

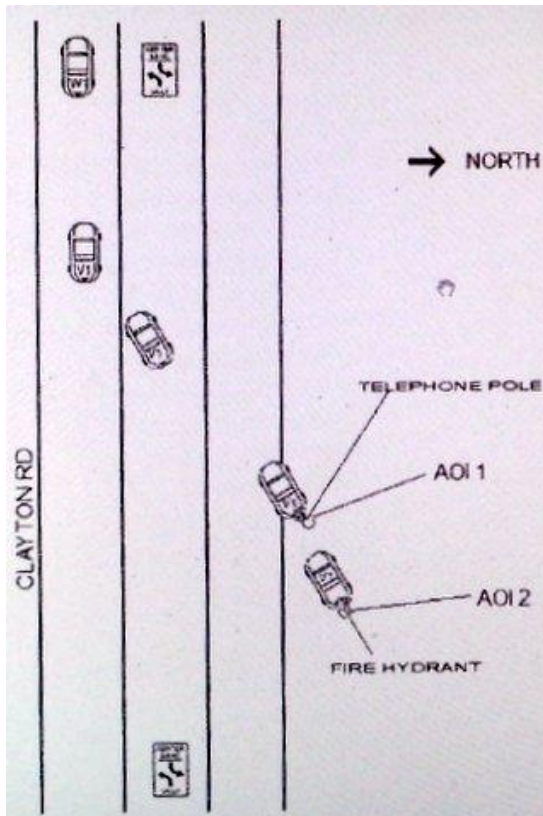
## EX ALDERMAN NEWSLETTER 213 AND CHESTERFIELD 158



By John Hoffmann

February 3, 2016

**IT WAS A GOOD THING SHE WAS NOT DRIVING THE LAND ROVER:** On Saturday afternoon January 23, 2016 Shelia Anthon of 6 Fordyce Manor Drive off of Bopp Road was driving her Jeep east on Clayton Road from Mason Road. It is a good thing she was not driving the family's expensive Land Rover, but instead a 2013 Jeep Wrangler because near Rutherford Lane she veered to the left and took out a power pole and a fire hydrant.



facebook

Anthon told police that an animal ran out onto the road and she swerved to avoid it. However two witnesses stopped and said otherwise.

They said Anthon had been swerving all over the road for some time and had just missed hitting a pedestrian. Here is the summary of their statements from Officer Paul Wilson's crash investigation report.

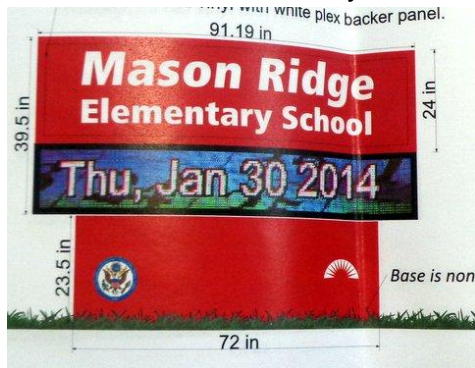
DRIVER 1 STATED THAT SHE WAS TRAVELING EASTBOUND CLAYTON RD, WHEN SOME ANIMAL RAN OUT IN FRONT OF HER VEHICLE. DRIVER 1 STATED THAT SHE SWERVED TO THE LEFT AND IMPACTED A UTILITY POLE.

WITNESS 1 STATED THAT SHE WAS TRAVELING EASTBOUND CLAYTON RD, BEHIND VEHICLE 1, AND SHE OBSERVED VEHICLE 1 SWERVING ALL OVER THE ROADWAY. WITNESS 1 STATED THAT VEHICLE 1 DRIFTED TO THE RIGHT AND ALMOST STRUCK A PEDESTRIAN. VEHICLE 1 THEN SWERVED TO THE LEFT, WENT OFF OF THE ROADWAY AND IMPACTED A UTILITY POLE. WITNESS 1 STATED THAT THERE WAS ONLY ONE PERSON INSIDE VEHICLE 1 AT THE TIME OF THE CRASH.

WITNESS 2 PROVIDED THE SAME ACCOUNT AS WITNESS 1.

Anthon was arrested at Mercy Hospital for DWI and released. Application for warrants will be made after the blood test results are back.

**MASON RIDGE ELEMENTARY SIGN REQUEST POSTPONED:** A resolution to approve a LED message for the front of Mason Elementary School that had been continued from the January 11 BOA meeting was continued again, this time for a month, until the February 22 meeting.



Aldermen hated this sign. It will be interesting to see what the Parkway School District and Mason Ridge ES come up with as a compromise. When I went to elementary school (Clark in Webster Groves) they did not have colors. That was a long time ago. Red is the color of Mason Ridge Elementary. Few elected officials like the red sign.

**RESIDENT COMPLAINS ABOUT BOARD OF ALDERMEN LETTING CITY TURN UGLY:** Paul Flotkin of Conway Village Drive spoke at the last Town and Country Board of Aldermen meeting on January 25 to complain how the Board of Aldermen have allowed the city to become ugly. He was especially upset with the looks of the Barnes-Jewish-Children's Hospital Pediatric Surgical Building at Mason Road and I-64 and a Maryville University sign that sits on campus and overlooks Highway 141.



"The BJC Building is the worse looking building in years. We have a big block garnished with loud colors," said Flotkin.



Paul Flotkin dressing down the Board of Aldermen

As far as I can tell most hospital buildings are designed first and foremost for practical use, cost and space and not for a look to please Mr. Flotkin. No new hospital buildings that I know of go for a French Quarter look.

Flotkin also attacked the sign for Maryville University that sits on campus property and overlooks Highway 141.

The sign he refers to is the Maryville University University LOGO. The city is hard pressed not to allow a company, school, retail business or university to use its logo.

Mr. Flotkin was offended by the Maryville sign on Highway 141 but said nothing about the same signs on Conway Road and North Forty Outer Road.



North 40 Outer Road sign



Highway 141 sign

"I see the legacy of this Board to leave the city with beauty or to litter the city with more of the ugliest buildings in the area," proclaimed Flotkin.

If Flotkin was this concerned he could have certainly filed to run for a seat of the Board of Alderman. Ward-4 Alderwoman Linda Rallo lives on Flotkin's street and is unopposed for reelection.

**TAKING PHOTOS OF A HOSPITAL BUILDING WAS A CONCERN TO BJC.** On Wednesday January 27, I went out to take photos of what Mr. Flotkin was finding offensive. This is the first photo I took:



I pulled onto the shoulder of I-64 Entrance ramp/North Forty Outer Road. I walked to the front of my car never leaving the paved MoDOT shoulder and snapped the above photo.

As I got back into my car a uniformed security guard came running down the hill. He ran up to my window and asked if I was taking photographs. I told him I was. He wanted to know why. I didn't feel like giving him the Paul Flotkin speech about how much he hated the looks of the building and how I run a West County news website. I simply said, because I wanted to. He then said I could not come on BJC property and take photos.

I told him I was never on BJC property and I was at all times on Missouri Department of Transportation property, which I had a vested interest in. He said it was BJC property too. He then announced he was going to take a photo of my car. I thought that was perfectly okay. After all he was standing on a MoDOT highway shoulder.

**CITY LIMIT SIGNS COMING SOON TO HIGHWAY 141:** When MoDOT rebuilt a long portion of Highway 141 they shifted the road to the east from Chesterfield back into Town and Country. In 2010 there was talk of the two cities adjusting borders so when you entered Chesterfield City Limit just past Conway Road you did not reenter Town and Country.



Lawyers could not reach a deal and in November of 2011 it was announced there would be no city limits changes. In October of 2014 I contacted MoDOT and asked when the city limits signs would be put back up. Now the intersection of 141 and a large portion Ladue Road is in Town and Country. It used to be all in Chesterfield. Going north now you reenter Town and Country south of Ladue Road and stay in the city for just under a mile.

