

**BIG SPORTS BASEBALL DOME CONTRACT EXPIRED AND TERMINATED. DAN BUCK PROVES TO BE A TERRIBLE SALESMAN. June 6, 2017**

**CHESTERFIELD CITY COUNCIL VOTES TO END THE BIG SPORTS BASEBALL DOME-POWERPLEX DEAL AFTER CONTRACT TERMINATED. BUCK AND MATHENY DIDN'T HAVE FINANCING BY JUNE 1 AS STIPULATED WITH CHESTERFIELD CITY COUNCIL. YOU PERHAPS CAN CALL THE CHESTERFIELD BASEBALL DOME, THE BASEBALL DOOM!**

Dan Buck, the front man for the Big Sports Sport's Dome project or as we called it at the time, "The Sports Doom" has submitted a number of letters from banks dated either May 30 or May 31 claiming multi-million dollar loans are in the works. But he could not show the \$23-million in philanthropic contributions and the bank letters of possible intent to loan money did not meet the agreed upon requirements.

This is the Buck promise on page six of the contract agreement with the city. (The entire contract is on our homepage)

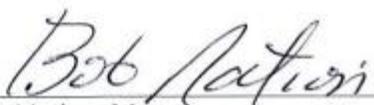
If the June 1 Deliverables are unsatisfactory to the City, in the City's sole and absolute discretion, the City shall have the absolute right to terminate this Agreement by written notice to the Developer not later than June 21, 2017 (the "**Termination Notice**"). The Termination Notice shall automatically work a termination of the Ground Lease in such event. Additionally, if Developer fails to provide each and every one of the June 1 Deliverables on or before June 1, 2017, then this Agreement and the Ground Lease shall automatically terminate. The June 1, 2017 deadline is not subject to extension due to any condition of Force Majeure (defined below), nor is it subject to any notice and cure periods that may otherwise be provided for a breach or default under this Agreement (including as provided in Sections 5.1 and 7.2 hereof).

**IN WITNESS WHEREOF**, the Lessor and Lessee have caused this Ground Lease to be executed in their respective names and the City has caused its seal to be affixed thereto, and attested s of the Effective Date.

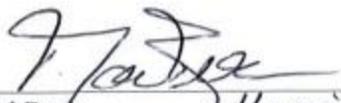
LESSOR:

**CITY OF CHESTERFIELD, MISSOURI**

SEAL)

  
\_\_\_\_\_  
Bob Nation, Mayor

**BIG SPORTS PROPERTIES, LLC**

By:   
Daniel Buck, *Managing Partner*

**BUCK STARTS THE DAY WITH AN ATTACK IN THE MORNING:** Former state senator and current Monarch Fire District Director Jane Cunningham sends out a newsletter to people (mostly Republicans who have backed her in past House and Senate elections) on a semi-regular basis. She sent one out very early on Monday morning concerning the Chesterfield City Council meeting that night on June 5. She led off with a paragraph on the Big Sports Baseball Dome situation, how the contract with the city that included the city to buy 22 acres of land and then lease the property back to Big sports over 50 years had expired and how the council might vote to extend the time on the agreement with Big Sports.

Jane's message seemed to be pretty upfront and factual.

The agenda will include:

1) *The Big Sports Properties contract with Chesterfield to lease 50 acres expired on June 1 and Dan Buck, the managing partner is requesting an extension of the contract.* This seems like an opportunity to renegotiate the lease if the Council believes it is in the best interest of the taxpayers. Additionally since, according to the mayor, Libby Tucker, a middle management Chesterfield staffer, negotiated the lease, the Council could also now bring in an expert legal negotiator who is experienced and capable of handling this magnitude of a multi-million dollar deal to ensure it is fair for the taxpayers.

Prior to June 5 Cunningham had little to say on the Baseball Dome project as long as the Fire District would be compensated for the costs of doing inspections and running calls to the complex. She also has refused to meet in private with Buck, avoiding the claims of secret meetings that occurred in 2016 when City Council members met in groups of two, to avoid Sunshine Law requirements, at Busch Stadium for a baseball game or at city hall.



