

UNAPPROVED CHESTERFIELD NEWSLETTER 41



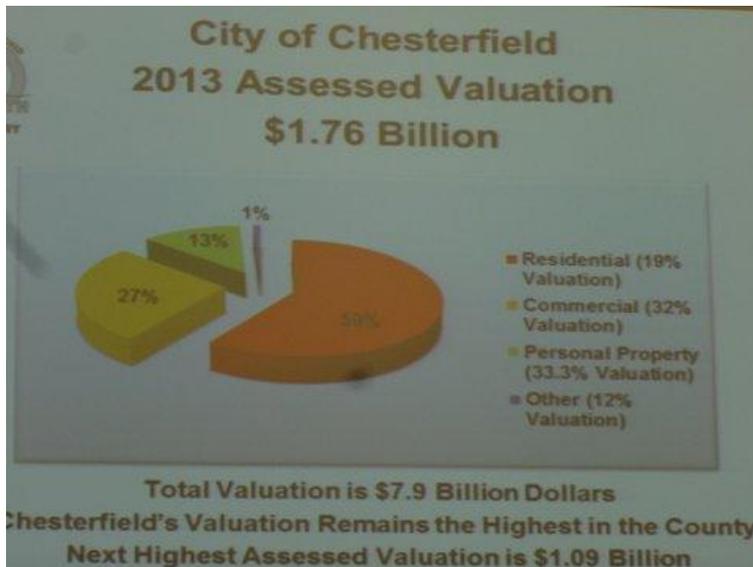
August 07, 2013

By John Hoffmann

GOOD NEWS ACCORDING TO CHESTERFIELD CITY ADMINISTRATOR, CHESTERFIELD HAS LARGEST ASSESSED VALUATION OF ANY CITY IN ST. LOUIS COUNTY...and now the bad news, the assessed valuation continues to drop for the fifth straight year. It was interesting at Monday's City Council meeting City Administrator Mike Herring was quick to point out with lots of vigor that Chesterfield's assessed valuation of \$1.76 billion was the highest of any city in St. Louis County.

In a graph in his presentation it showed that 2013 was the fifth straight year the assessed valuation of property in Chesterfield has dropped. In 2008 the number was \$1.92 billion. It has dropped steadily in the next five years.

Henning's take on this was that home prices are going up and the two new outlet malls have not been on the books until this month.



PROPERTY TAX TO STAY THE SAME: Henning's spoke for five minutes at a public hearing before the regular City Council meeting to say that the city's property tax was going to remain at **3-cents on \$100 assessed valuation**. Henning went on to say that the city tax on the property tax bill of a resident in the Parkway School District was just 4/10 of 1-percent of the entire bill. He added that it was less than 4/10 of one-percent for those in the Rockwood School District.

The city needed to notify St. Louis County Department of Revenue in time for calculating real estate tax bills sent out in November and due by the end of the year.

PRELIMINARY DEVELOPMENT PLAN FOR CONVENIENCE STORE MOVES AHEAD WITH THREE COUNCILPERSONS VOTING NO:

The Monarch Center which right now is simply a planned gas station, ATM and convenience store on the northeast corner of at the Long Road and Edison Road moved another step forward on Monday



night. The developer made no change in an attempt to meet city setback requirements. Councilman Dan Hurt announced he had issues about the curb cuts for the store and gas station and will vote it against it for safety reasons.

Councilman Bruce DeGroot gave a Ronald Reagan style stump speech saying how he is in favor of the 'free market system.

"I question putting four gas stations that close together, but the free market will work that out," said DeGroot, who then went on with other platitudes.

Councilwoman and former mayor Nancy Greenwood countered DeGroot.

"I agree with Mr. Degroot, but..." She went on to say that she believed in abiding by the city's setbacks regulations and added they have these setbacks to keep traffic in Chesterfield from becoming a nightmare.

Earlier the senior member of the council, Barry Flachsbart said he would vote against the bill.

"I have serious problems with this bill unless the setbacks are changed," he said.