MoDOT told me in early 2015 they would not be putting up city limits signs until the "construction" was finished. Well there was no construction going north. Now all the construction is done and still no signs. Instead of me contracting MoDOT I decided to try the nonpartisan approach. I wrote State Senator Jill Schupp (D) and State Rep. Sue Allen (Rep) since Hwy 141 is in both of their districts. Here is how it went:

**From:** John Hoffmann [[johnhoffmann@charter.net](mailto:johnhoffmann@charter.net)]

**Sent:** Friday, January 22, 2016 6:23 PM

**To:** 'Sue Allen'

**Cc:** Jill Schupp

**Subject:** question

Sue and Jill,

Several years ago MoDOT redirected Hwy 141. Going north 141 enters Chesterfield just after Conway Road. It used to stay in Chesterfield. It now reenters Town and Country about 1/4 mile south of Ladue Road and continues in Town and Country for 3/4 to 1 mile. The entire NB Ladue Road and 141 intersection is in Town and Country now.

Originally MoDOT and Chesterfield was pushing to change the city limits. That fell through after city attorneys turned it down.

MoDOT has refused to put up City Limit signs. I have to think that motorists (voters and taxpayers) have a right to know where they are especially since those areas are served by different police departments and fire districts. Proper signage would also stop confusion, such as "Why are the Town and Country Police working my car accident? I'm in Chesterfield." (No they aren't)

Also since Town and Country and Chesterfield Police are dispatched by two different dispatch centers, city limit signs would be important.

I think anything you can do would be helpful to the public.

John Hoffmann

**From:** Sue Allen [<mailto:Sue.Allen@house.mo.gov>]

**Sent:** Friday, January 22, 2016 9:09 PM

**To:** John Hoffmann

**Subject:** Re: question

Good points. Happy to discuss

**From:** Jill Schupp [<mailto:Jill.Schupp@senate.mo.gov>]

**Sent:** Sunday, January 24, 2016 5:59 PM

**To:** John Hoffmann

**Cc:** June Isenberg

**Subject:** RE: question

Hi, John,

Thanks for writing in about your concern. I'll have my office look into it and see whether we are able to get any action taken.

Personally, I don't necessarily agree with your concern, since in the case of an accident, 911 would (eventually!) get routed to the correct place. At least that has been my experience. It also seems to me that most people don't pay that much attention to the division of the municipalities, particularly when they are in an emotionally charged situation such as an accident. And, with so many municipalities, we all drive through or near many on our way almost anywhere in the county!

Regardless of my experience on this, I certainly don't see any harm in clarifying which municipality is where. So, I am going to have June Isenberg in my office do her magic and see what we can learn about clarifying the municipal divisions.

June or I will be in touch. June is, as you can see, copied on this email.

Take care,

Jill

*Jill Schupp*

*State Senator, District 24*

**From:** John Hoffmann [<mailto:johnhoffmann@charter.net>]

**Sent:** Sunday, January 24, 2016 6:26 PM

**To:** Jill Schupp

**Cc:** June Isenberg

**Subject:** RE: question

I realize that MoDOT often acts as its own kingdom especially after working there for a 5-years for Nokia that provided a traffic reporting service to TV and Radio stations and provided MoDot with their now defunct 511 service (Nokia ended the service).

Concerning the fire districts, that dispatch point through mutual aid will send the closest ambulance/fire truck regardless of the jurisdiction you are in. However, police are different. If you call 9-1-1 it would be nice to know where you are. I mean if Charlack and St. John and Bel Ridge can have changing city limit signs every 350 feet on I-170 I don't know what the problem is on Hwy 141. As someone who 42 years ago was a police and fire dispatcher and later in life oversaw police/fire dispatch operations I guess we will have to disagree with the fact that you don't agree with my concern. Also there was a requirement in Missouri law at one time that motorists have to be advised they are in a specific municipality before they can be cited under municipal codes.

Thanks for looking into it. I spoke to MoDOT media relations (because of my news website) over a year ago and was told the city limit signs would be put up once the construction in the area is done. While there still may be some construction at I-64 and 141 the construction north of Conway road has been done for some time.

John Hoffmann

**From:** Sue Allen [mailto:Sue.Allen@house.mo.gov]  
**Sent:** Sunday, January 24, 2016 7:01 PM  
**To:** John Hoffmann  
**Subject:** Re: city limits

Thanks John. Good info. I agree. I like knowing which muni I'm in.

Sent from my iPhone

On Jan 24, 2016, at 6:28 PM, John Hoffmann <[johnhoffmann@charter.net](mailto:johnhoffmann@charter.net)> wrote:

FYI to a response from Jill and my response back to her, in case you had the same questions.

**From:** Jill Schupp [mailto:Jill.Schupp@senate.mo.gov]  
**Sent:** Sunday, January 24, 2016 7:08 PM  
**To:** John Hoffmann  
**Cc:** June Isenberg  
**Subject:** Re: question

Wow! Based on your knowledge and experience, I will absolutely defer to your judgment.

Thank you, John.

Jill

Jill Schupp  
State Senator, District 24

**From:** KAREN D YEOMANS [mailto:[Karen.Yeomans@modot.mo.gov](mailto:Karen.Yeomans@modot.mo.gov)]  
**Sent:** Tuesday, January 26, 2016 3:44 PM  
**To:** [johnhoffmann@charter.net](mailto:johnhoffmann@charter.net)  
**Cc:** [june.isenberg@senate.mo.gov](mailto:june.isenberg@senate.mo.gov)  
**Subject:** FW: question

Mr. Hoffmann

Your email to Sen. Schupp was forwarded to me for response. I apologize that the city limit signs haven't been installed by now. Chesterfield and Town & Country were trying to adjust their boundaries after we completed the Route 141 project, but as you mentioned, they were not able to accomplish that adjustment. Our traffic engineers will get the signs ordered and installed as soon as possible. These are not signs we have in stock, so it will take some time to



have them fabricated and installed. I don't have a target date at this time, but we will get this done as quickly as possible.

Please let me know if you have any questions.

Karen Yeomans, PE  
Area Engineer, Southwest St. Louis County  
Missouri Department of Transportation  
1590 Woodlake Drive

**So contacting an elected representative was successful.** I just found it interesting that the Republican State Rep and Democratic State Senator did not copy each other. But regardless I'm happy with the fast outcome.

**CEDARS OF TOWN AND COUNTRY SOLD TO LUTHERANS.** New owners took over on February 1. The Cedars of Town and Country, an assisted living and nursing home that was previously a religious base facility called Cedars at the JCA and even recently promoted as having separate kosher dining rooms and an on staff rabbi has been sold.

While owned by the Jewish Community Association the facility had financial problems and was sold and become non-denominational to a point.



We understand that The Lutheran Senior Services in a desire to have an imprint in West County to go with their highly successful facilities in Webster Groves on Laclede Station Road and in Kirkwood on the grounds of the former St. Joseph's Hospital campus bought Cedars and effective February 1 took over ownership and started extensive repair work at the campus. LSS also has other assisted living facilities in St. Louis County in Richmond Heights and Ballwin with senior housing facilities in South and North County. **The Town and Country facility will be renamed Mason Pointe.**



Aerial shot pre 2008.

