

EX ALDERMAN NEWSLETTER 257 AND CHESTERFIELD 202

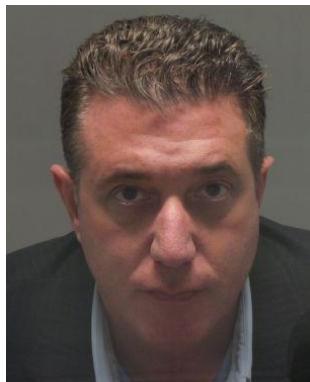


December 26, 2016

By John Hoffmann

TOWN AND COUNTRY ATTORNEY HAS CASE FOR THEFT FROM COURT FILE AGAINST HIM MOVING INTO THIRD YEAR: So much for that speedy trial stuff!

Scott Ehlermann, 51, of Laurel Lakes Ct. was seen on March 28, 2104 by two different witnesses stealing documents from a court file in which he was a named defendant. The file involved in an adult abuse action as the respondent. Prior to this there was a contested paternity suit against Ehlermann by Manchester lawyer Marie Dianna Lipowicz. The adult abuse action appeared to be in connection with Lipowicz who had a child by Ehlermann. At one point Ehlermann was filing false complaints with the Missouri Supreme Court against Lipowicz until he was ordered to desist by a St. Louis County Circuit Judge.



Creep Ehlermann



His Town and Country residence.



Marie Lipowicz.

The case against Ehlermann has been continued 14 times mostly at Ehlermann's request. The next court date is February 14, (Valentine's Day) 2017 one month shy of the third year anniversary of the crime.

The case is now in the hands of a second circuit court judge. This type of defense is the "hope that witnesses die or move" defense. Here is a copy of the police Probable Charge Statement.

Date: 6/3/14

I, Brian Tychsen, DSN 0276, Clayton Police Department, knowing that false statements on this form are punishable by law, state that the facts contained herein are true. I have probable cause to believe that on March 26, 2014, at 7900 Carondelet Avenue, Scott Ehlermann, White, Male, DOB 01/12/1965, 6'00", 230lbs, committed one or more criminal offense(s).

Count: 01 STEALING PLEADING/NOTICE/JUDGMENT/RECORD OF COURT - CLASS C FELONY

The facts supporting this belief are as follows: Defendant, who is a licensed attorney in the State of Missouri, was the respondent in an adult abuse/order of protection case (cause No. 11SL-PN05299) filed with the Circuit Court of St. Louis County. He presented himself at the Adult Abuse office, represented to a clerk that he was an attorney on that case, and asked to review the file. Two witnesses who were sitting in the Adult Abuse waiting room saw defendant remove a piece of paper from the file before handing the file back to the clerk. One of the witnesses notified the clerk, but defendant left the office, denying that he had taken anything from the file. Defendant was arrested several days later but refused to make a statement. The special prosecuting attorney for the petitioner on the case confirmed that a document was missing from the file; it was a portion of an exhibit relating to an amendment of an order of protection issued against defendant.

Brian Tychsen, DSN 0276, Clayton Police Department

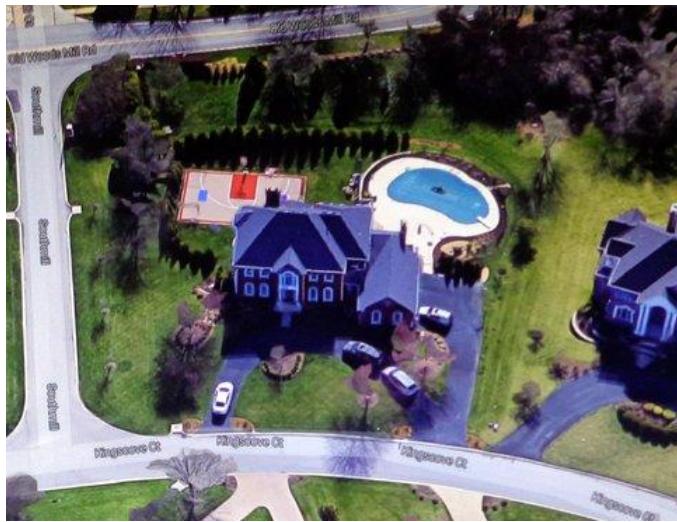
[Signature] Det. Brian Tychsen 0276

Since his arrest for theft from a court file, he has been back in court, not as a lawyer, but as a defendant.

10/17/14 DOR Tax case Default judgment for \$1,867 not yet paid.
08/17/14 Scott vs Karen Ehlermann dismissed from his 2003 divorce

- 01/27/15 Moving Violation from Missouri Highway Patrol reduced to \$60 parking ticket
- 09/04/15 Division of Employment Security default judgment \$200 not yet paid
- 10/21/16 American Century Investment v Scott Ehlermann garnishment
- 11/09/16 Kimberly Barkley v Scott Ehlermann Small Claims pending

THE HOCKEY RINK TENT CONTROVERSY: The residents in the Kings Cove subdivision off of Old Woods Mill Road are in a tiff over one home owner turning an "athletic court" into a hockey rink with a tent over it so his high school senior hockey playing son can practice after school. They apparently did not have a problem with the rink in past years, only when the tent went up to keep rain and snow off the rink.



The neighbors had a meeting and wanted the city to take action. The homeowner at 960 Kings Cove, Tom Canfield, said this would be the last year of turning the basketball/tennis court into a hockey rink as his son would be off to college next fall.

We went to check it out. The house sits on the corner of South Mill, an entrance street with no houses, and Kings Cove. To the rear is to Old Woods Mill Road. So there are no immediate abutting neighbors to the north or the east. First we took daylight photos:



directly behind house



Northeast rear corner of house



from front of the house

Now here are some nighttime photos while the rink is lit.



From South Mill on the north side of house



From the front of the house.

The City of Town and Country has issued a temporary use permit from 12/9/16 to 12/31/16 for the tent over the hockey rink. In as much that the Code Department has not issued a citation in several years it will be interesting to see what Mr. Canfield does. He could take a citation if the city ever got around to issuing one. He could continue the court case until the hockey season is over and then pay a small fine. Maybe Town and Country prosecutor Ed Sluys would even reduce it to "Illegal Parking."

When we were taking photos of the Canfield house we noticed a house four doors away that was putting out a lot more light than the hockey rink.



NOVEMBER DEER VS VEHICLES REPORT: In January White Buffalo will be back in town with over \$100,000 budgeted for lethal deer control and a census survey. Here are the numbers of deer hit by vehicles in November:

There were 11 deer hit by vehicles in November 2016 compared with 18 in 2015. The total YTD deer-vehicle encounters in 2016 through November is 59 versus 78 YTD in 2015. Here are where and when the death to deer by vehicles occurred in November:

11/05/16	03:28 AM	SB I-270 at I-64 Ward 1
11/07/16	12:23 AM	South Outer Forty Road and Woodlake Ward 4
11/07/16	07:34 PM	EB I-64 ramp to Maryville Center Ward 4
11/09/16	03:01 PM	12700 Clayton Road Ward 1
11/09/16	06:27 PM	Clayton Road ramp to NB Hwy 141 Ward 4
11/10/16	06:30 AM	12700 Clayton Road Ward 1
11/11/16	04:54 AM	EB I-64 at Mason Road Ward 3
11/16/16	10:52 PM	WB I-64 at Mason Road Ward 2
11/17/16	05:57 PM	13200 Clayton Road Ward 2
11/18/16	09:31 PM	NB 141 at Salt Mine Road Ward 4
11/23/16	07:51 PM	Mason Road at Queeny Park Ward 2