No one else spoke on the issue. The vote was 5-to-3 to approve the preliminary plans with Hurt, Greenwood and Flachsbart voting against the bill. Apparently the majority of the Council does not believe in the city's setback requirements.



Barry Flachsbart (right) voices his issues with the Monarch center bill as Nancy Greenwood(left) waits her turn. Second photo Bruce DeGroot (Left) and Dan Hurt (right).

The developer still has to come back with a Site Plan that has to be approved. I'm guessing the earliest you could expect to see construction would be late spring or early summer of 2014.

ROAD RECONSTRUCTION PASSES: The board of alderman passed the two bills for reconstruction of Ladue Road from Olive to Hwy 141 and a portion of Greentrails Road. We reported in more depth when these were in committee. Funding for these projects will come from MoDot as part of an agreement for the Chesterfield to take control of Ladue Road (formerly known as Highway AB) from the State of Missouri. Look for the reconstruction to begin in 2014.

BREW YOUR OWN...BREW PUB COMING SOON: The council approved a liquor license for the J2 Brewing, LLC which will be a "brew-your-own" brewery and pub. It will be located by at 161 Long Road. J2 Brewing will be run by Jeff Harlan and Jeff Jones. Yep, you buy the ingredients, you use J2's equipment and you make your own beer. J2 plans to open on August 30.

(below are photos from a brew-your-own beer business in Portland, Oregon.)





empty sacks of malts and barley

Here is a video clip with Jeff and Jeff explaining how this is going to work.

<http://www.indiegogo.com/projects/the-j2-brewing-llc-exbeerience>

I hope these guys have a long successful business. However after reading about the concept and watching their clip...I give this business between six months and one year. I think it would have more success in Maplewood or somewhere in St. Charles County.

MONEY APPROVED FOR SIDEWALKS AND PARK BRIDGE: The council approved funds that were already in the 2013 budget for neighborhood sidewalk repairs (\$200,000 approved with a bid of \$183,000) and to build a bridge over the spillway in the city's Central Park (\$77,870 approved on a low bid of \$74,162).

HERO, LIFESAVER AND WORKING STIFFS: The regular City Council meeting started off with awards. Two were of note and four were for showing up at work and doing your job.

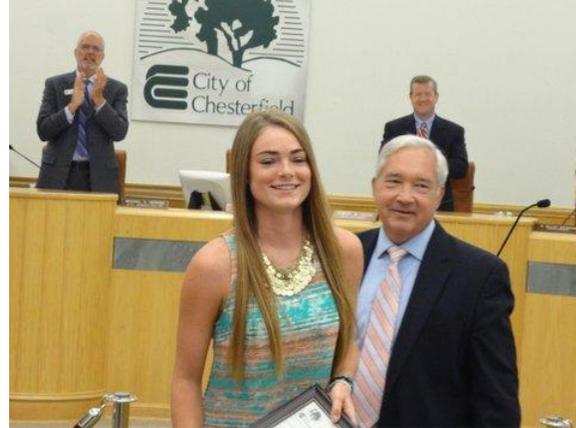
Grade-schooler Sydney Gebhardt received a well deserved award, a proclamation from Mayor Bob Nation proclaiming Monday Sydney Gebhardt Day. In July a family was busy packing up the towels, water-wings and other gear to leave the city's Aqua Center when the 3-year-old son decided to get back in the pool one last time...without his water-wings. He immediately sunk like a rock and was noticed by young Sydney who grabbed him and pulled him up and started yelling for a lifeguard.

Lifeguard Meghan Grass was the first to respond and got the boy out of the pool and started CPR. She was joined by lifeguard John Logan who helped her and they got the boy breathing. Three other lifeguards on duty and rushed over to help. All were given a plaque and had the day proclaimed in their names.

Clearly Sydney was the hero... Meghan and John saved a life, which is what they were being paid to do well. The other three assisted in the effort... again as part of their job. I mean they were all working for the company that was the high-bidder of three companies putting in bids for lifeguard services... we should except the high-bidder to do the job. Perhaps giving everyone a plaque was very appropriate, but it seems to me that Sydney deserved the special DAY recognition all to herself. (After being called up for her award Sydney cautiously inched forward toward Bob Nation causing one person in the crowd to comment, "Smart girl. She knows better than to rush toward a politician.")