We heard from sources that LSS will have their work cut out for them in bringing Cedars of T&C up to their standards. On their first day of ownership they found over half of the facility's boilers were not in operational condition leaving hot water in short supply especially for dialysis. The most recent google reviews of The Cedars by a nurse who quit in disgust and by family members of patients are things Stephen King novels are based on. Check them out:

[https://www.google.com/?gws\\_rd=ssl#q=cedars+of+town+and+country&lrd=0x87d8d327470779f9:0x6f288959fa9af624,1,,](https://www.google.com/?gws_rd=ssl#q=cedars+of+town+and+country&lrd=0x87d8d327470779f9:0x6f288959fa9af624,1,,)

## UNAPPROVED CHESTERFIELD NEWSLETTER 158



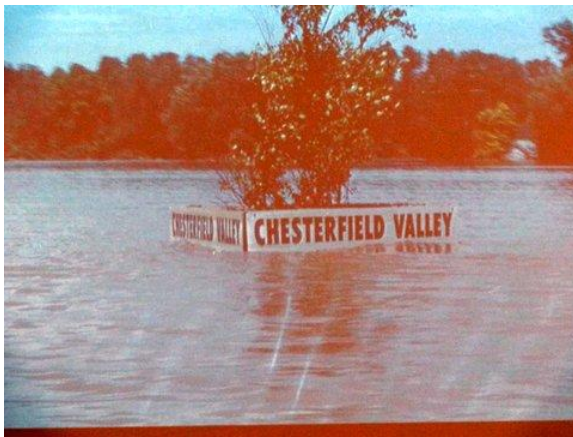
**February 3, 2016**

**THE MONARCH LEVEE, A LECTURE SERIES:** At the January 21 meeting of the Chesterfield Planning and Public Works Committee City Director of Services Mike Geisel gave a presentation on the Monarch-Chesterfield Levee and the Levee District. He was assist by David Human, the Levee District's lawyer who works at Husch-Blackwell , LLC the same brilliant law firm that lured State Rep and Speaker of the

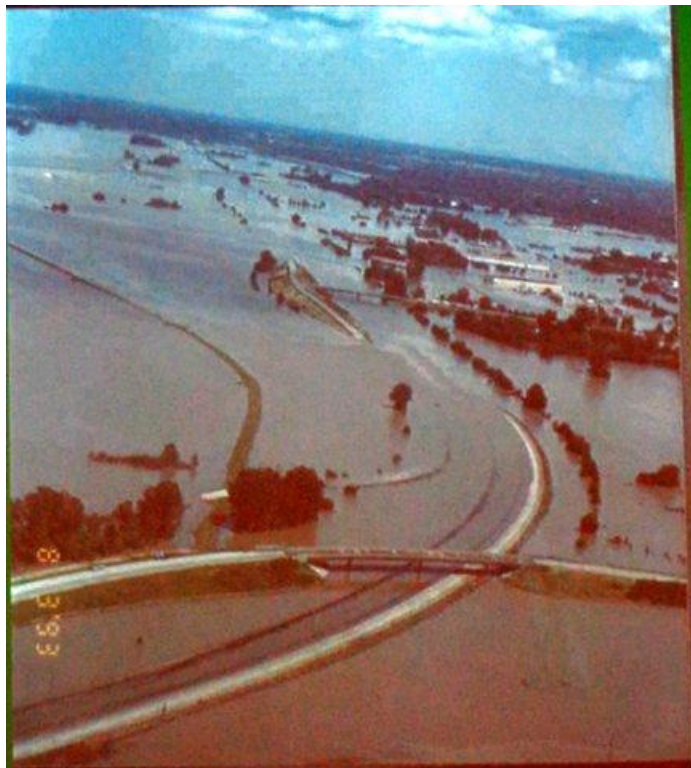
House John Diehl from Armstrong Teasdale just in time for Diehl to be caught up in two sex scandals in Jefferson City that forced him to resign from office. Husch-Blackwell got rid of Diehl in October.

The presentation was longer than some Hollywood feature films. Bridgett Nations a voting member of the Planning and Public Works Committee left at 6:10, missing most of the presentation and a vote on a separate unrelated matter. (I'm still mystified why Bridgett Nations is on the city council. She does not seem to be enjoying herself.)

Mike Geisel stated that this presentation was planned before the December floods that occurred when between six and 10 inches of rain fell over a three day period.



1993 Flood photos



**History:** The Monarch-Chesterfield Levee District was founded in 1947 to maintain agriculture levees along the Missouri River to protect Chesterfield area farmers. There are not many farmers left since the Great Flood of 1993 but lots of shopping centers. The levee district now maintains a levee, pumping stations plus culverts and channels.

It is interesting to note that voters for the Board of Directors of the Levee District are based on land owners. (Gosh take me back to 1830 America.) You get one-vote per acre of land. The largest land owner in the Levee District is St. Louis County thanks to the Spirit of St. Louis Airport with over 600 acres alone not counting other property. Chesterfield is fifth or sixth on the list with 325 acres which is mostly the recreation complex.

The reason you would need to vote is if there was a contested election for a seat on the Board of Directors. That has only happened once since 1947. Chesterfield does not have a representative on the Board of Directors. When asked how Chesterfield would cast a vote if there was a contested election I received several answers, but apparently the city administrator would cast the vote, possibly after consulting the City Council.

There is only one paid employee of the Levee District. That is the treasurer who is also a landowner and voting member of the district, Mr. Kerchoff. All the people who do engineering or conduct the monthly tests at pump stations are contractors.

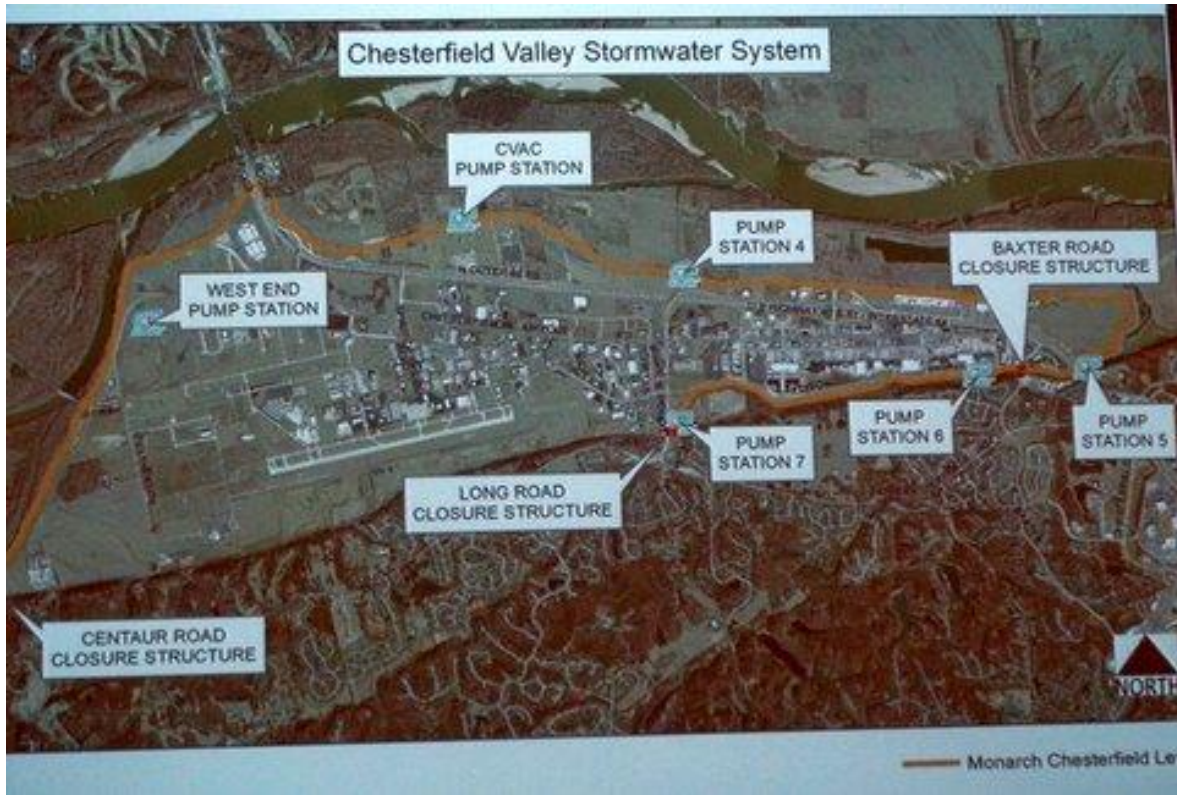
**LATEST FLOOD:** Mike Geisel reported that the biggest concern is not the overlapping the top of the levee but leaking and breaching of the wall itself. He mentioned a constant concern is animals burrowing into the levee allowing water and water pressure to damage the levee.

"Overtopping the levee is virtually impossible. Breaching the levee wall; yes is a concern," said Geisel. "You would need between two and three times the amount of water in 1993 to top the current levee," he added.

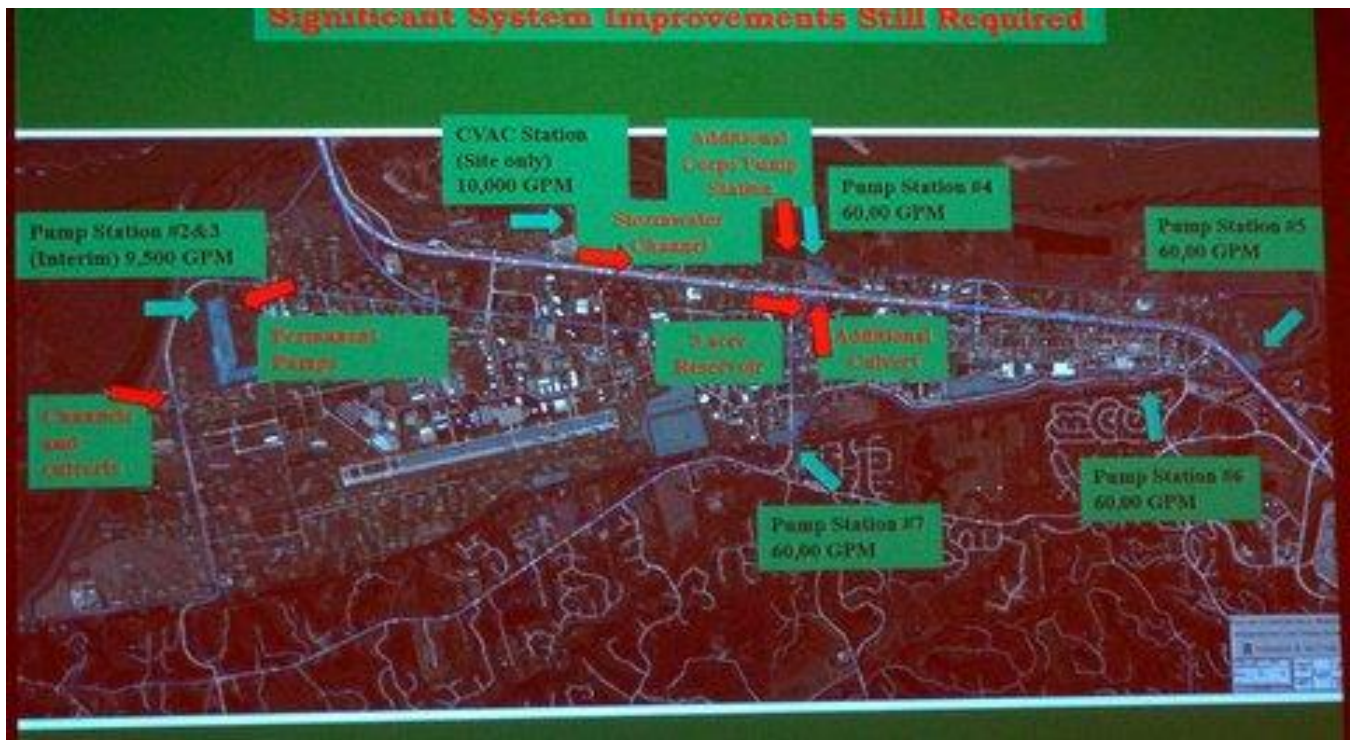
The problems during the December 2015 flooding was due to two pump station failures.

One was the pump station at the west end of the Chesterfield Valley Athletic complex. The damage to those pumps has been put in excess of \$20,000. A number of baseball, football and soccer fields were flooded thanks to the pump failures.

The other is denoted as Station 5 and is located near the Doubletree Hotel. In that case the automatic controls failed which shut down the pumps. Once someone was there to operate the station manually the pumps worked fine.

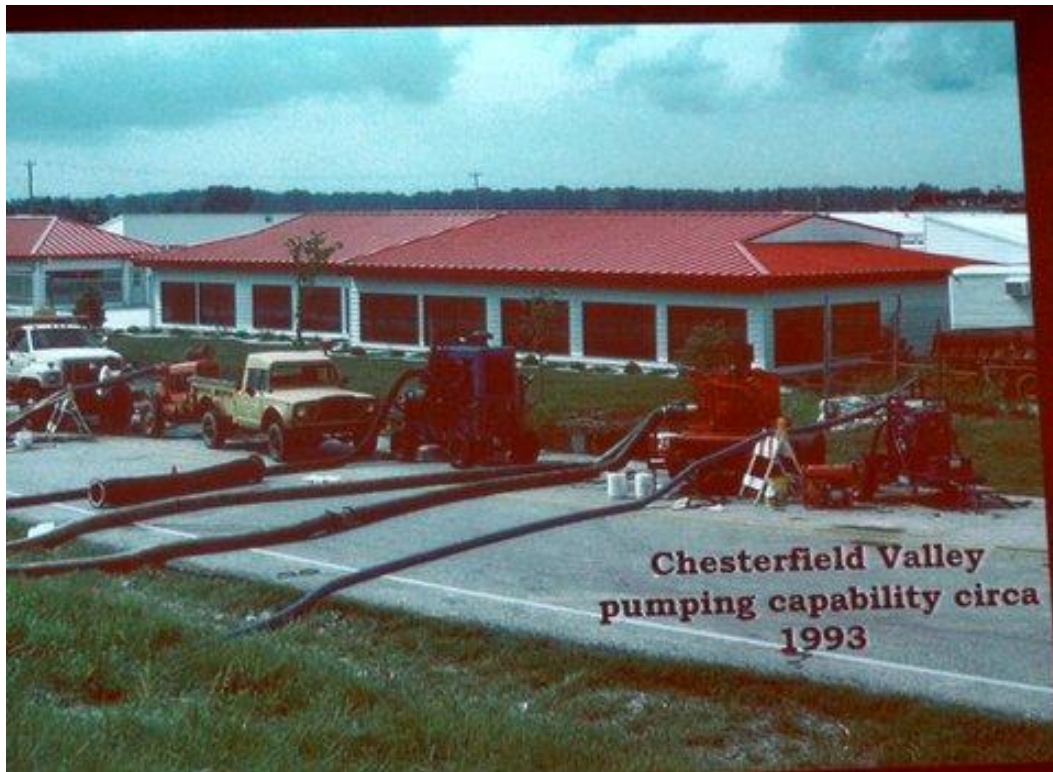


Geisel also showed a power point slide of the current Levee District and Corps of Engineers equipment and what is desired to be add in the future. The additions are in red.



The future proposals call for a new pump station next to pump station #4 to handle seepage.

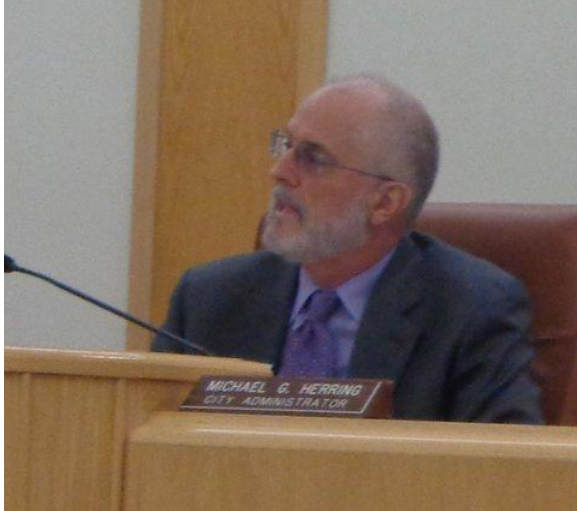
**They have come a long way baby:** Here is a photo of the water pumping capability prior to the Great Flood of 1993.



We have the entire power point presentation available. If you would like a copy just send me an e-mail.

**THE HERRING GOOD NEWS, BAD NEWS:** At the agenda meeting before the Wednesday January 20th City Council meeting there was discussion about the Levee District presentation the following day. It was at that time that City Administrator Mike Herring said something worthy of note in praising the Sales Tax Pool system that Chesterfield is suing to end.

"The chances of this happening (levee being overtopped or failing) are slim," said Herring. "But the good thing is we are in the tax pool, which pays by population so we would still have income," he added.



City administrator Mike Herring

**CHESTERFIELD DOES A FLIP-FLOP ON THE COUNTY MUNICIPAL LEAGUE. ONE WEEK THERE IS A VOTE TO REJOIN IT AND A WEEK LATER A FINAL VOTE NOT TO BE A MEMBER.**

**THE FLIP:** Chesterfield in 2015 decided not to belong to the St. Louis County Municipal League over conflicts with the city's position and the league's position on distribution of sales tax revenue. That rejection appeared to be about to change at the Finance and Administration Committee meeting on January 25.

**CHESTERFIELD FINANCE AND ADMINISTRATION COMMITTEE VOTES TO REJOIN THE ST. LOUIS COUNTY MUNICIPAL LEAGUE DESPITE NEW DIRECTOR WITH A HISTORY OF MONEY SCANDALS.** . At the Finance and Administration Committee meeting on January 25 paying the 2015 dues of \$7,122 and rejoining the St. Louis County Municipal League was discussed. The city decided to leave the County Muni League after members countered sued Chesterfield's effort to have the courts declare the St. Louis County Sales Tax Pool illegal and allow Chesterfield to keep 100% of the general sales taxes collected in the city instead of keeping just 46%.

For \$7,122 Chesterfield gets to attend 12 meetings a year with guest speakers and receive a newsletter, plus receive any research done by the limited staff.

"I think it would behoove us to pay the dues and rejoin. I think it would be detrimental not to belong," said Mayor Bob Nation. He would have a different opinion a week later.

"It doesn't mean we have to agree to participate," said Councilman Dan Hurt.

"The information they provide is it not available and general knowledge," asked non-committee member Councilman Mike Casey. This is when City Administrator Mike Herring mentioned the monthly meetings and newsletter.

"Our presence is important if just to give our side. I think at some time we will split from them," said Councilwoman Connie Fults.

"Keep your friends close and your enemies closer," commented Councilman and committee member Bruce DeGroot.

Not only did Mayor Nation but others brought up that the County Municipal League has a new director, former Brentwood Mayor Pat Kelly. They acted as if this was a plus. After the meeting ended I asked several if they were not aware of the money scandals involving Kelly while he was Brentwood mayor. Nobody was! Geez don't any of these elected officials read the paper. Under Pat Kelly at Brentwood there were several scandals involving money from the city disappearing. Here are a few of them:

Pat Kelly's City Administrator, Christopher Seemayer was convicted in Federal Court of stealing \$30,000 in city money to use at area casinos. Kelly was quoted as how the city was not out anything as Seemayer had at least \$30,000 in unused vacation and sick time on the books when he resigned after his indictment. Kelly also said he had no problem with Seemayer getting a 5-year probation term instead of any prison time for embezzling \$30,000 of city money.

Kelly was also featured on Elliott Davis' You Paid For It when the city of Brentwood was slow to reveal the full health care insurance coverage very part-time elected officials were getting.



St. Louis County Municipal League Director and former scandal ridden Brentwood Mayor Pat Kelly



Perhaps the biggest scandal under Kelly as mayor was the Fire Department overtime fraud affair. When Brentwood police detectives were investigating the connection of City Administrator Seemayer funneling city money to the Casino Queen, they discovered the fire department had been charging the city for phantom overtime for firefighters between \$12,000 and \$28,000 a year for 28 years.

The fire chief and his two top assistant chiefs all under Mayor Kelly were forced to resign. The city was not paid back directly but the Local 2665 of the Firefighters Union negotiated a deal where they would be no pay raised for three years.

The idea of giving \$7,122 annually to an organization run by a guy who during his watch had money from a city treasury vanish due to theft, fraud and unnecessary expense might trouble some people, but apparently not Chesterfield elected officials.

## **THE FLOP:**

**CITY COUNCIL AS A WHOLE DECIDES TO KEEP OUT OF THE MUNICIPAL LEAGUE AT THE FEBRUARY 1 MEETING.** The vote seemed to change twice. In the agenda meeting prior to the regular meeting it appeared as if the renewing the membership would pass by one or two votes. However at the regular meeting that all changed. The mayor had something to do with that but oddly enough at least one councilpersons changed their votes from yes to no after Councilwoman Connie Fults spoke in favor of rejoining the ML.

In the agenda meeting Councilman Mike Casey was against rejoining the League and he did not change at the regular meeting.

"I think the Municipal League has not been a friend of Chesterfield. I have not seen anything they have done that was helpful for the City of Chesterfield,"

While St. Louis County Municipal League meetings are free and open to the public, Councilwoman Connie Fults said since Mayor Nation went to several meetings in the fall the city was obligated to pay the 2015-2016 dues. She also said the ML should not take sides on issues between members.

However the big game changer was Mayor Bob Nation who told the F&A Committee a week earlier that the city should be represented at ML meetings. However that was before Nation attended a ML in Brentwood three days later.

Nation explained that at the meeting members voted to support a new proposed 0.25-cent sales tax earmarked for law enforcement. (Of course this would make up for the new State Law that allows only 12% of municipal government's budget to come from municipal court revenues. Tiny towns depending on speed traps to exist could be saved by this.)

Nation pointed out that while Chesterfield would see \$800,000 in new revenue from the proposed tax, it would actually lose money because stores in Chesterfield would have generated \$3,600,000 of tax money. Under the current system Chesterfield would keep \$1,656,000 if the current sales tax increased by 0.25 cents.

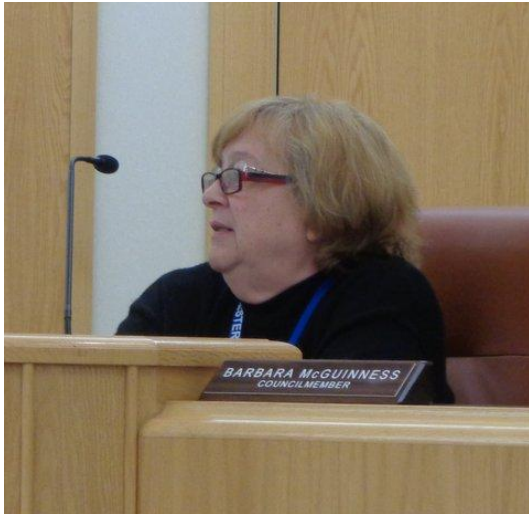


Barry Flachsbart who put the proposal on the Committee's agenda and introduced it at the regular meeting changed his mind. He said he agreed with Mike Casey's reason for voting no and what Connie Fults had said in favor of rejoining changed his mind to vote against it.



Perhaps Councilwoman Barb McGuinness' comment was the most amusing.

"It is like being in the U.N. You pay and support them but you don't get anything in return," said the councilwoman.



If you look closely Barb McGuinness will at times drop a pair of reading glasses down over her regular glasses causing Bruce DeGroot to at times to refer to her as "Six Eyes."

As the regular council meeting started DeGroot and Flachsbart along with Fults, Dan Hurt and Elliot Grissom were for rejoining the ML. With Bridget Nations missing from the meeting Mayor Bob Nation did not have to worry about breaking a tie. Here is how the final voted went after some minds got changed:

For Rejoining the ML

Grissom  
Fults  
Hurt

Against Rejoining

Casey  
Flachsbart  
DeGroot  
McGuinness

**HERE ARE THE CITIES IN ST. LOUIS COUNTY THAT DON'T BELONG TO THE COUNTY MUNICIPAL LEAGUE:** Chesterfield (Pop 47,749), Champ (Pop 12), Kinloch (Pop 299), Flordell Hills (Pop 819), Pine Lawn (Pop 3,425) and Wellston (Pop 2,331)

**SHE WON TEENAGER IN THE MOST DANGEROUS SHOES CATEGORY:** Once again I was amused to see winners of teenage beauty contests show up a meetings to get an award dressed as if they just walked off the runway. At the January 20 meeting of the Chesterfield City Council Mayor Bob Nation opened the meeting off the dais and was handing out proclamations to college student Sydnee Stottlemeyer who was the current Missouri Missouri USA and high schooler Haylee Michael who is Miss Missouri Teen.