2016 Deer Accident Locations Jan-November (59)

I-64 Ballas to Mason **5** Wards 1 and 2

I-64 Mason to Hwy 141 **4** Ward 4

I-270 South City Limits to North CL **9** Ward 1

Ballas Road **2** Ward 1

Clayton Road Mason to Bopp **5** Wards 2 & 1

South Outer Forty Road Municipal Center Drive to Mason **1** Wards 1 & 2

South Outer Forty Road Mason to West City Limits **2** Wards 3 and 4

North Outer Forty Drive **2** Wards 1, 2 & 4

Topping Road **2** Wards 1 & 2

Mason Road (Clayton to south city limits) **5** Ward 2

Mason Road (Clayton North to Conway) **2** Wards 2 and Wards 4

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

Weidman Road **1** Ward 3

Woodsmill Road **2** Wards 3 and 4

Highway 141 **12** Wards 3 and 4

Ladue Road **1** Ward 4

NEW RESIDENT IN WARD 2 OF TOWN AND COUNTRY: The below photo is of Bailey, who arrived in Town and County on Sunday as a permanent resident. The Golden Retriever joins the family of an elected official in Ward 2.



UNAPPROVED CHESTERFIELD NEWSLETTER 202



December 26, 2016

ANOTHER VIEW FROM INSIDE THE DOORACK SCANDAL: I recently wrote a check to the City of Chesterfield for \$62.50 to obtain all emails, letters, minutes and documents in 2016 connected to the Doorack Property. This was in response to a December 6, 2016 Missouri Open Records Sunshine request. Included in the 49 pages

that I received were six copies of two Missouri Sunshine Law Open Records requests that I made. However, I was cheated. I clearly did not obtain everything.

Here are an interesting couple of e-mails:

New appraisal of Doorack Property:First there was a ???

Excerpt from September 19, 2016 Executive Session minutes:
Councilmember DeGroot made a motion, seconded by Councilmember Nations, to approve up to \$5,000 for appraisal of the (Doorack) Property. A roll call vote was taken with the following results: Ayes – Nations. Nays – McGuinness, DeGroot, DeCampi, Tilman and Hurt. Mayor Nation declared the motion failed.

Vickie Hass

City Clerk

**690 Chesterfield Pkwy W
Chesterfield, MO 63017-0760
Phone: 636-537-6716**

We wrote about this one as we learned that Bruce DeGroot was against having another appraisal of the property but moved to vote on it to shut up Councilwoman Bridget Nations, so that motion died on a 5-to-1 vote in secret session.

MISSING: On November 7th in a closed Executive Session meeting the council voted 4-to-4 to release all Doorack votes, emails, contracts and letters. Mayor Bob Nation broke the tie voting to release the information.

Those minutes were not included in my Sunshine Law request. I was aware of the vote as it was announced after the closed meeting in the open meeting. City Clerk Vickie Hass verbally gave me the vote results.

<u>Yea to release</u>	<u>Nay not to release</u>
McGuinness	Flachsbart
DeCampi	Logan
Hurt	DeGroot
Tilmann	Nations

Suddenly appearing: This email suddenly appears with my \$62.50 request.

From: mgeisel@chesterfield.mo.us
Sent: Wednesday, November 09, 2016 7:55 AM

To: robodge@dodgeappraisal.com
Cc: cbg@gravillelaw.com; rsnation@aol.com; CWhite@chesterfield.mo.us; cor@chesterfield.mo.us
Subject: City of Chesterfield, Appraisal
Attachments: 2016-11-8 Executed Appraisal for Doorack tract.pdf; 5492-PBS-1-30-15.pdf; Doorack Lease and Purchase Option.pdf; Property Description-LH.docx

Rob:

Per our conversation yesterday, I've attached the executed proposal for the appraisal of the Doorack tract.

I've also included the lease purchase option and survey as we discussed.

If you have any questions or require additional information, please don't hesitate to contact me.

Mike Geisel
City Administrator
636-537-4711
mgeisel@chesterfield.mo.us

On the same day the City Council voted to release all Doorack material there is an email about an appraisal. There was no record of the vote released to me about this new appraisal. The last appraisal vote the city would admit was voting down a request for an appraisal on September 19.

The City of Chesterfield also did not send me the results of the appraisal by Rob Dodge. There was an email sent out on November 23, 2016 to all council members telling them that Mr. Dodge's appraisal valued the Doorack property at \$400,000.

Chesterfield back to hiding documents from the public: I know for a fact that this email was sent out because it was shared with me by a council person. But it was not provided to me in my Sunshine Request. In other words despite the City Council voting to release all Doorack documents , when a request is made after that vote they refused to release the vote to release the Doorack file, the vote for an appraisal, the appraisal itself and the email to the council telling them the results of the appraisal.

CHARGE FOR NON-RELATIVE MATERIAL: I was also charged for pages 8 and 9. Page eight is from Finance Director Craig White to the Council about an upcoming Finance and Administration Meeting with nothing in the email about Doorack.

Then there was the email from resident Elmer Weis to the entire Council and the mayor complaining how the Mike Matheny (Cardinals manager) and Dan Buck fronted Big Sports Dome project was never put before the public or opened to public comment. Councilwoman Barb McGuinness responded to the email and also mentioned how she thought the Doorack deal was an example of the city wasting money.

I received this exchange on pages 14 and 15 and then again the same email exchange on pages 16 & 17.

HERE IS ANOTHER INTERESTING TID BIT, WHERE DOORACK IS MENTIONED BY COUNCILPERSONS SARCASTICALLY CONCERNING ANOTHER ISSUE:

Apparently Brinkmann Development Co. was considering building apartments where the lone Chesterfield trailer park is located east of the Doorack property.

From: Mike Geisel

Sent: Thursday, September 22, 2016 9:49 AM

To: Barbara McGuinness; Barry Flachsbart (barryf@mst.edu); Bob Nation; Bridget Nations; Bruce DeGroot; Chris Graville; Dan Hurt (longhorzn@aol.com); Guy Tilman; Mike Geisel; Randy Logan; Tom DeCampi

Subject: FW: chesterfield mobile home park

See below

From: Aimee Nassif

Sent: Thursday, September 22, 2016 9:48 AM

Subject: chesterfield mobile home park

Good morning,

Just wanted to let you all know that Brinkmann called this morning and they have withdrawn their application for change of zoning to the mobile home park.

All they stated was that they have a change in their development team so want to withdraw all their plans now and then will be resubmitting at some point in the future.

Thank you

Aimee

Aimee Nassif, AICP

Planning and Development Services Director

On Sep 22, 2016, at 8:38 PM, **Barbara McGuinness** <BMcGuinness@chesterfield.mo.us> wrote:

Heck.....now Doorack really is useless

From: Randy Logan

Sent: Friday, September 23, 2016 8:49 AM

To: Barbara McGuinness

Subject: Re: chesterfield mobile home park

What does Doorack have to do with the trailer park.

From: **BMcGuinness**@chesterfield.mo.us

Sent: Friday, September 23, 2016 10:48 AM

To: **RLogan**@chesterfield.mo.us

Subject: RE: chesterfield mobile home park

Putting multi family at the trailer park sitewe could rent it to Brinkman to use for their equipment while we wait out the lease. It was just a thought to help re-coup some \$

I also received several pages of emails from staff about a cable spool being left on the property and the staff's work to get the owner to retrieve it.