Sydney Gebhardt and Mayor Nation.



Lifeguard Meghan Grass after accepting her award.

SAYING SOMETHING STUPID INSURANCE: There is a sign inside the council chambers telling members of the public they have to hand in speaker cards no later than 10 minutes before the start of a meeting. This makes it easier to judge how many people will want to speak on specific subjects and makes it easier for the mayor to run the meeting.

However it also stops the public from racing to grab a speakers card and fill it out after a councilperson says something really stupid that citizens wants to be sure no one



missed.

THE MAN WHO STEALS NO WINE BEFORE IT'S TIME: It is always nice to see a local guy with a creative idea and Douglas Timke had one. He forgot to follow a long time rule of thumb of successful thieves, "Quit While Your Ahead."

Timke of 2040 Country Field Drive devised a way to take the price code of a cheaper bottle of wine, scan it at the self checkout at Dierberg's and Schnuck's stores and then place a much more expensive bottle of wine in the bag on the scale.

He is charged with Stealing Over \$500 from the Ballwin Schnuck's at Kehr's Mill Road and Clarkson between May and June of this year.



He hit the Dierberg's on Clarkson Road at Baxter twice, once on May 13 when he stole less than \$500 worth of wine and on May 15 when he stole over \$500 worth of wine. He is accused of stealing around \$4,000 worth of wine.

In 2010 a person with the same name and year of birth as Timke was involved in a messy divorce that included the issuance of a one-year protection order to stop stalking and harassing the other party. That case was heard in Columbia, Missouri.

If nothing else Timke failed to follow several long held rules of successful thieves which include, "Don't Poop in Your Own Backyard or Neighborhood" (meaning commit crimes far away from your house where people don't know you), "Don't Press Your Luck" (meaning if you are successful several times quit before they figure out what you did) and "Stop While Your Ahead" (see Don't Press Your Luck).

However, Timke did follow a good West County (Western Snoburbia) rule to live by. "Always Buy the Best." You wouldn't want to drink an inferior wine or get caught serving it to guests.

CHESTERFIELD MAN ARRESTED FOR ATTEMPTED ARMED ROBBERY IN

CREVE COEUR: Another rank amateur in the world of crime from Chesterfield was John A. Barbera, 54, of the 114 New Holland Drive which is in the Ladue Bluffs subdivision.

At 1pm on Monday he walked into the Dierbergs Store on Olive Blvd at Craig Road in the heart of Creve Coeur. He had not yet written out his hold up note and did so at the counter of the First Bank located inside the supermarket which put him right on a surveillance camera. He handed the hold-up note and got \$400 in marked bills.



John A. Barbera

After pulling off a bank robbery, Barbera walked over to the nearby Walgreens drug store, handed the cashier a note and according to the police charging document several times told the cashier he had a gun. However the cashier never read the note. He may as well said he had a cocker spaniel, she nodded at him and smiled. So he left and attempted to get into a taxicab when he was arrested by police responding to the bank robbery at Dierbergs.

Now anyone in law enforcement or in the hold up business knows you don't want to pull a crime that requires a getaway using the four mile section of Olive Blvd between Lindbergh Blvd. and I-270. The traffic is heavy and stop-and-go all day long.

According to an article in the Post-Dispatch Barbera had recently been arrested in April after calling in a fake prescription at the CVS drugstore in Creve Coeur for hydrocodone. Barbera broke another common sense rule of a criminal. You don't go and pull a felony in a suburb where you have recently been arrested. There is too good of a chance the cops responding to your latest crime know what you look like from you last one.

He also has a pending charge of DWI in Maryland Heights where after being stopped by the police in November he tested 0.22 BAC.

In May of 2012 Barbera was arrested by St. Charles Sheriff deputies for resisting arrest. He pled guilty in September of 2012 and was fined \$100.