At the time there was still snow and ice around. The high temp on January 20 was 28-degrees and the low was 8-degrees.



Is there some law that a kid who wins a beauty contest can't show up on a bitterly cold winter night with ice and snow still on the ground to get a proclamation wearing blue jeans, a sweater and a pair of warm winter shoes?

**A BILL FOR COURT REFORM, IT MAKES SOMETHING UNETHICAL IN THE FUTURE OKAY FOR NOW!** Senior Councilman Barry Flachsbart presented a bill at the recent Finance and Administration Committee meeting calling for reform by restricting the outside employment of attorneys hired as the city attorney, city judge and prosecutor can. It eliminates people in those positions from being defense attorneys in the region. As most readers of this newsletter know, for over three years we have been documenting how the Chesterfield judge Rick Brunk and prosecutor Tim Engelmeyer represent clients in other nearby cities. This included people who were chased into Chesterfield or Creve Coeur (where Engelmeyer is judge) and arrested by another agency.

The odd thing about this bill is that it clearly implies being both a defense attorney and a judge/prosecutor is unethical for future judges and prosecutors. But it is okay for the two currently in office.

I guess I'm old school. If it is unethical in the future it certainly should be unethical now.

I asked Barry Flachsbart about these clear contradictions. His reply was "little steps." He was inferring that Brunk and Engelmeyer have too many friends currently on the Council. A bill forcing them to choose between being a judge/prosecutor and not a defense attorney would not pass. However it might pass if it only covered Brunk and Engelmeyer's future replacements. But it would clearly show that those who voted for it admit the practice is unethical but just not for their friends currently in office.

Bruce DeGroot has told me in the past that Tim Engelmeyer is a friend of his. I could see DeGroot throwing ethics out the window over friendship with a fellow lawyer. Fults, Grissom and Casey would likely vote against anything Flachsbart introduces just because they can.



DeGroot with Councilman Mike Casey in the background either taking a photo of me taking a photo or playing a game on his phone.

"Just because you can do something doesn't mean you should," said Bruce DeGroot immediately making me think he was defending Engelmeyer's practice of reducing charges for other lawyers who are judges and prosecutors in other courts and then asking for the same reductions when he is defending people in their courts.

**Connie Fults and DeGroot Unaware of What is Happening:** Councilwoman Connie Fults, who is not on the committee but was at the meeting made a statement that made little sense. She said, "I think we really need to look at Senate Bill 5."



Fults not wanting to fix a local problem but have some other state agency do it.

"I think Senate Bill 5 and other legislation might fix form an answer," said DeGroot.

Senate Bill 5 introduced by State Senator Eric Schmidt of Glendale and passed by the legislature in the regular 2015 session and signed into law by Gov. Jay Nixon on July 9, 2015. It went into law on August 26, 2015. It mostly limits the amount of money a municipal court in St. Louis County can collect (12.5%) in relation to the city's total budget.

However the bill does have one section dealing with ethics giving the Supreme Court the job of determining unethical behavior and enforcing it.

#### *NOTIFICATION OF CREATION AND DISSOLUTION OF MUNICIPAL COURTS (Section 479.155)*

*This provision requires the presiding judge of the circuit court in which each municipal division is located to notify the clerk of the Supreme Court of the name and address of the municipal division by September 1, 2016. This provision also requires the presiding judge of the circuit court in which each municipal division is located to notify the clerk of the Supreme Court if a municipality elects to abolish the municipal division. This provision also requires the Missouri Supreme Court to develop rules regarding conflict of interest for any prosecutor, defense attorney, or judge that has a pending case before the municipal division of any circuit court.*

In other words everyone is waiting for the Supreme Court to act.

Flachsbart clearly did not want to wait and he had a very good point that many of the others disagreed with.

"Chesterfield should be a leading in setting this example," said Flachsbart.



Barry Flachsbart explaining the bill.

Mayor Bob Nation let everyone know that his position was.

"I think there are conflicts now. I think it is a problem and I'd be supportive of a change," said Nation.



Mayor Bob Nation

This is the part of bill that have some council people who want to protect Engelmeyer and Brunk upset, even though it creates a loop hole for them to continue their unethical behavior.

**City Attorney, Municipal Judge, and City Prosecutor**

## **Section 8. Considerations of Employment**

**The City Attorney, Municipal Judge, and City Prosecutor are considered holding part-time positions and, as such, may accept other employment, except as stipulated below. The individuals serving in these offices at the time of enactment of this Ordinance are exempted from 8.c.**

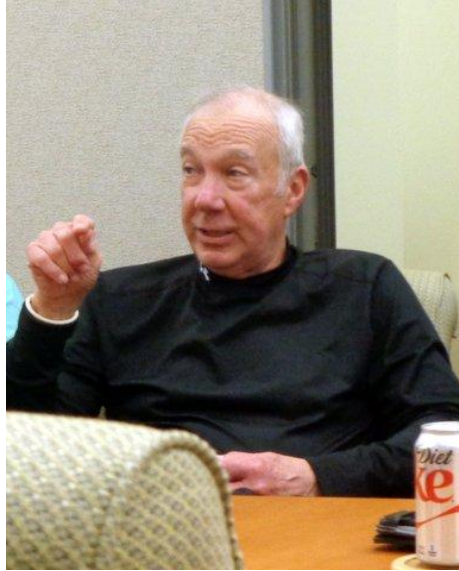
- a) May serve as a City Attorney, Municipal Judge, or City Prosecutor in another municipality.
- b) May not hold any other office within the City Government.
- c) **Shall not enter their appearance as defense counsel of record in any criminal proceeding pending in any municipal or circuit court in St. Louis County. Said restriction shall not apply to members of their firm.**

The committee did not vote to send the bill to the full council, but voted for the city attorney, Harry O'Rourke, who they are in the middle of replacing, to review the bill and report if there are conflicts with Senate Bill 5.

**POINT-COUNTER POINT:** Public comment was allowed at the F&A Committee meeting. Former Senator and current fire board director Jane Cunningham had two topics she wanted to address. Flachsbart using political correctness introduced her as "Senator Cunningham."

Mike Casey, who had dressed in black shoes, socks, black trousers and a nylon mock turtle shirt and looked like a retired priest who just did a quick 5 o'clock mass before showing up, had a question. He stated, "Former Senator Cunningham I have a question."





At the last regular council meeting Casey asked from the Dais if it was legal to withdraw you name for election the day after the filing deadline, making reference to Cunningham filing for his seat with a former councilman Alan Politte and then withdrawing. It is an old trick to try and keep others from filing in fear of having to run against a well known candidate. It also did not work as former councilman Randy Logan filed 15 minutes before the deadline. Casey was not a big fan of Cunningham when she supported Mayor Nation who Casey and the rest of the council censured for swearing in a closed office.

**CORRECTION AND THIS TIME IT WAS NOT OUR FAULT:** Last week we ran the 2015 Chesterfield Police Activity and Crime Report. A few days later we received an email from Capt. Steve Lewis saying the year end number of calls answered by Chesterfield Police was wrong in the report we were sent.

"...Iwe provided you with erroneous information. I will make sure you continue to get that information, I will just strive to make sure that we double check."

Capt. Lewis said that Chief Johnson noticed the mistake. Instead of 36,414 the number should have been 51,198 which is still down from 2014's 55,966 calls by 8.5-percent.

**CHESTERFIELD POLICE WEEKLY HIGHLIGHTS:** We are now receiving the Chesterfield Police weekly media activity report. We hope to be able to post this weekly so you can see what is happening around town.



# CHESTERFIELD POLICE DEPARTMENT

## Media Report

### January 20, 2016 - January 26, 2016

[Close](#)

<u>Time of Occurrence</u>	<u>Generic Address</u>	<u>Business/Location Name</u>	<u>Incident Type</u>
01/26/2016, 1625 01/26/2016, 1636	4X CHESTERFIELD MALL	Macy's	Possession of Stolen Property Clothing
<b>Brief Narrative Description:</b> 51 yo male in possession of stolen clothing and cologne.			
01/25/2016, 1220 01/25/2016, 1320	17XX CLARKSON RD	Dierberg's	Larceny under \$500 Shoplifting (Retail Store)
<b>Brief Narrative Description:</b> 67 yo female concealed merchandise and left store without paying.			
01/25/2016, 1330 01/25/2016, 1330	1XX THF BLVD	Walmart	Larceny under \$500 Shoplifting (Retail Store)
<b>Brief Narrative Description:</b> 31 yo male concealed automotive items and left store without paying. After being stopped by security guards, subject threatened them and left the property where he was later arrested.			
01/25/2016, 1515 01/25/2016, 1515	17XX CLARKSON RD	Dierberg's	Larceny under \$500 Shoplifting (Retail Store)
<b>Brief Narrative Description:</b> 42 yo female took grocery items and walked out of store without paying.			
01/25/2016, 1700 01/25/2016, 1700	1XX THF BLVD	Walmart	Larceny under \$500 Shoplifting (Retail Store)
<b>Brief Narrative Description:</b> 36 yo male concealed vacuum filter and left store without paying.			
01/25/2016, 1815 01/25/2016, 1815	4X CHESTERFIELD MALL	Macy's	Larceny under \$500 Shoplifting (Retail Store)
<b>Brief Narrative Description:</b> 16 yo female concealed shoes and left store without paying. Subject also in possession of stolen property and gave false information on her identity.			
01/22/2016, 1800 01/22/2016, 1800	17XXX CHESTERFIELD AIRPORT RD	St. Louis Sun Tan	Larceny under \$500 from Person
<b>Brief Narrative Description:</b> Unknown subject took Fitbit watch after it was left behind in store.			
01/24/2016, 0450 01/24/2016, 0450	16XXX BARRISTER LN		Larceny under \$500 from Person
<b>Brief Narrative Description:</b> 27 yo male was intoxicated and refused to pay for Uber fare. After being contacted by police, subject again refused to pay and was arrested. Subject also resisted arrest.			
01/23/2016, 1830 01/23/2016, 2110	1XX LONG RD	Sports Fusion	Larceny under \$500 from Auto
<b>Brief Narrative Description:</b> Unknown subject broke out window on victim's vehicle and took a laptop computer.			
01/23/2016, 0340 01/23/2016, 0340	14XXX GREENCASTLE DR 5		Assault Common - Actual Assault
<b>Brief Narrative Description:</b> 21 yo male struck victim after argument causing no injuries.			
01/09/2016, 1600 01/09/2016, 1600	1XX NEW HOLLAND DR		Fraud Credit Card
<b>Brief Narrative Description:</b> Unknown subject used victim's credit card information to make purchase.			
01/23/2016, 1545 01/23/2016, 1745	16XXX BURKHARDT PL	YMCA	Larceny under \$500 from Person
<b>Brief Narrative Description:</b> Unknown subject took money out of victim's unlocked locker.			
01/23/2016, 1955 01/23/2016, 1955	18XXX OUTLET BLVD	Sunglass Hut	Larceny under \$500 Shoplifting (Retail Store)
<b>Brief Narrative Description:</b> 29 yo male concealed sunglasses and left store without paying.			
	6X FORUM SHOPPING CTR	Forum Veterinary Clinic	Checks Account Closed

11/12/2015, 1200 11/12/2015, 1200			
<b>Brief Narrative Description:</b> 43 yo male and 39 yo female passed closed account check to business.			
12/01/2015, 0800 01/22/2016, 1200	4X THF BLVD	Target	Larceny over \$500 Employer
<b>Brief Narrative Description:</b> 45 yo male took money from employer and rang out fraudulent returns for gift cards while working.			
01/15/2016, 1200 01/15/2016, 1200	3XX E CHESTERFIELD CTR	Stoney Creek Steakhouse	Fraud Identity Theft
<b>Brief Narrative Description:</b> 42 yo male used victim's social security number to apply for job.			
01/22/2016, 1500 01/22/2016, 1500	2XX CHESTERFIELD MALL	Gymboree	Possession of Stolen Property Clothing
<b>Brief Narrative Description:</b> 25 yo female returned stolen clothing to store for credit.			
01/22/2016, 2140 01/22/2016, 2140	18XXX OUTLET BLVD	Saks Fifth Avenue	Larceny under \$500 Employer
<b>Brief Narrative Description:</b> 19 yo male concealed clothing from employer and left store without paying.			
01/16/2016, 1310 01/16/2016, 1310	7XX LONG ROAD CROSSING DR	Jim Butler Kia	Stolen Vehicle Automobile
<b>Brief Narrative Description:</b> 35 yo female failed to return vehicle after test drive.			
01/21/2016, 1040 01/21/2016, 1040	2XX CHESTERFIELD MALL	Chesterfield Mall	Drugs Possession - Misdemeanor
<b>Brief Narrative Description:</b> 27 yo male in possession of marijuana after trespassing investigation.			
01/21/2016, 1121 01/21/2016, 1121	2XX CHESTERFIELD MALL	Raising Canes	Larceny over \$500 Employer
<b>Brief Narrative Description:</b> 19 yo male took money from cash register while working. After arrest, subject also in possession of marijuana.			
01/21/2016, 1536 01/21/2016, 1536	1XX THF BLVD	Walmart	Larceny under \$500 Shoplifting (Retail Store)
<b>Brief Narrative Description:</b> 54 yo male took merchandise and walked out of store without paying.			
01/21/2016, 1538 01/21/2016, 1538	14XXX OLIVE BLVD	Phillips 66	Larceny under \$500 Shoplifting (Retail Store)
<b>Brief Narrative Description:</b> Unknown subject concealed food items and left store without paying.			
12/01/2015, 1000 01/21/2016, 1729	2XX CHESTERFIELD MALL	St. Louis Sports Company	Larceny over \$500 Employer
<b>Brief Narrative Description:</b> 17 yo male took sports memorabilia from employer.			
01/21/2016, 1800 01/21/2016, 1900	17XXX NORTH OUTER 40 RD	Club Fitness	Larceny under \$500 from Person
<b>Brief Narrative Description:</b> Unknown subject took money from victim's locker.			

01/21/2016, 1927 01/21/2016, 1929	4X CHESTERFIELD MALL	Macy's	Larceny over \$500 Shoplifting (Retail Store)
<b>Brief Narrative Description:</b> Unknown subject took coats and ran out of store without paying.			
01/20/2016, 1730 01/20/2016, 1745	1XX THF BLVD	Walmart	Larceny under \$500 Shoplifting (Retail Store)
<b>Brief Narrative Description:</b> 24 and 22 yo males concealed electronics and left store without paying.			
01/20/2016, 2030 01/20/2016, 2030	17XXX NORTH OUTER 40 RD	Sunglass Hut	Larceny under \$500 Shoplifting (Retail Store)
<b>Brief Narrative Description:</b> 28 yo male concealed sunglasses and left store without paying. After arrest in vehicle, 28 yo female found to be in possession of marijuana.			

**THE WINGS OF MAN MAKING A COMEBACK?** Conde-Nast Traveler reported that a charter airline with the name of Eastern that flies out of Miami has bought the logo and naming rights to the long defunct Eastern Airlines and sometime in the future might offer regular scheduled service.

[http://www.cntraveler.com/stories/2016-01-26/eastern-air-lines-stages-a-comeback?mbid=nl\\_012616\\_Daily&CNDID=39335653&spMailingID=8474977&spUserlD=MTEzNzk2NjM4MTYyS0&spJobID=842886336&spReportId=ODQyODg2MzM2S0](http://www.cntraveler.com/stories/2016-01-26/eastern-air-lines-stages-a-comeback?mbid=nl_012616_Daily&CNDID=39335653&spMailingID=8474977&spUserlD=MTEzNzk2NjM4MTYyS0&spJobID=842886336&spReportId=ODQyODg2MzM2S0)

That reminded me of the old Eastern Airline TV and radio commercials with Orson Wells doing the voice over of "Eastern Airlines. The Wings of Man."