HERE IS WHAT THE CITY HID FROM ME BUT CHARGED \$62.50: They did not provide the vote for the appraisal or correspondence to get the appraisal and how the appraiser was chosen. The city also refused to provide the appraisal that was received and then sent by email to all councilpersons on November 23.

Making and paying for this Open records request after the council voted to make all Doorack material open to the public was a test. Chesterfield again failed in the honesty department.

STILL ANOTHER VIEW OF THE DOORACK DEAL: Former Councilman Gene Schenberg, who voted for the deal in 2009, sent me a very candid and interesting email concerning the Doorack lease and original vote. Here is part of the email:

I remember this coming up because there was something in the discussion which didn't sit right with me.

It was pitched as a park and trail head to connect the Riparian Trail to the Monarch Levee Trail. I specifically remember the goal of being able to hike/bike from what was planned (at the time) as the new downtown Chesterfield all the way to Kansas City; all on the trail system.

I asked at the time how were they planning to connect the two trails over or under the highway and at what specific location if that was the trail head, and got a non-answer. As much as I liked the idea of this goal, I couldn't get my head around how it was going to actually work and no one else could tell me at the time. I trusted the people in the room and voted for what seemed like an awesome opportunity for the hiking/biking residents in Chesterfield.

The City planned to purchase the property for this purpose at that time.

It was not uncommon (at least for me) to come to a meeting where something like this was presented and pitched where Nations, Herring, and Heggie would act as the pitchmen, answer questions, and proffer an opinion on what would be best for the City. I realize now looking back that it was perhaps naïve of me to presume they were all telling the truth and presenting what was best for Chesterfield. Most of the time what they pitched made sense and most of us would vote with the recommendation. Knowing then what I know now, I would have been much more skeptical on every issue. It was (and maybe still today) very difficult to get all of the details on every issue far enough in advance to be able to expertly vote on every matter.

Some things came in fast and furious with limited details and limited time and we followed the advice of the people listed above. Again, knowing then what I know now, I should have sensed a red flag on these exact types of issues when they came up this way.

I wish more current and former councilpersons could be as candid as Mr. Schenber. His honesty helps paint an even clearer picture of what was going on.

CHESTERFIELD PROSECUTOR DROPS DRIVING WHILE INTOXICATED/DRUGGED AND ENDANGERING A CHILD CHARGES AGAINST WOMAN WHO DROVE HER KID TO RIVER BEND ELEMENTARY SCHOOL IMPAIRED. If you remember in March we reported that Viktoriya Ryzhikova of 1352 Coliseum Drive in Chesterfield was arrested at the River Bend Elementary School for DWI and Endangering a Child.

This is what we wrote in our March 15, 2016 Newsletter:

WOMAN ARRESTED FOR DRUNK DRIVING AND CHILD ENDANGERMENT AT CHESTERFIELD ELEMENTARY SCHOOL: Viktoriya Ryzhikova, 38, of 13542

Coliseum Drive in Chesterfield was arrested at 11:32 AM by the Chesterfield Police for Driving While Intoxicated/And Or Under Influence of Drugs and Endangering the Welfare of a Child.

Ryzhikova , who had a child in the car was arrested at the River Bend Elementary School at 224 River Valley Road.



She was booked at the Chesterfield Police Station and later released to a sober person on citations to Chesterfield Municipal Court.



Here is a slightly more attractive photo of Ryzhikova from her facebook. Her LinkedIn page shows she is a Registered Nurse who has bounced from job to job in recent years.

She was arrested at the River Bend Elementary School on March 3, 2016 after officers were called to the school at 11:29 AM when Ryzhikova, who had driven a child to the school was creating a disturbance in the school's office.

This is from the police report:

Upon arrival, I made contact with PO Muench. He advised a parent (later identified as Viktoriya Ryzhikova) was creating a disturbance in the front office after dropping off her child at school. PO Muench began talking to the front office staff and I began talking to Ryzhikova. (See PO Muench's supplement report for further information). Ryzhikova began rambling about getting in trouble about spilling coffee. I noticed while she was standing talking to me, she was swaying from side to side and her speech was slurred. As she started talking more, she was taking steps from side to side to keep her balance. I requested she sit down on the bench. Her eye lids were very heavy and droopy. She started talking more but then nodded off. Once her head nodded forward, she looked up. She began fixing her hair into a ponytail but stopped halfway through and began nodding off again.

I asked Ryzhikova how she got to the school. She stated she drove to the school to drop her kid off. I asked if she had been drinking which she stated no. I asked if she took any drugs and she stated she took [REDACTED]. Her personality was back and forth. One second she was falling asleep while talking and then a minute later, trying to argue. Her movements were very slow and lethargic. She tried putting her right ankle on her left knee while she was sitting down, but she could not keep her own balance. Her right foot slid down her left leg, and she used her right hand to catch her balance on the bench.

The rest of the police report is heavily redacted. Here is why: Chesterfield city prosecutor Tim Engelmeyer dropped the DWI charge and reduced the Endangering the Welfare of a Child charge to Peace Disturbance and on June 7, 2016 Ryzhikova paid a \$300.50 fine. Since the DWI charge disappeared much of the report was blacked out.

It is interesting that on July 19, 2016 the Circuit Court upheld her refusal to take a breath test and suspended her drivers' license after the DOR action was appealed. The court found probable cause that she was operating a vehicle and was impaired and refused to take a breath test..

THE RELIEF PRAYED FOR IN PLT'S PETITION FOR REVIEW IS DENIED AND THE ORDER OF THE DOR REVOKING PLT'S DRIVING PRIVILEGES IS SUSTAINED

Yes a Circuit Court Judge found that there was probable cause that Ryzhikova was operating a vehicle and refused to take a breath test, but Engelmeyer did not feel there was Probable Cause for a DWI trial.

In the
CIRCUIT COURT
of St. Louis County, Missouri



For File Stamp Only

PETITIONER

Kiroriya Ryzhikova

H133345006

MO. LICENSE #

vs.
Director of Revenue, State of Missouri
RESPONDENT

Date

6/22/16

Cause Number

1681-AC-06751

Division

46

FILED

JUL 19 2016

JOAN M. GILMER
CIRCUIT CLERK, ST. LOUIS COUNTY

**FINDINGS AND RECOMMENDATIONS OF THE COMMISSIONER AND JUDGMENT OF THE COURT
IN PETITION FOR REVIEW OF A DRIVER LICENSE CASE**

Case called. Petitioner (appears [in person, and] by counsel) (fails to appear) and Respondent, Director of Revenue, (appears by counsel) (fails to appear).

- Petitioner's petition for review is dismissed, at Petitioner's costs, as follows:
 Upon voluntary dismissal by Petitioner.
 Upon Petitioner's failure to appear and prosecute the petition for review. Dismissal not to be set aside without authorization of commissioner from Division 46/47.
 Upon Respondent's motion, for reason that: _____

OR

- Petitioner announces (ready)(not ready). Respondent announces (ready)(not ready).
 Evidence adduced: case submitted. It is found:
(1) That on 3-2-16 the arresting officer (had) (did not have) probable cause to arrest Petitioner for driving while intoxicated or an alcohol related traffic offense; and
(2) That petitioner (did)(did not) refuse to submit to a chemical test of Petitioner's (breath) (blood).
(3) Other _____
- The relief prayed for in Petitioner's Petition for Review is denied and the order of the Director of Revenue revoking Petitioner's driving privileges is sustained. Costs assessed against Petitioner.
 The administrative revocation arising out of the occurrence on _____ shall be removed from Petitioner's driving record and the Petitioner's driving privileges be reinstated, if otherwise eligible. Costs assessed against Petitioner

SMALL CASE TURNS INTO A BIG DEAL WHEN A CHESTERFIELD PROSECUTOR DOES NOT PROVIDE EMAILS FROM ELECTED OFFICIAL ABOUT THE CASE AND CITY REFUSES TO PROSECUTE SIMILAR CASES. There are a number of suburban police chiefs that have said robberies and burglaries would not cost them their jobs. It would be parking or dog complaints. This story fits that category.