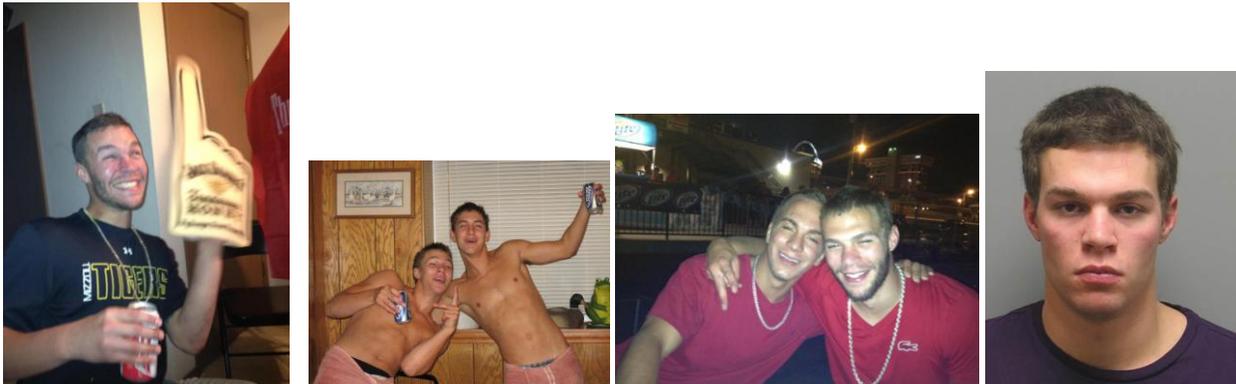
In 2009 Barbera had a \$6,410 judgment entered against him in a civil case in the St. Louis County courts.

He has a history of civil lawsuits and judgments filed against him. Most interesting are all the hospitals that have sued him for non-payment. They include St. Anthony's, St. John's Mercy, DePaul Hospital, St. Mary's and Christian Northwest Hospital twice.

We could not find any real estate under his name and the last motor vehicle on the county tax rolls in his name was in 2008 when he had a 1990 Mercury Gran Marquis.

PROBATION REVOCATION AHEAD FOR T-FED: On August 6 the Camden County Missouri prosecutor asked for an arrest warrant for probation violation against Chesterfield's one man crime wave Theodore T. Federer, 21, of White Robin Court.

In 2012 Federer was placed on probation in connection with a DWI arrest stemming from an injury auto accident where a female passenger in Federer's car was injured.



Chesterfield city non-prosecutor Tim Engelmeyer had a chance to do something to get Federer's attention instead he let Federer get off on three serious crimes that were reduced to littering charges in city court with stiff fines.

Next T-Fed was arrested in Ellisville for DWI, Driving with a Revoke License and Drug Possession. The fact that Federer was already on probation for DWI did not bother Ellisville prosecutor Paul Martin who agreed to a plea bargain that put Federer on another DWI probation, he reduced a moving violation to illegal parking and dismissed the drug and revoked driver's license charges. To finish his act of malfeasance Martin did not notify Camden County authorities of the latest probation violation by Federer.



Two local non-prosecutors who looked to be practicing malfeasance as much as law...Tim Engelmayer (left) and Paul Martin (right)

For those of you who missed it in our last newsletter...here is T-Fed's arrest record that we have been able to compile:

05/18/13	Driving While Intoxicated	Ellisville PD
05/18/13	Driving on Revoked License	Ellisville PD
05/18/13	Speeding	Ellisville PD
05/18/13	Failure to Show Proof of Insurance	Ellisville PD
05/18/13	Open Container of Alcohol w/driving	Ellisville PD
05/18/13	Possession of Marijuana	Ellisville PD
11-02-12	State of Missouri files Forfeiture Papers	St. Louis County Prosecutor
10-23-12	2001 Audi and \$8,975 in cash seized as profits of illegal activity	St. Louis County Police
08-25-12	Attempt to Purchase Liquor by a Minor	Missouri Highway Patrol Montgomery County Missouri
03-29-12	Stealing	Chesterfield PD
03-29-12	Destruction of Property	Chesterfield PD
02-13-12	Minor in Possession of Liquor	Chesterfield PD
02-13-12	Give false Information to Police	Chesterfield PD
01-11-12	Stealing	Chesterfield PD
01-11-12	Minor in Possession of Liquor	Chesterfield PD
09-03-11	Attempt to Purchase Liq by Minor	Camden County Sheriff's Office
09-03-11	Driving While Intoxicated	Camden County Sheriff's Office
07-04-11	Minor Intoxicated	Missouri Water Patrol
09-03-10	Speeding (20 Over PG 5 days jail)	Livingston Co Sheriff's Office
10-08-08	Impeding Traffic	Town and Country PD