Jane Cunningham



Dan Buck

However Dan Buck clearly went ballistic after someone sent Jane's email to him. He wrote a nasty name calling email to Jane with copies to Mayor Bob Nation, City Administrator Mike Geisel and Development Director Libby Tucker. The email is too long for this newsletter. But it is posted in its entirety on our website. Here are some of the highlights from Buck's email: (We have both emails in their entirety on the homepage of our website)

Jane - Your blind ignorance and lack of understanding on this project is sad. I've gone from being angry at your uninformed campaign to derail this project to actually feeling sorry for you and the complete and utter lack of knowledge you have on this project and the benefits it can bring to the entire region. What is most saddening is how you have no desire to learn the truth.

You very well might be able to get all the councilmen that you make political contributions to, to vote NO for an extension to St. Louis County - that is merely asking for 60 more days to get their infrastructure financing packaged completed. However, your uninformed assumption that a "new contract" will be negotiated is completely false. We will be DONE with the Chesterfield site and will move the entire project to one of our two alternate sites/cities, with neither located in St. Louis County. This is not a threat, just a fact of business. We are FULLY funded and ready to move and will not delay through another city of Chesterfield negotiation. If the county, doesn't deliver the financing for infrastructure in 60 days, the deal is dead anyway. And Yes, Jane, you will win... You'll be able to take full credit for keeping the weed infested, flooded acreage in tact!!! You singlehandedly can be proud of sending \$60 million of new annual economic, tourist driven traffic somewhere else in the bi-state region. You'll also be assured that St. Louis County will NOT bring the \$10 million investment for sewers and waterlines, knowing how reckless the city council acted in sending our \$54 million project somewhere

else... ... the land will remain dormant until long after we both are dead. You'll feel good every time you drive past it... and I'll always think about how amazing that campus would've been.

By the way, Your refusal to meet with me to discuss the project one-on-one because of your belief in "public transparency" is a joke and it's completely hypocritical. You've had tons of PRIVATE meetings with people about this project in your attempt to derail it... the public has no idea about any of those "back ally, private lunches and sideline conversations" including your multiple attempts to sway NO votes with the council. Be assured the media will know about your "private" political works behind the scenes. There will be a strange irony that all the NO votes we likely will receive came from the same council members that receive campaign financing from Jane Cunningham. Everyone will know who thwarted this project. They won't blame the Mayor, not the county council or Steve Stenger. They'll blame the puppet master pulling the strings of council members... a woman who refused to learn the facts, ignores the truth when given to her and thinks the only VALUE of this project to the city is a land lease on dormant, undeveloped ground.

This is just part of the email. Buck clearly is not a man who uses a load of personal charm to win people over. Later in the night he got into a shouting match with Councilwomen Barb McGuinness at the City Council meeting. It appeared that Buck enjoyed trying to push women around. While McGuinness and Cunningham both had celebrated their 65<sup>th</sup> birthdays a few years ago, they were not the types to get pushed around. Cunningham went from a neutral player to showing up to the meeting and having her arms crossed during the Buck presentation. McGuinness made a motion to kill the city purchase of the 22 acres for \$2,050,000 that was to be lease back to Big Sports. The land purchase offer was dead since the Big Sports deal died on June 1, but also the land offer would have expired on June 8 without the legislation to kill it.



## THE COUNCIL MEETING:

**The Speakers:** The meeting started off with remarks from the public. Most read not from notes, but printed speeches. Also most now referred to the project as the PowerPlex and not the Big Sports complex or Baseball Dome, making me think they had a little coaching.

#1 **Dr. Eric Nepute** began how diabetes and obesity were huge medical problems. This Power-plex has a huge educational component.

#2 **Tracy Ellis** asked, "Why is this causing any controversy? PowerPlex is costing the city almost nothing. (Not true it is costing \$2,050,000 of city money to buy land and lease it back to the developers over 50 years and lease another 30 acres of city land for the 50-years with n profit for the first 25 years.) This will get visitors from eight states to visit our community."

#3 **Michael Ebert**, Owner of the Comfort Inn Hotel in Chesterfield Valley. "It is really a win-win."

#4 **Colleen O'Neill**, general Manager of the Taubman Outlet Mall. "I don't think anyone can deny the Powerplex would be good for Chesterfield. It will drive thousands of customers to our shops. Traveling sports families spend money."

#5 **Quinn Buck**, son of Dan Buck. I would like to talk about not the financial effect of the Powerplex. I want to talk about what the Powerplex will teach youth."