The resident built the house at 1807 Parsonage Drive. It is on the corner lot of Parsonage Drive and Wilson Manor Lane and actually faces Wilson Manor Lane (see above photo). In 2015 the resident believes that someone who lives on Parsonage Drive contacted Councilwoman Connie Fults complaining about the resident's trash cans facing the street. Fults turned the complaint over to the Police Chief Ray Johnson who in turn gave it to the Police Department's Code Enforcement Officer. The resident was issued a citation.

The resident was somewhat irate, claiming the trash cans are behind the front building line by the garage on the side of the house. I don't live on a corner, but the house across the street is. The floodlights that shine down their driveway shine into our living room. It ticks off my wife. I'm okay with it as it provides a free light night service. The resident with the trash can citation in December of 2015 went out and without going all over town found 43 similar situation/violations in the immediate general area in Ward 4. She then reported the violations

Dear Chesterfield City Council Members,

I have noticed numerous waste containers stored in areas visible from the street the residential structure faces and appear to be in violation of Section 25-28 of the Chesterfield Municipal Code.

Connie, I would appreciate it if you would anonymously submit these complaints in a manner consistent with your past practice.

Please keep me advised.

(I am guessing at the email address for Councilwoman Nations as it was not on the City's website and I was unable to crack the City's protocol for email addresses. Please forward a copy to her.)

Thanks,

Thanks,
Lynn Dull

Possible Trash Can Violations

- 1 16866 Eagle Bluff Ct.
- 2 16792 Eagle Bluff Ct.
- 3 16799 Eagle Bluff Ct.
- 4 16837 Eagle Bluff Ct.
- 5 16867 Eagle Bluff Ct.
- 6 1309 Eagle Winds Ct.
- 7 1315 Eagle Winds Ct.
- 8 16974 Riverdale Dr
- 9 1409 Chesterfield Estates Dr.
- 10 1410 Chesterfield Estates Dr.
- 11 1422 Chesterfield Estates Dr.
- 12 16609 Chesterfield Manor Dr.
- 13 16640 Chesterfield Manor Dr.
- 14 16644 Chesterfield Manor Dr.
- 15 16722 Chesterfield Manor Dr.
- 16 262 Lansbrooke Dr.
- 17 251 Lansbrooke Dr.
- 18 246 Lansbrooke Dr.
- 19 254 Lansbrooke Dr.
- 20 16750 Chesterfield Manor Dr.
- 21 16823 Crystal Springs Dr.
- 22 16858 Crystal Springs Dr.
- 23 16905 Crystal Springs Dr.
- 24 125 Brighthurst Dr.
- 25 141 Brighthurst Dr.
- 26 161 Brighthurst Dr.
- 27 181 Brighthurst Dr.
- 28 184 Brighthurst Dr.
- 29 192 Brighthurst Dr.
- 30 196 Brighthurst Dr.
- 31 152 Brighthurst Dr.
- 32 16125 Chesterfield Farms Dr
- 33 16716 Chesterfield Farms Dr
- 34 16671 Chesterfield Farms Dr
- 35 16651 Chesterfield Farms Dr
- 36 16643 Chesterfield Farms Dr
- 37 16814 Crystal Springs Dr.
- 38 16674 Chesterfield Farms Dr
- 39 201 Lehigh Meadows
- 40 1709 Wilson Ave.
- 41 1651 Wilson Ave.

42 16215 Wilson Forest Ct.
43 16200 Wilson Forest Ct.

J. Lynn Dull
1807 Parsonage Dr.
Chesterfield, MO 63005

The Police Department refused to have the Code officer investigate these complaints. This brings up a basic issue. What is the difference from one anonymous complaint filed by Connie Fults and 43 on-the-record complaints filed by a resident?

The police department refused to investigate Dull's complaints or issue any citations with similar violations. Here is Police Chief Ray Johnson's answer:

From: RJohnson@chesterfield.mo.us
Sent: Wednesday, December 23, 2015 3:06 PM
To: CFults@chesterfield.mo.us
Cc: BDegroot@chesterfield.mo.us; mherring@chesterfield.mo.us;
mgeisel@chesterfield.mo.us
Subject: RE: Municipal Code Violations

Ms. Fults.....I'm responding to you rather than Ms. Dulls because I'm not sure I have an answer which would satisfy/please Ms. Dull. Quite honestly, I don't think we should over-react to her complaint, considering the fact she drove half-way across town to list 43 locations about which no one else has complained. First I would like to share with you the logic with which we manage code violation complaints and what I feel is a very judicious and practical response model based on guidance over the years from the Council and community as a whole. When dealing with any violation we strive to be reasonable, and still accomplish the mission of the City in enforcing the law. To that end our officers, and in this case our Code Enforcement Inspector, use logical discretion when applying the property ordinance code. The intent of the ordinance is to ensure that neighbors and/or neighborhoods are not faced with unsightly trash receptacles and nuisance issues which may cause dismay to those residing in that section of the community. Property value enhancement is the cornerstone of our property code ordinances and this is a good example of that factor.

Here's the situation at hand....we received a complaint of Ms. Dull's trash cans being visible from the street. The complaint was investigated and it was found that she had nine (9) trash cans clearly visible from the street on which her home bears the address; Parsonage. She was advised of the violation but chose to not resolve the issue. A summons was then issued after we consulted with PA Tim Engelmeyer and he concurred with our finding that a violation existed. In response, Ms. Dull drove a considerable distance to other subdivisions and submitted 43 addresses as being in

violation of the ordinance in question. What typically drives our enforcement of this type ordinance violation and the discretion which we apply/respond, is the neighbors immediately effected by the issue. No neighbor(s) in proximity to the addresses submitted have complained.

Therefore, Considering the totality of the circumstances, and, in applying what I believe to be the spirit of the ordinance, I would defend the enforcement actions we took regarding the violation at Ms. Dull's residence; but, I do not feel enforcement action is warranted on the 43 locations she then submitted as violations. Here's my analogy; if someone is speeding 50mph in a 35mph zone (OR, has nine trash cans visible from the street about which neighbor(s) have complained) enforcement is warranted. However, if someone is driving 36mph in a 35mph zone, although they may technically be in violation, enforcement is probably NOT warranted and reasonable discretion is applied.

Obviously, the police department is here to serve the citizens, and the elected council that represents the citizens. But, I am not in favor of the police responding to property violations of this type that are not the result of a neighbors complaint; and instead, the complaint of a person who, rather than attend to their own clear violation, reacts by driving considerable distances in search of similar violations to which no neighbor in close proximity has complained. Therefore, unless directed otherwise, it is my recommendation, and planned course of action, to NOT respond to any of the 43 addresses submitted as violations.

If you would like to discuss this further prior to responding to Ms. Dull, or if you prefer some other course of action, please advise. Or, if deemed necessary, this matter could be placed on the agenda for the next PH&S meeting for further discussion by that committee. Thanks, and Merry Christmas!!

Chief Johnson is well respected and currently is the Chairman of the Major Case Squad. But the refusal to enforce the code is hard to defend. The speeding examples make no sense. A code violation is a code violation.

Secondly Ms. Dull did not drive halfway across the City. She seemed to stay in Ward-4 in the southwest corner of the city in making her list of other violations. Also if Chief Johnson is not going to enforce violations reported by Ms. Dull he owes a letter to that effect to the complainant and not to Connie Fults.

CITY AS USUAL REFUSED TO PROVIDE RECORDS: In this case, much like the Doorack Lease case the city refused to provide records of emails requested by Lynn Dull. This was not the case of a general public request but a request by a defendant charged in Municipal Court.

Dull made written requests for emails concerning this case to then Interim City Attorney Harry O'Rourke from the same law firm of former city attorney Rob Heggie who clearly and illegally kept the lease and other documents from public view in the Doorack matter, refused to release the records claiming they were legal matters and exempt from the Sunshine Law. At one point new Interim City Attorney Chris Graville claimed the request was mute because the city eventually dropped the TRASH CAN VIOLATION CASE.

Just because they dropped the charge it did not take away the fact that Ms. Dull was a DEFENDANT and entitled to the records. Plus many of the requested documents were sent to multiple councilpersons and city staff which make them available per the Sunshine Open Records Law. Current City Attorney Chris Graville says otherwise. Here is a response to an email I sent him ref this trash caper.

From: Chris Graville [mailto:cbg@gravillielaw.com]

Sent: Saturday, December 10, 2016 4:09 PM

To: John Hoffmann

Subject: Re: question

John,

I'm not sure I follow your analysis, however I'll give it my best shot.

As a preliminary matter, I cannot discuss any specific information regarding any cases brought by the City against Ms. Dull; if the City Prosecutor brought charges against Ms. Dull and those charges were subsequently dismissed, under Section 610.105 RSMo, all "official records" pertaining to those cases would now be closed records.

Generally, when a charge is pending against a defendant in municipal court the defendant can obtain City records pursuant to Missouri Supreme Court Rule 37.54, which states "discovery shall be permitted solely in the judge's discretion as justice requires." Any records disclosed to a defendant during the pendency of an ordinance violation is between the City Prosecutor and the defendant's attorney, subject to the sole discretion of the judge.

Regarding my response to Ms. Dull and her Sunshine request, the emails requested primarily consist of work product and confidential or privileged communication between Mr. Engelmeyer and elected representatives of the City, mainly Mrs. Fults. Because they may be closed records pursuant to section 610.021(1) and 610.021(3), City Resolution 303 requires a vote of the Council to release them: "All records **that may be closed are deemed closed** records unless the governmental body votes to make them public."

After I discussed Ms. Dull's complaint with the Missouri Attorney General's office back in October it was my understanding that Ms. Dull was going to request that these records be released by the City Council

pursuant to Resolution 303. I know that she recently contacted Councilman Degroot and Councilman Decampi so I assume that request is now in progress.

Let me know if I answered your questions.

Sincerely,

Chris
Christopher B. Graville
The Graville Law Firm, LLC

IT'S A CITATION ABOUT TRASH CANS! Come on give her the records. By doing so the City is not going to jeopardize ongoing trash can investigations or give away prosecution strategies on future trash can cases.

The City of Chesterfield now has shown it relishes keeping the public and defendants from getting records they are entitled.

Eleven months after making the request for the records and being denied and filing complaints with the Missouri Attorney General's Office against the City of Chesterfield, Dull finally got some of the records, but not all of them. .

Elected officials should be embarrassed, but don't appear to be. I can only hope they vote to release the rest of the records.

SPEAKING OF MISSOURI OPEN MEETING VIOLATIONS: Someone passed this section of the Missouri Open Meetings Law along to me in connection with our reporting that Chesterfield had councilpersons meet with Cardinal Manager Mike Matheny and Dan Buck in twos. Four or more meeting with spokesmen for the applicant would require the meeting to be posted as there would have been a quorum.

- Members of the board get together and talk about business outside of meetings. Is that a violation?

Under the Sunshine Law, a meeting takes place when a majority or quorum of a public governmental body gathers to discuss or vote on public business (§ 610.010(5), RSMo, and *Colombo v. Buford*, 935 S.W.2d 690 (Mo. App. W.D. 1996)). Therefore, if less than a quorum of the public body meets to discuss public business, it is not a "meeting" as defined under the Sunshine Law. However, the Sunshine Law will apply to meetings of groups with less than a quorum when the entity is deliberately attempting to evade the Sunshine Law. See, *Colombo*, cited above. For example, a public governmental body may not purposely meet in groups with less than a quorum to discuss public business and then ratify those decisions in a subsequent public meeting.

So the meetings in 2016 between councilpersons two at a time and the mayor to meet with the front people for the Top Sports Indoor Dome project and baseball fields, a hotel and shops were all illegal.

Here is a thought. Councilpersons interested in the public's right to know need to speak up during open meetings and say how they think the Open Meetings and Records Law is being violated.

ATTORNEY JOHN KING DIES! TOWN AND COUNTRY, KIRKWOOD AND CHESTERFIELD RESIDENTS HAD FELT THE HEAVY HAND OF MR. KING: Just four days after using total nonsense before the Chesterfield Planning Commission Attorney John King died of a heart attack.

King tried to tell the Chesterfield Planning Commission that since 30 years earlier before Chesterfield was a city the property at Schoettler Road and South Outer Forty Road was zoned to allow apartments it still should be. Just because 28 years ago Chesterfield became a city and rezoned the land to residential was no reason not to let his client build apartments.



John King giving me the "stink-eye" at the Chesterfield Planning Commission meeting four days before his death.

In Kirkwood he tried to bully homeowners who were against a gas station being added to the Shop and Save supermarket on Manchester Road.

Then there was an encounter I had with King back in 2008, when he was representing an ex-con Drug Dealer with a number of judgments against him for internet scams. I

revisited that event after Gov. Jay Nixon appointed King and John Maupin to the St. Louis County Board of Elections. This is from our Ex Alderman Newsletter 110 on January 12, 2014:

GOV. NIXON APPOINTS LAWYER WHO REPRESENTED DRUG DEALER AND WHO THREATENED TO SUE TOWN AND COUNTRY RESIDENTS IF THEY WENT TO CITY HALL TO FILE A COMPLAINT... AND A LAWYER WHO WAS THE HEARING OFFICER OF THE ILLEGAL IMPEACHMENT OF THE ELLISVILLE MAYOR: Just when you are sure Governor Jay Nixon will never do anything stupid or controversial, he makes an amazingly stupid nomination to the St. Louis County BOARD OF ELECTION COMMISSIONERS.

Of course maybe Nixon isn't so stupid after all. He has to fill two Republican vacancies on the board. What better move for a Democratic governor than to appoint two Republicans who have no business on the board. Let's look at the appointments:

(We cut to Mr. King. If you would like to read about Mr. Maupin here is a link:
http://www.johnhoffmann.net/ex_newsletter_110.pdf)

John P. King: King is a well known zoning and real estate attorney who is often hired by developers or large corporations trying to change zoning for a commercial project. Whether it be a Quik-Trip, a gas station at the Shop and Save in Kirkwood, or a new mall, King is often representing big business against local homeowners groups.