REACTION FROM OVERSEAS: This was sent to us from someone who is likely to be our lone reader living in Ireland about our most recent newsletter.

From: Ronan Woods []
Sent: Saturday, July 27, 2013 10:26 AM
To: johnhoffmann@charter.net
Subject: Hi

If I am ever charged with anything.....I want to appear in court with either/or/both, Tim Engelmeyer or Paul Martin!!!!.....justice my arse?!

I always think that these sort of rulings, repeated and repeated make a mockery of the way that "ordinary" people want to see laws being upheld?!

Maybe this is an old fashioned idea?? we get some fairly poor court decisions over here also, from time to time! But the two boys above seem to be in leagues of their own????R.

PASSING ANOTHER SIGNPOST ON THE ROAD TO LIFE On Monday nights after attending meetings in either Chesterfield or Town and County on my way home I usually make a pit stop since my wife already had dinner at a more reasonable hour. The closest fast food joint to my house is the Taco Bell on Manchester Road near Mason Road. It has become almost a ritual. I pull up to the drive thru speaker and an employee always asks a very insincere "How are you." I always give them an equally smart-ass answer such as "I'm as giddy as a baby on a swing" or "Bewitched Bothered and Bewildered am I." (Our apologies to Oscar Hammerstein and Larry Hart) I then order two soft taco supremes and I'm told that will be \$3.19.



The other night when I reached the window the employee who was a young woman, who I would say was no more than 20-years-old again asked how I was. I replied, "Asked and answered."

She next said, "That will be \$2.87, sir." I asked, "Happened to \$3.19?"

"You get the senior citizen discount," was her reply.

Happy to get 26-cents off my already inexpensive dinner I did not inquire further. I had just turned 60 this year. I don't know if it was because I looked 60-plus or because I acted like an Andy Rooney old-guy type curmudgeon.

(This originally appeared in the Ex-Alderman News Letter 94)

THE HIGH COST OF SOLAR PANELS: You thought solar panels were supposed to save you money. Well, not if you are The City of Clarkson Valley.

If you have been long time regular reader of this newsletter you would be aware that James and Frances Babb of Kehrsdale Court in Clarkson Valley wanted to take advantage of a reduced electrically rate program offered by Ameren UE for residential customers who installed solar panels on their house.

The Bapps went to City Hall and applied for a building permit to install solar panels on their roof. There was no prohibition against solar panels. However, immediately after the Babbs filed for the permit, the City passed an ordinance forcing residents wanting to install solar panels to get a special use permit. The Clarkson Valley P&Z voted to give them a permit, but the Board of Aldermen voted 6-0 to deny it.

The Babbs then sued, but they did not dash over to Clayton to file suit. Instead their lawyer went to Jefferson City and filed suit in the Cole County Circuit Court alleging that Clarkson Valley could not make energy requirements stricter than the Missouri Public Service Commission. The Babbs won and immediately installed the panels on their roof.

The city appealed the case and it is currently before the Missouri Court of Appeals Western District in Kansas City. (Since the ruling was from a Jefferson City court the appeal is heard in Kansas City, adding to the lawyer fees.)



home from the street for six months a year.

Oddly enough you cannot see the Babbs'

Now the possible future solar panel regulations for the City of Town and Country are on hold while the T&C city attorney waits to see what the Missouri Western Court of Appeals rules. So Town and Country has no ordinance about solar panels at all. On the quiet...city officials around the county are saying the problem with getting a quick decision from the appeals courts is that Clarkson Valley doesn't have the money to continue the appeal, especially if they lose at the Court of Appeals level.