#6 **Rick Seems** of Clarkson Valley who is the president of the Base Foundation (Baseball and Softball Education). "I just got back from Peoria (where there is a baseball complex). Their complex draws 400 teams a week."

#6 **Nora Amato**, Executive Director of the Chesterfield Chamber of Commerce. "The Parks Department does not have a financial obligation in this. (They wanted to take the \$2,050,000 to buy the 22 acres from the Parks Department reserves, leaving the Parks Department with almost no reserve cash.) All they (Big Sports) are doing is asking this council for more time. This will answer the question whether this project will be somewhere else or in Chesterfield."

#7 **John Hammond**. "I think it is a wonderful project. I think it is wonderful. I also I'm a taxpayer and I think the rent is bad. I don't know who negotiated the rent, but we should get a proper rent. I'm in favor of them buying the land."

#8 **Ron Cawood.** Tonight is a good example of mom, baseball and apple pie. Well for this mom, baseball and apple pie, I want it done with private funds and not tax money.”

#9 **Dick Shafer.** I’m 83. I take trips across the country to see my grand kids play sports. I’d love to have this in our backyard where we can do the entertaining.”



Nepute



Ellis



Ebert



O'Neill



Q. Buck



Seems



Amato



Hammond



Cawood



Shafer

**THE PRESENTATION:** Dan Buck, who the more I see him reminds more and more of Professor Harold Hill, without the charm, began his presentation by attacking who he sees as his attackers whether real or imagined.



Harold Hill



Dan Buck

“There have been a lot of falsehoods put out on this project,” said Buck. (I was unaware of any falsehoods against Buck and company. The only false hoods were from Buck and Cardinal manager Mike Matheny starting by avoiding open government records and meeting laws by holding secret private meeting with one or two elected officials at a time. Buck submitted letters from banks claiming they met contract obligations, but they didn’t.)

“We are very anxious to get this started. This council can let this race finish or have it more to another community.” (I thought he was talking baseball and softball. Now he is talking track and field.)

“15 months ago a group of guys, good guy, Christian guys came together with this plan.” (Does this mean you should not look for the next Hank Greenberg or Sandy Koufax to emerge out of a Buck facility? Just Christians! Why even bring religion up?)

“We call ourselves the best baseball city in the country. We want this place to prove it.” (Chesterfield is not in my baseball memory bank. Sportsman Park on North Grand, Busch Memorial Stadium and the new downtown stadium with naming rights for sale to the highest bidder make up the “The Best Baseball City in America.” If you listen to some groups who have shown up at City Council meetings in the last year wanting free fields or tax money you would swear that Chesterfield is the “Best Hockey City” or “The Best Soccer City” or “Best Cricket City” in the region.

“Why with league tournaments that get better market leases what are you concerned about. 1.25-million visitors generating \$500,000 in new taxes.” (First 50% of those new taxes will be shared with 89 other municipalities. Secondly those 1.25 million visitors will cost more in police services, public works services and create quality of life issues.)

“We are anxious to close on the property, but it is all dependent on tonight.” (This is exactly what he said in February when he got a 4-3 vote to enter into an agreement which Buck agreed to a June 1 deadline for all of his promised financing and land deals to be completed. Buck and Matheny started pitching this project to the city in March of 2016. This means he has had over a year to firm up financial obligations.)

In January Buck said “that not one dollar of tax money would be used to build the project.” Apparently the \$2,050,000 in city funds to buy 22 acres and leased back to Buck and company and the 30 acres of city property purchased for \$3.8 million in 2009 now valued at \$2.7-million to be leased to the Buck group for 50 years at a discount price does not involve city tax money and assets. (It does!)



Harold Hill about to lead the River City Band. Dan Buck trying to lead the Chesterfield City Council. River City Iowa Mayor George Shinn (Paul Ford) and Chesterfield Mayor Bob Nation both buying a load of promises.

“I cannot believe the backstabbing agenda by people who cannot build anything. It takes courage to see in the future for a project like this in the mud,” said Buck, insulting a number of members of the City Council.

**THEN THE POLITICIAN:** Buck briefly turned over the floor to **County Councilman Mark Harder** (Rep). Harder claimed that County Executive Steve Stenger (Dem) was a big supporter of the project. This seems a little odd since Stenger has proven to be highly partisan, with Chesterfield being a Republican stronghold. Democratic Maryland Heights just north of Chesterfield with plenty of undeveloped land in flood plains just like Chesterfield makes more sense for Stenger support.

The infrastructure costs had exploded from around \$4-million at the first of the year to \$12-million now. The County was now supposed to bring in revenue through bonds or financing to help pay for the additional \$8-million.

“This project is like a Swiss watch. Parts are dependent on other parts.” (I have news to Mr. Harder all watches have parts dependent on other parts, including the American watch I have and even the Chinese watch that was given to me as a gift when I taught

Western style Fire and Arson Investigation in China. But I guess using a Swiss Watch as an example is appropriate in West County.)

“We want an extension of time for 60 days. This will be referred to as the Chesterfield Power-plex; not the Maryland Heights Power-plex; not the St. Louis Power-plex. Together we can make great things happen,” said Harder.



County Councilman Mark Harder

#### **QUESTIONS FROM THE COUNCIL:**

**Barb McGuinness:** You have four deliverables. You have not delivered any of them. According to the contract it terminated on June 1. (She then reads the portion of the March contract signed by Buck concerning his obligations and the termination date. Buck then begins shouting at her to keep reading more.)

**Buck:** The infrastructure financing has been a problem, but we have letters...

**McGuinness:** Mr. Graville (city attorney Chris Gravelle) have they met the terms of the contract.

**Graville:** In my opinion, no they have not.

**Mayor Nation:** I think that is understood (the contract is now terminated and void)

**McGuinness:** I don't think he knows it.



Barb McGuinness



Mayor Bob Nation and City Atty Chris Graville

**Nation:** The Simmons Bank agreement seems to have a lien on the philanthropic contributions.

**Barry Flachsbart:** I'd like to suspend the rules and move agenda item #11 (the purchase of 22-acres) to the front of the agenda. (He did not get a second.)

**Buck:** Councilwoman McGuinness why do you care where the financing comes from?

**McGuinness:** It was a deliverable in a contract that you prepared and signed.



Pissed off Dan Buck Shouting at Councilwoman McGuinness

**Dan Hurt:** Everyone agrees that the contract you signed has terminated. But I want to say something else. When you closed your statement saying courage is needed to build something in the mud. There are a few people here sitting on this dais tonight who in 1993 saw that Valley completely underwater and had the courage and vision to see what has been built in the Chesterfield Valley. I didn't appreciate you saying we did not have courage to see something in the Valley.



Councilman Dan Hurt dressing down Buck over his comment about leaders not having courage.

**Buck:** That comment was not meant toward you. It was for the people who have a backwater operation to stop this who have refused to meet with us independently.

**Guy Tilman:** Do we have an agreement or not?

**Nation:** I agree with Councilwoman McGuinness, that we are outside of the contract.

**Tom DeCampi:** There is nothing to vote on to extend it.

When it became clear there was no extension, Buck and his followers left.



Buck would be a terrible poker player. As the night went on, he defensively folded his arms and his face was going to a beet red color.

**AND THEN THERE WAS THE LAND PURCHASE AGREEMENT:** The deal appeared to be dead for a Sports Complex. But there was still the agenda item to buy the 22 acres for \$2,050,000. This would expire on June 8 if they did nothing. But that did not stop things from getting ugly.

**Barb McGuinness** made a motion to kill the deal since Big Sports' contract agreement terminated. Senior councilman Barry Flachsbart then dressed down his fellow councilpersons.

**Flachsbart:** I'm really disturbed by the lack of vision of this council. I think 30 or 40 years from now people will look back and say how stupid this council was. I can't wait until tomorrow when our citizens find out what happened. I think that was short sighted and stupid and I hope citizens noticed who voted against it.

**Hurt:** Mr. Flachsbart that was totally inappropriate. Who was the only one who voted against the TIF for Chesterfield Valley after the flood? YOU DID!



Flachsbart



Hurt



Logan

**Randy Logan:** I agree with Mr. Flachsbart. This council will be remembered for this.

**Guy Tilman:** We were presented with a project that would provide long term revenue for the city. On one hand we are turning over rocks looking for nickels and dimes. This is a real shame. Elections matter. I think people will take notice.

**McGuinness:** The contract terminated on its own. We didn't do anything.

**Ben Keathley:** It was inappropriate to buy this piece of land. It is inappropriate to do it again. We are taking money from the Parks' budget.



Keathley

**DeCampi:** It has been flawed from the start. It was done with a lack of transparency. It is a raid on the Parks' fund. The product tonight is finished and a new one presented if they desire.

**Randy Logan** then moved to send the entire project to staff for 60 days to review. That failed on a 5-3 vote with Logan, Flachsbart and Tilman voting for it.

**Hurt:** I see the next area for change will be Chesterfield Mall. We should not consider this (Big Sports) as the Holy Grail.

**Barb McGuinness** then moved to kill the 22-acre land deal immediately even though it would expire in three days. That vote ended in a 4-4 tie with Michelle Ohley being a surprise NO vote, joining Logan, Tilman, and Flachsbart. Mayor Nation broke the tie by voting no.

However, 10 minutes later as a prevailing voter, Ohley moved to reconsider the motion to kill the land purchase deal immediately.

She then switched her vote joining Hurt, McGuinness, Keathley and DeCampi and the purchase of the 22-acres was killed at 10:10pm on June 5.



Ohley and DeCampi

**MEDIA: POST-DISPATCH COMPLETELY MISSED THE POINT.** The day after the Council meeting a front page article appeared in the Post-Dispatch with the byline lead being Jacob Barker a business writer, instead of Ashley Lisenby who covered the meeting. This article was factual, but dull. There was a limited amount of space and it took a lot of words to explain everything.

However on Tuesday night for Wednesday's edition a very unfair and slanted article appear with Buck's groundless claim that Jane Cunningham torpedoed the project.

[http://www.stltoday.com/business/local/why-did-chesterfield-back-out-of-sports-complex-deal-dan/article\\_d15adfea-727a-5545-bc9c-35fb4444e3f3.html?mode=comments](http://www.stltoday.com/business/local/why-did-chesterfield-back-out-of-sports-complex-deal-dan/article_d15adfea-727a-5545-bc9c-35fb4444e3f3.html?mode=comments)

## Business

# Why did Chesterfield back out of sports complex deal? Dan Buck blames Jane Cunningham

- [By Jacob Barker St. Louis Post-Dispatch](#)
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The article did not produce any facts backing up Buck's claim. Barker did call Cunningham and got a quote, but still it was sad and read as being one sided. Barker interviewed Mayor Nation, but he failed to interview McGuinness, Hurt, DeCampi, Ohley or Keathley. We posted the below comment on the Post-Dispatch online edition on the Barker article. j

I have covered Chesterfield politics, crime and other news for a newsweb site since 2013. The Post-Dispatch has completely missed the real story here. CHESTERFIELD DID NOT KILL THIS DEAL. Just like Donald Trump did not end Kathy Griffin's career, Dan Buck killed this deal.

He wanted the City to wipe out its Parks Department Reserve fund by spending \$2,050,000 to buy a 22 acre piece of land and then lease it along with a 30-acre piece of land that the city owns back to them for 50 years. The city would not see a profit for at least 20-to-25 years. The city agreed to do this if Buck had all his financing in place by June 1, 2017. Buck thought the infrastructure costs would be around \$4-million. It turned out they would be closer to \$12-million. Buck then went to the County to get the money. Buck failed to live up to the sign contract

agreement deadline of June 1 and the deal died. Jane Cunningham had nothing to do with it. Nor did she ever politic against it. She just insisted as a Director of the Monarch Fire District that any talks with Buck should be done in public and not behind close doors.

Five members of the City Council are suspicious that Buck actually has the financing for this project and don't want to throw money into a black hole. However the entire Council would support this project if the Buck group would simply buy the 22 acres they want to the city to buy and the 30 acres the city owns. In fact they would be willing to sell the 30-acres at a loss. Dan Buck killed this deal and the City Council would love to rezone the land if Buck would privately build the complex. They are not willing to spend millions of dollars of city money for a less than certain project. In other words they are looking after the residents' money.

I have a number of stories dating back to last spring on the homepage of my website and it will be updated with the latest news by the weekend. To look at it go to <http://johnhoffmann.net> or just google "News from Snoburbia."