That was not exactly the case in May of 2008. King was representing a convicted drug dealer who was running "internet investment" companies that were receiving numerous complaints to the attorney general's office and in courts as being frauds.

King represented Brian Marchant-Calsyn who bought a house at 1761 Topping Road and an empty lot next door. The combined property was slightly under 5 acres. Marchant-Calsyn then put up a \$150,000 wrought iron fence around the property and wanted to install a gate across a shared driveway. The neighbors objected to the location of the gate and the impact it would have on their property and hired a lawyer, John Borbonus to represent them.

King sent a SLAP letter to the neighbors through their attorney threatening them with expensive lawsuits if they continued to complain to Town and Country about his client.

Here is part of King's two page letter threatening residents (and voters) if they exercise their constitution rights and petition or complain to a local government body.

"...if she pursues delay of building of this gate, and construction is delayed by one day due to (her) claims, you can rest assured that she too will be the focus of intense litigation that will not be abandoned until my clients are victorious." And

"We would hope that you communicate the futility and cost that will be associated with your client's insistence on attacking the Calsyn's property rights." And

"The determination of my clients should not be underestimated. They will not stop until they have prevailed in these matters." And

"Please indicate by letter to the Town & County City Council meeting that your clients will not continue these attacks. Otherwise we will prepare accordingly."

Signed...John P. King, Lathrop & Gage

King's action of threatening my constituents so outraged me as an alderman that I filed a complaint with Office of chief Disciplinary Counsel. I'm sure nothing came of it, but it was something I felt needed to be done:

Here is a copy of the complaint.

John W. Hoffmann
13309 Manor Hill Road
Town and Country, Missouri 63131
(314) 835-0751
E-Mail: johnhoffmann@charter.net
jhoffmann@erols.com

May 31, 2008

Office of the Chief Disciplinary Counsel
3335 American Ave
Jefferson City, MO 65109

RE: Complaint against Attorney John P. King of Lathrop & Cage
Address 7701 Forsyth Blvd Suite 400 Clayton MO 63105
Violation of Rule 4-4.4 Respect of Rights of Third Persons

Violation of Rule 4-8.4 Misconduct

Dear Madam or Sir:

I am an Alderman in Ward 2 of Town and Country, Missouri, a fourth class city in St. Louis County. In the course of my elected position a number of residents have contacted me concerning a permit the City of Town and Country issued to a resident, Brian Marchant-Calsyn, at 1761 Topping Road and a pending request for a Conditional Use Permit for a gate attached to the fence.

Two of the property owners who contacted me had also hired an attorney, Mr. John Borbonus, to represent them before the City of Town and Country to ensure that proper interpretation of the city code was used when issuing the fence permit and further to represent them before the Board of Aldermen at a public hearing regarding the gate.

Mr. Marchant-Calsyn is represented by attorney John P. King of the Lathrop & Cage law firm of Clayton, Missouri.

A public hearing was scheduled before the Board of Aldermen of Town and Country on Tuesday May 27, 2008 regarding the Conditional Use Permit of the Gate.

In a letter dated May 22, 2008 to attorney John Borbonus, on letterhead of attorney John P. King and under a signature of John P. King, Ms. Godding and Mr. And Mrs. Baer, all residents, of Ward 2 in Town and Country were threatened with prolonged and costly legal litigation.

These citizens have never made any overtures of taking an action against Mr. King's client. They do not question that Mr. King's client has a right to a fence and the right to request a gate. Their only interest is to protect their property rights by making sure the city followed all of its laws concerning the location and size of the fence and gate. The only letter by their attorney was directed to the Town and Country Planning Director with a copy to Mr. King as a courtesy.

Page 2
Complaint re: John P. King
5/31/08

I have attached a copy of Mr. King's letter in which he threatens repeatedly both directly and indirectly the citizens with costly legal action if they do not stop their "attacks" on his client. Again these citizens have raised no concern of legal action toward Mr. King's client and through their attorney have only questioned the actions of the City of Town and Country in these matters.

Mr. King further requested that these citizens in writing prior to the scheduled Public Hearing on May 27, 2008 state they will discontinue the "attacks."

Mr. King is clearly attempting through the use of threats to keep citizens of Town and Country and the State of Missouri from exercising their rights of free speech and to contact and petition their elected government concerning their property rights. This attempt to me is both disgusting and chilling.

I request that you review Mr. King's letter and his actions and take appropriate action.

Sincerely,

John Hoffmann

Encl:

Copy of Letter May 22, 2008 from John P. King citizens through attorney John Borbonus

Copy of Town and Country Board of Aldermen Agenda for May 27, 2008

Copy of Letter May 15, 2008 from attorney John Borbonus to the City of Town and Country

Signed Complaint form

DO WE REALLY WANT A PERSON WHO THREATENS CITIZENS IF THEY PURSUE THEIR CONSTITUTIONAL RIGHTS ON THE ELECTION BOARD?

THEN THERE WAS THE POST-DISPATCH ONLINE OBIT: There was a brief article about King's death in the Post-Dispatch online edition on Saturday December 17. County Courts reporter Steve Giegerich wrote a love fest on King and then closed the article with this:

Cutis South County is handling funeral arrangements.

I mean the Kutis Funeral Homes have been a St. Louis business since 1910. They played an important role in funding amateur soccer back in the 1950s and 1960s when St. Louis was the soccer capital of the United States. I'm just at a lost how anyone could misspell their name.

The next day reporter Stephan Deere wrote another sweet piece on King, but did mention the threatening letter and him being booed at a recent Chesterfield Planning meeting. I'm sticking to my original opinion of King; He was a BULLY.

CHESTERFIELD NOVEMBER POLICE AND CRIME STATS: Time to see what crimes are up and what ones were going down just before the end of the year.

CHESTERFIELD POLICE DEPARTMENT
NOVEMBER 2016 MONTHLY REPORT (Increases highlighted in yellow)

<u>Crime or Activity</u>	<u>Nov 2016</u>	<u>Nov 2015</u>	<u>YTD 2016</u>	<u>YTD 2015</u>
Crimes Against Persons				
Non-forcible Rape	0	0	1	0
Forcible Rape	1	0	6	4
Other Sex Offense	1	0	9	10
Robbery	0	0	9	11
Assault	16	14	191	164
BURGLARY				
Residential	3	3	31	43
Business	1	0	14	16
LARCENY				
Felony	24	31	257	226
Misdemeanor	35	41	491	428
Auto Theft	1	0	30	17
Arson	0	0	3	1
Checks/Fraud *	30	28	274	922*
Vandalism	11	22	134	113
Drug Violations	13	6	127	81
DWI	9	10	98	106
ARRESTS				
Adult	123	88	1302	1136
Juvenile	6	6	123	157
TRAFFIC				
Vehicle Crashes	168	176	1745	1682
Fatalities	0	0	1	2
Injuries	25	41	347	359
Warnings Issued	535	388	6670	3913
Parking Summons	9	7	231	200
Traffic Citations Issued	640	571	7975	8371
Recovered Stolen/Wanted Veh	0	0	6	4
Radio Assignments	4351	4200	49545	46905
Alarms	107	107	1266	1332

* In 2015 IRS Income tax Return Fraud Identity Theft reports were taken. They were not taken in 2016.