This caused me to go out to Clarkson Valley City Hall and file a records request on how much they have spent in legal bills on the solar panel case and how does not money spent relate to the overall city budget.

The city clerk was very nice not to run me around or bury me in paper work. She gave me the numbers straight up. The city budget that just ended on June 30 saw revenues of \$791,432. The city's 2013-14 budget is expecting revenues of \$819,529.

In 14 months the city has spent \$84,517 on the solar panel case and legal bills are still coming in. That is more than 10% of the annual budget. That comes out to \$6,036 a month and counting for a house that is so far off of the street it is impossible to see for six months a year. I have a feeling if they continue to lose they will be paying for the Babbs' lawyer too.

(This originally appeared in the Ex Alderman Town and Country Newsletter #93)

NEIGHBORLY LOVE: That crazy former Ellisville mayor, mayor pro tem and now a councilman Matt Pirrello has a nice send off each morning and welcome home each evening.

Pirrello was instrumental in the ill fated and ill conceived impeachment of the young Ellisville mayor Adam Paul. After the impeachment Pirrello said on the McGraw Millhaven radio show that he would resign if Paul was reinstated as mayor.

When the courts first temporarily reinstated Adam Paul, Pirrello waived and said he would only resign if Paul was reinstated permanently.

Two weeks later when the courts reinstated Paul permanently Pirrello said he would not resign because Paul was reinstated on a technicality. The Courts said Paul was not given due process. This a violation of the United States Constitution, which Pirrello apparently views as a technicality. Now Pirrello's neighbors are sending him a message with yard signs.



MUSIC AND FOOD: FREE This weekend's FREE event! The Route 66 Jazz Orchestra will be performing their annual free Big Band summer park concert this Saturday at the Kirkwood Amphitheater in Kirkwood Park at Adams and Geyer Roads. The concert is 7-to-9 and if I didn't mention it...is FREE.



CLOSED West County Restaurant Open for four Months Closes: Marshall's Bistro in the National Way Plaza on Manchester Road at Highway 141 closed two weeks ago. It had only been open for a few months. The rumor is that it has been sold. The Marshall family which bought the former Chinese restaurant (that was originally 40 years ago a cut rate steak house) where they were supposed to be offering traditional American comfort food. The reviews coming in on the food were not that positive.



Customers coming from the east to see popular local bands complained that it was almost a secret trick in finding side streets that took them to the building. It is impossible to see the building from Manchester Road.

LOOK AT WHAT WELL KNOWN ST. LOUIS MUSICIANS SHOWED UP AT SASHA'S LAST WEDNESDAY: You never know who will show up and sit in with Jim Manley and Chris Swan as Sasha's on Wednesday night. That's Al Oxenhandler also known as simply Al Ox along with Curt Landes who showed up at Sasha's on DeMun last Wednesday. Al sat in on drums for the second and third sets and Curt took over on the keyboards for a closing duet.



ANITA ROSAMOND BACK AT SMITTYS AND IS TO PLAY AT THE OPENING OF THE ST. LOUIS-PREMIUM MALLS: We caught the last set of Anita Rosamond Saturday performance at Smitty's. Afterwards Anita told us she will be performing three hours a day for the first couple of days for the opening of Chesterfield's second outlet mall, The Premium Outlets, later in August.



Anita and her often sidekick Jerry Moser get started on the Big Close of her show Saturday with a duet of "New York, New York."

(originally appeared in Ex-Alderman Newsletter 93)

A NICE SATURDAY NIGHT IN ALTON: We went to a nice spot on East Broadway about three blocks from the bridge and about two blocks from the Casino on Saturday. It was The Jazz on Broadway Club. The Charlie B Group was playing. There was a \$5 cover at the door, but the total bill at the table was just \$13 for three and they gave us some free food. **They will be back at Jazz on Broadway on Saturday September 21 from 8-to-11.** It is only a 35 minute drive from West County.



CARTOONS:

