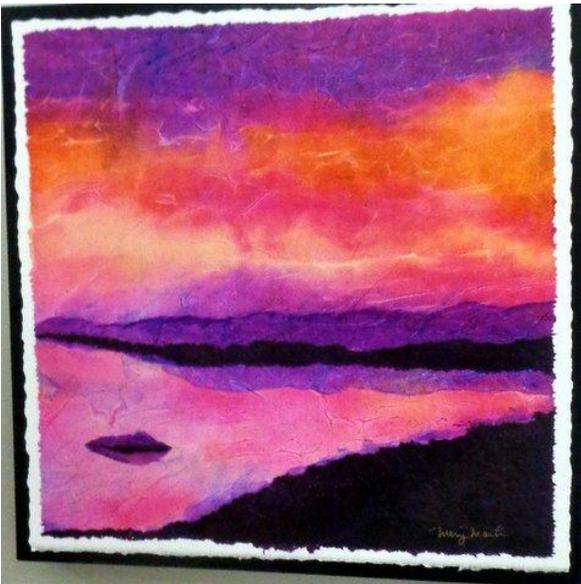


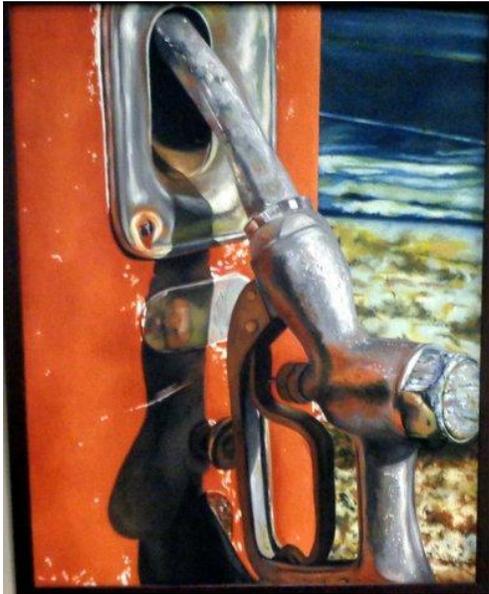
Director Robin Harris performs the ceremonial swearing in of Kevin McCullough.

During the oath of office McCullough pledged he would uphold the duties of his office.

After the ceremony, McCullough asked, "Did I just hear that I get an office?"

CHESTERFIELD ART AT CITY HALL: I don't get or like this quarter's art at city hall. Maybe you do. Take a look.







RESTAURANTS: Back in August of 2016 I wrote a favorable review of Nesby's BBQ joint on S. Lindbergh in the Econo Lodge motel, where a pizza place had formerly been. I incorrectly reported that Nesby was a retired Postal Worker. He retired as a field worker with Laclede Gas. The food was good and it was reasonably priced for BBQ. Nesby also had music. The night we were there Capt. Ed Nestor, the Chesterfield Assistant Police Chief's band was playing. I liked the food better than the music. Their homemade potato salad was also a treat.

In two return trips showed that the BBQ Pork Steaks were great. However on the last trip a half slab of ribs were uneatable as the skin had not been removed. That caused me to pull the review from the website.

In 2017 Nesby began having Wednesday Jazz Jams that seemed to be very popular.



The Jazz Jams were popular with a lot of musicians. However a trombone player told me he was not going back because one 4-minute song with a couple of solos could go 7-minutes but instead went over 20 minutes as five musicians took extended solos.

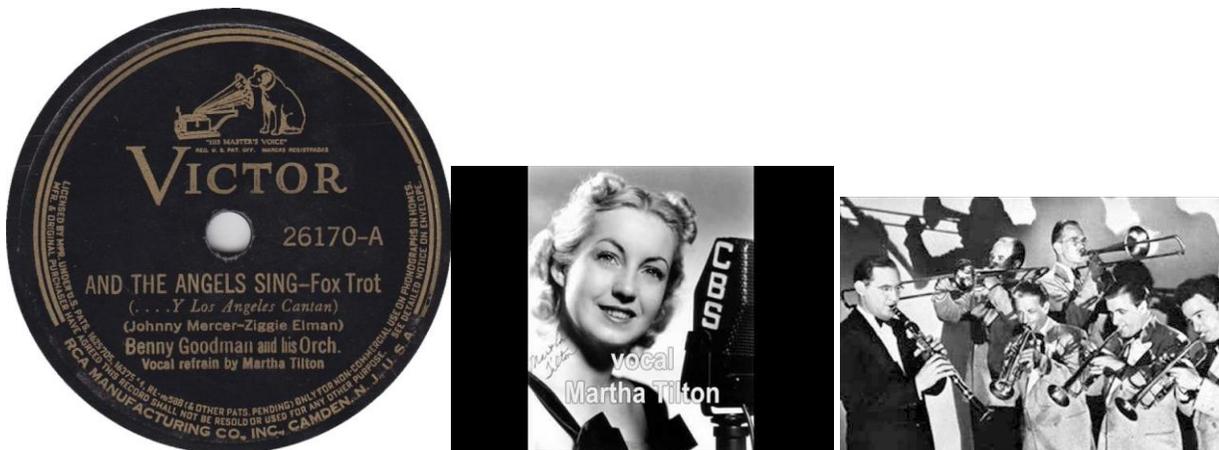
The City of Sunset Hills had been trying to close the Econo Lodge Motel due to drug dealing and prostitution. Econo Lodge dropped their franchise agreement, but the motel stayed open.

Two weeks ago Nesby closed down the restaurant, saying he would look for a location on Watson Road in Crestwood. According to reports he cited the drug dealers and hookers as the reason.

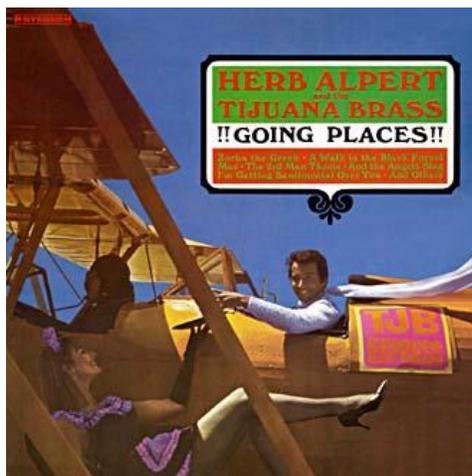
MUSIC: I always liked the song And the Angels Sing. It was written by Johnny Mercer and Ziggy Elman and first recorded by the Benny Goodman Orchestra in 1939 with Martha Tilton on the vocal. I was first aware of the song in the mid-1960s when I had every Herb Alpert record. And the Angels Sing was on the Going Places album.

The song starts slow but then takes off with lots of arrangements featuring a trumpet. I was on Jim Manley to play an arrangement he had and he finally did last Wednesday at Sasha's.

Below is a link to the Camel Caravan Radio broadcast in 1939 with Benny Goodman and Martha Tilton performing the song. Below that is a link to the Herb Alpert version. (Both links have 15 second ads that you can hit "skip." Sorry!)



<https://www.youtube.com/watch?v=heXQ-zgyfQY>



<https://www.youtube.com/watch?v=l3Dc5XAs9t8>



Last Wednesday at Sasha's. The photo was taken during And the Angels Sing.

CARTOONS:

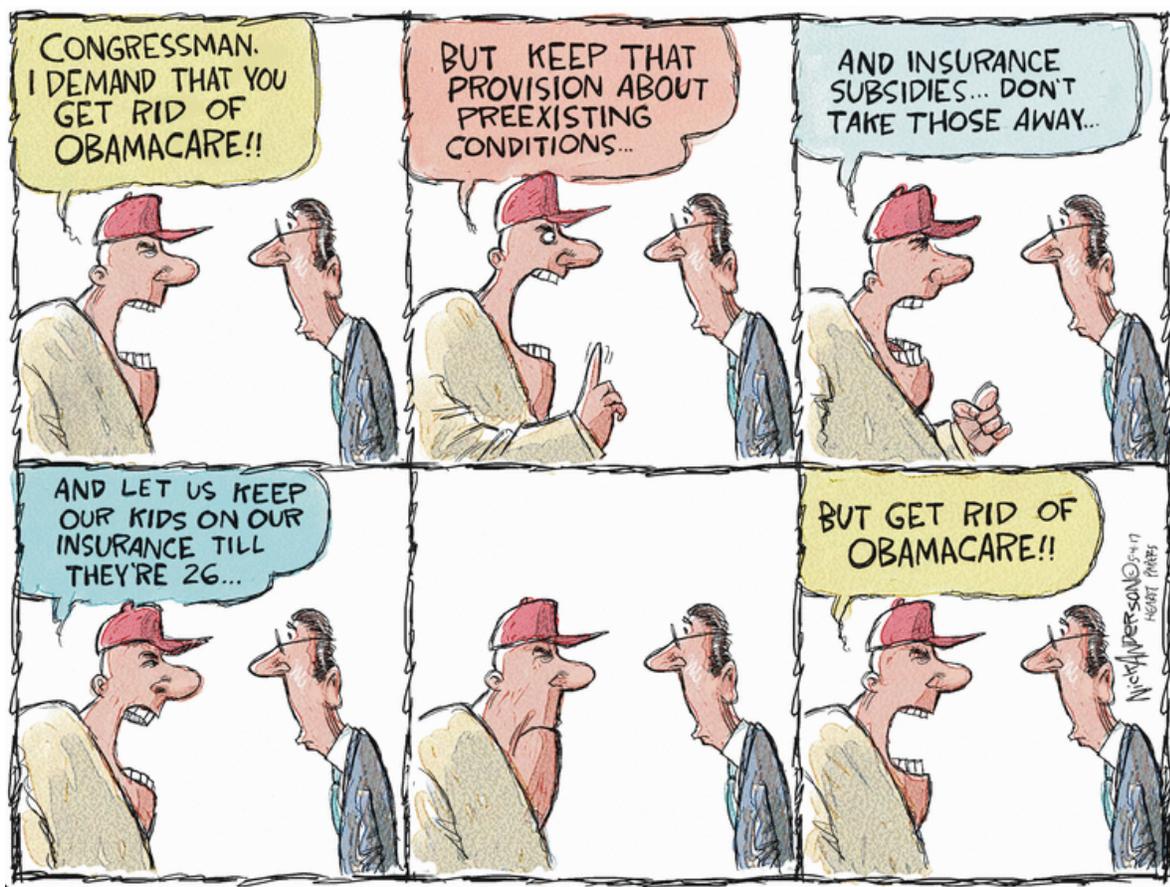




CLOSE TO HOME

BY JOHN McPHERSON





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Political reactions

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MAY 8, 2017

JAMES COMEY IS an IN-COMPETENT FOOL THAT HAS DONE THIS NATION a TERRIBLE DISSERVICE.



MAY 9, 2017

HOW COULD TRUMP FIRE a WELL-RESPECTED PUBLIC SERVANT WITH SUCH HONOR and INTEGRITY?!?