THIRD PERSON ENTERS CHESTERFIELD WARD-2 COUNCIL RACE: We reported last week how young lawyer **Ben Kumar Keathley** and chiropractor **Aaron Wahl** had filed to be on the ballot in April for the Ward-Two council seat. Now a week after filing opened a third person has filed. He is internet marketing consultant **Ryan Miano** of 322 Willow Weald Path Chesterfield, MO 63005.



The biggest thing of note we found on Miano's background was a 2014 divorce action brought by his then wife Terri Lynn Miano. In the judgment Miano was ordered to pay \$1,075 in monthly child support payments for three children. Terri Lynn dropped her married name in favor of her maiden name of Oakley.

Miano is a Parkway Central grad who studied journalism at Indiana University.

On his facebook page he describes himself as "just another GenXer"

MAKE HIM EARN HIS PAY: Bruce DeGroot is going to be sworn in as a State Representative on Wednesday January 4. He is not resigning his position as a Chesterfield City Councilman until the very last minute on January 3. That will mean he gets a full month of pay in December and three days pay in January. His last council meeting was December 5. His last committee meeting was on December 8.

However he did manage to squeeze in a free lunch with the employees at City Hall on Friday December 16. That's when I ran into him leaving the lunch after I paid my \$62.50 for an incomplete set of records on the Doorack Lease deal.

I asked him exactly what he was doing to earn his pay for the rest of 2016 and the first three days of 2017. I suggested that citizens with problems and questions should email him during his last 10 days in office to make sure the public gets their money's worth. He dared me to do that.



DeGroot

So if you live in Chesterfield and have an issue you want to bring up, I'd suggest you contact one of the seven councilpersons who will be around on January 4. But until then include DeGroot in your emails at bdegroot@chesterfield.mo.us

Or better yet call him on his cell phone at 314-704-6290. I'm sure Bruce would like to help you as much as he can, since he is still on the payroll.

CHESTERFIELD MAN WITH EIGHT PRIOR DWIs WAS IN SPECIAL PROGRAM FOR FELONY DRUNK DRIVERS. HE WAS KICKED OUT OF PROGRAM AND SENTENCED IN OCTOBER. Roy Garozzo, 55, of 1080 Westmeade Drive Chesterfield was arrested for the eighth time (by our count) for an alcohol related driving offense by the St. Louis County Police on March 23, 2013 at 11:57 PM at Manchester Road and the Ellisville Town Center.

Despite his awful prior record he was deemed eligible for the Special Offender Program under Circuit Court Judge Barbara Wallace, where people charged with felony repeat DWI offenses after pleading guilty are not sentenced and their next court date is three years in advance giving time for them to complete sobriety programs.



Long hair and short hair versions of Garozzo.

As is known to happen in the world of St. Louis County municipal and circuit courts, Garozzo was represented by Olivette Municipal Judge Paul J. D'Agrosa. Somehow instead of a prison or jail sentence, Garozzo was placed in the Barbara Wallace special program.

He pled guilty on May 21, 2015, more than two years after his arrest and was not sentenced. His next court date was to be May 21, 2018. That changed on 10/28/16.

This is the past record of Garozzo we complied back in 2013:

Garozzo was first arrested and convicted of DWI in 1987 after being stopped by the County Police on April 2, 1987.

On October 27, 1991 Roy was arrested for DWI, No Valid Driver's License and Improper Lane Use, in Montgomery County Missouri.

1991 There was evidence of an alcohol related driving arrest in Kansas City.

In 1993 there was a reported DUI arrest in Kansas City, which we could not confirm.

On July 28 1993 he was sentence for two days in jail for Driving While Revoked (Failure to take Breath Test) in Saline County.

On July 31, 1997 Garozzo was arrested for DWI by the Missouri Highway Patrol. He pled guilty on October 22 and was sentenced to serve 60 days in the County Jail on December 27. (He also pled guilty to speeding and following too closely.)

On St. Patrick's Day in 1998 Garozzo was arrested for Driving While Suspended. He pled guilty on June 15 and was sentenced to 60 days in the City Workhouse.

On March 6, 2000 a St. Louis Police Officer in the first district in far south St. Louis charged Garozzo with Driving While License Suspended. On November 15, 2000 he pled guilty was sentenced to one year in the City workhouse, but the execution of the sentence was suspended and Roy was placed on probation.

On November 15, 2007 his driver's license was revoked again.

On October 11, 2008 Officer Gunn of the Chesterfield Police clocked Garozzo speeding 62 MPH in a 40 MPH zone. He found that Garozzo was also drunk and he was arrested for DWI. In an amazing and very uncommon event in Chesterfield, Garozzo was actually assessed a full 12-point DWI violation along with a 2-point speeding conviction. He was sentenced to jail for 90 days, but the judge stayed the jail term and placed Garozzo on probation for two years. It was an amazing two years. Roy was not arrested or caught violating his probation. That was about to change two months after his probation ended.

On February 18, 2011 Garozzo was arrested for DWI and Driving While Revoked (for failure to take a breath test) by the Wentzville Police. On September 29, 2011 he pled guilty and was sentenced to 120 days in jail.

On July 11, 2011 he was arrested by the Moscow Mills Police in Troy County for driving without a valid license (2nd offense) and fined \$350.

On June 8, 2012 he was arrested for Driving While Revoked by the Missouri Highway Patrol. He was convicted on April 2, 2013 (after his last DWI arrest but prior to the Chronic Offender Warrant being issued). He was also found guilty of speeding.

On March 23, 2013 Roy was arrested again by the St. Louis County Police and charged as a Chronic DWI Offender. He was officially charged on April 19.

Driving offenses weren't the only things Mr. Garozzo was being arrested for. On November 12, 2011 he was arrested for Poaching by Conservation Agents in Lincoln County. A month later he was fined \$250.

On August 28, 2016 Garozzo was no longer under Judge Wallace's special court program. His 2013 case was sent to Judge Michael Burton who sentenced him to 7-years in prison, but stayed the prison in lieu of a 5-year probation term.

Here is the new sentence on 10/28/16 from court files, which includes "no entering bars" and "No Driving Without a Valid License or Limited Driving Permit." He was sentenced to 4-years in prison but then put on a 5-year Probation term.



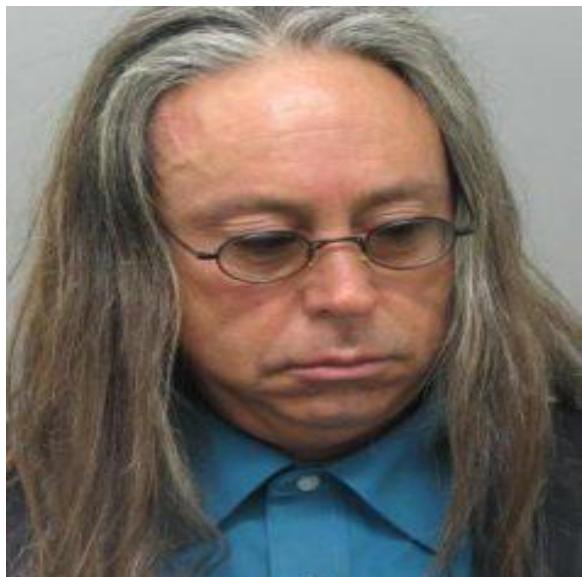
Suspends Execution of Sentence. Defendant is placed on probation for a period of 5 (months) (years) under the supervision of State Board of Probation and Parole Department of Justice Services Court, subject to their conditions and regulations and to the following special conditions of probation:

No drinking or entering bars 3. No driving unless valid license or LDP, when I/I
4. Continue AA 5. Random urine drops at Alcotest 6. 60 days jail - credit



Suspends Imposition of Sentence. Defendant is placed on probation for a period of _____ (months) (years) under

discharge



These are cars that Garozzo used to drive from his Chesterfield apartment to his place of work, Access Capital, in Town and Country on the South Outer Forty Road at Woods Mill Road, where he is a mortgage broker.. . The car photos were taken by a Newsletter reader who was aware that Garozzo's driver's license was suspended. The Town and Country Police and Chesterfield Police were unable to catch him driving, despite these

photos. He still owns the Jeep and the BMW, but they are no longer in his name. They are in the name of "Bigfoot Vineyards, LLC" at 1080 Westmeade in Chesterfield. You can't make this stuff up!