Eastern Airlines and Orson Wells takes me back to my days as a midnight disc jockey in 1971 at then "underground" rock station KADI-FM.

I was the overnight midnight disc jockey from midnight to 5 AM six nights a week and from 7pm to midnight on Sundays. Six nights a week I played an Eastern Airlines Commercial with Orson Wells doing the voice over work and ending the spot with "Eastern Airlines. The WINGS OF MAN."

Now even an 18-year-old kid could figure out this was not right. The stations' main advertisers were Head Shops, like one in Webster Groves and one in St. John on the St. Charles Rock Road run by a biker gang, plus hip clothing stores marketing themselves to the 18-to-25 year-old crowd and rock concerts promoters. Large international airlines were not a common advertiser on Underground Rock Radio Stations and their audience of 16-to-25 year olds. .

After I played that Eastern Airlines commercial I did not play another ad all night, except on Friday and Saturdays, where we had some concert spots.

I happened to be at the station during the daytime one week day and I asked the advertising manager, why the hell Eastern Airlines wanted to advertise on my show. Here is what he said:

"They don't. They don't even know we are playing that spot. I recorded off of KSD. You play it and I put it on the top of our list of advertisers' so when I contact prospective clients they will be impressed that Eastern Airlines is advertising with us."

I don't even have a photo of me behind the mic at KADI. About all I have are some memories, odd stories and this tote/bag brief case:



**MUSIC:** Here are a few scenes from our Ground Hog Day Party at the Riverbend Restaurant on Tuesday:



Dean Christopher, Jim Manley, Larry Johnson and Jim Owens



**CARTOONS:**





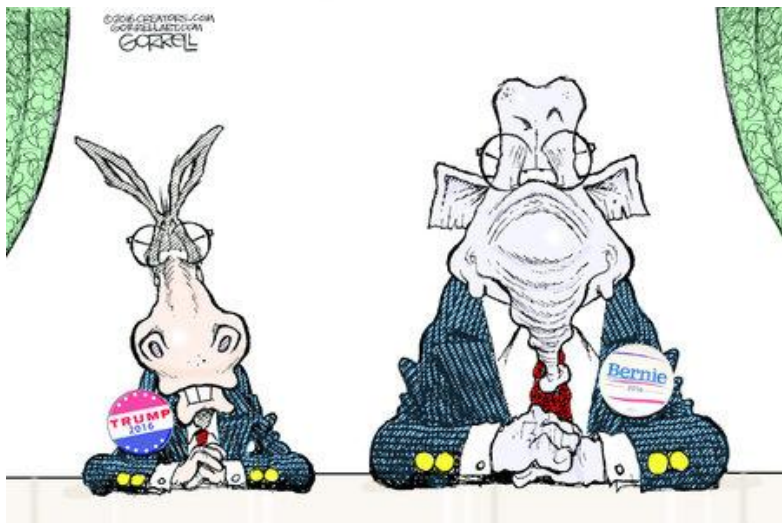
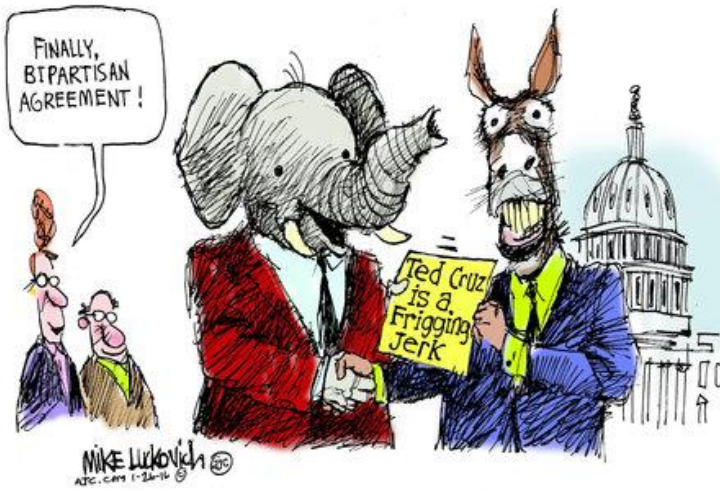
"Take your time, Mr. Thornton."

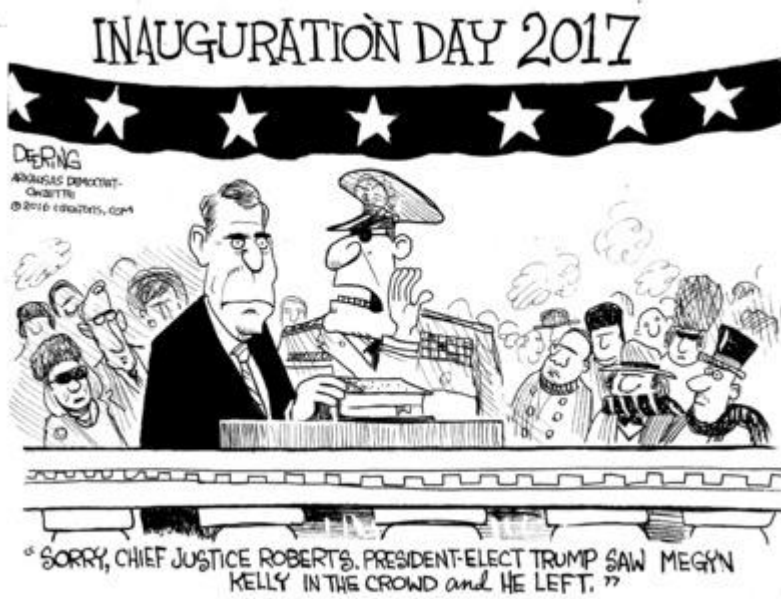




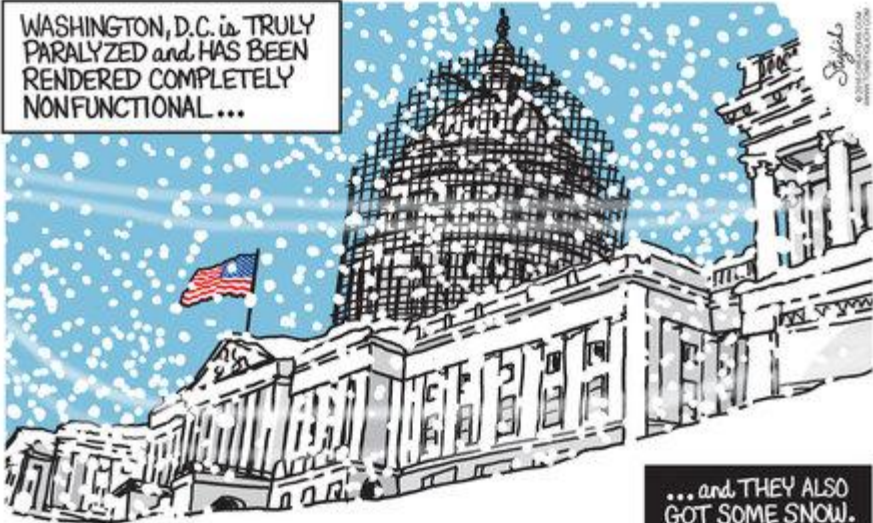
CATALINO  
COPYRIGHT 2016  
GREATCARTOONS.COM

DISNEY REPLACES U.S. WORKERS WITH IMMIGRANTS





WASHINGTON, D.C. is TRULY PARALYZED and HAS BEEN RENDERED COMPLETELY NONFUNCTIONAL...



...and THEY ALSO GOT SOME SNOW.



MIKE LESTER  
Washington Post Writers Group  
12-29-16

IT'S ABOUT TIME WE INTRODUCED A MODERN-DAY, REALISTIC REPRESENTATION OF "BARBIE"...

THAT'S "KEN."

MATTEL