Garozzo with a haircut.



CHESTERFIELD POLICE CRIME BLOTTER: Check out calls and crimes the police had to deal with last week.

CHESTERFIELD POLICE DEPARTMENT **Media Report December 14, 2016 - December 20, 2016**

Time of Occurrence	Generic Address	Business/Location	Name	Incident Type
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12/20/2016, 2155 17XX CLARKSON RD Total Wine **Assault Common - Actual Assault**

Brief Narrative Description: 17 yo male with unknown mental illness and under the influence pushed victim after argument causing no injuries.

12/20/2016, 0920-1330 16XX WISHWOOD CT 2 **Burglary Residential - Home**

Brief Narrative Description: Unknown subject forced rear door of apartment and took laptop computer.

12/20/2016, 1030-1700 13XXX COLISEUM DR **Burglary Residential - Home**

Brief Narrative Description: Unknown subject forced open front door of apartment and took electronics and jewelry.

12/15/2016, 0730=12/16/2016, 1230 11XX WOODCHASE LN E **Larceny under \$500 from Auto**

Brief Narrative Description: Citizen report of stolen/missing license plate.

12/13/2016, 1200 19XX DOVERSHERE CT **Fraud Credit Card**

Brief Narrative Description: Unknown subject used victim's credit card information to make purchases.

12/19/2016, 1431 1XX THF BLVD Bath and Body Works **Larceny under \$500 Shoplifting**

Brief Narrative Description: Two 24 yo females concealed cosmetics and left store without paying.

12/19/2016, 1015 16XXX WESTBORO CIRCLE DR **Assault Common - Actual Assault**

Brief Narrative Description: 37 yo male struck victim after argument causing minor injuries.

12/14/2016, 0000 17XXX WINDRIDGE ESTATES CT **Fraud Identity Theft**

Brief Narrative Description: Unknown subject used victim's information to open up credit card account.

12/18/2016, 0606 20XX COUNTY CORK DR 3 **Fraud Credit Card**

Brief Narrative Description: Unknown subject used victim's credit card information to make purchase.

12/11/2016, 0000-12/19/2016, 1000 22XX WESTERLY CT **Larceny under \$500 from Auto**

Brief Narrative Description: Unknown subject took license plate off of victim's vehicle.

12/18/2016, 1150-1615 2XX CHESTERFIELD MALL Test America **Larceny under \$500 from Person**

Brief Narrative Description: Unknown subject took debit card and money from victim's purse after it was left unattended in mall store.

12/17/2016, 0700-12/18/2016, 1200 1XX CHESTERFIELD BUSINESS PKY **Meyer Law Firm**

Property Damage to Business Brief Narrative Description: Unknown subject spray painted graffiti on front door of business.

12/18/2016, 1657 1XX THF BLVD Walmart **Larceny over \$500 Shoplifting**

Brief Narrative Description: 32 yo female and 26 yo male filled shopping cart with merchandise and left store without paying. After being stopped by police, both subjects resisted arrest. Minor injuries to two police officers and suspects.

12/17/2016, 1245-1650 4X CHESTERFIELD MALL **Macy's Larceny under \$500 Employer**

Brief Narrative Description: 19 yo female concealed clothing from employer and left store without paying.

12/17/2016, 1800- 2230 4X CHESTERFIELD MALL Macy's **Larceny under \$500**

Shoplifting

Brief Narrative Description: 22 yo female concealed clothing and left store without paying.

12/14/2016, 1839-1909 1XX THF BLVD Walmart **Larceny over \$500 Shoplifting**

Brief Narrative Description: Unknown subjects filled cart with merchandise and pushed it out of store without paying.

12/15/2016, 2000-12/16/2016, 0700 17XX ARDMORE CREEK DR **Larceny under \$500 from Auto**

Brief Narrative Description: Unknown subject broke out window on victim's vehicle and took cologne.

11/01/2012, 1200-05/01/2016, 1200 5XX BROADMOOR DR **Fraud Identity Theft**

Brief Narrative Description: Unknown subject used victim's information to open up multiple credit accounts.

12/15/2016, 1728 4X CHESTERFIELD MALL Macy's Larceny under \$500 Shoplifting

Brief Narrative Description: 18 yo female concealed clothing and left store without paying.

12/15/2016, 1325-1350 2XX CHESTERFIELD MALL Buckle **Larceny under \$500**
Shoplifting
Brief Narrative Description: Unknown subject concealed clothing and left store without paying.

11/28/2016, 2137 14XXX LAKETRAILS CT **Violation of Ex-Parte/Full Ord Ex-Parte**
Brief Narrative Description: 62 yo male violated the conditions of a court order of protection by emailing victim.

12/01/2010, 1200-09/01/2016, 1200 5XX BROADMOOR DR **Fraud Identity Theft**
Brief Narrative Description: Unknown subject used victim's information to open up student loan account.

12/09/2016, 0700-12/14/2016, 1200 14XXX WOODS MILL COVE DR **Larceny over \$500**
from
Residence Brief Narrative Description: Unknown subject took jewelry from victim's residence.

12/14/2016, 1100-12/14/2016, 1930 1XX THF BLVD Best Buy **Fraud Credit Card**
Brief Narrative Description: Unknown subject used victim's credit card information to make purchase.

12/14/2016, 1202 14XXX MANOR RIDGE DR **Fraud Scam**
Brief Narrative Description: Unknown subject convinced victim to wire money for family member in jail scam.

12/08/2016, 0909 2XX THF Lowe's **Fraud Credit Card**
Brief Narrative Description: Unknown subject used victim's credit card information to make purchase.

NEW SECURITY AGENT TRAINING AT THE NEWSLETTER HQ CONTINUES: This week our new agent was working on Cold Weather Deer Locating.



MEDIA: About time! If you have not seen a Post-Dispatch lately, the size of the obits have double. There is not more information, but the type is larger. When I started looking at obits, I was looking for the parents of high school classmates or old neighbors who died. Now I'm looking for obits of my classmates themselves or people I worked with. Since the most loyal readers of obits are old, it is nice to see the larger type.



MUSIC: The Air Force Band surprises commuters and goes retro at Union Station in Washington DC in 2015.





Watch the whole 8-minute show and put a smile on your face:

<https://www.youtube.com/embed/khQN5ylb3H0?rel=0>

Here is one of the better Christmas Big Band numbers courtesy of Maynard Ferguson:



https://youtu.be/oYiWw0pUh_U

https://www.youtube.com/watch?v=oYiWw0pUh_U&feature=youtu.be

MUSIC: Dean Christopher always smooth with the vocals but even better with the comedy. The highlights of the Rat Park Monday Christmas Show at the One-19-North in Kirkwood was a version of Santa Claus is Coming To Town as sung by Porky Pig and Jimmy Stewart.

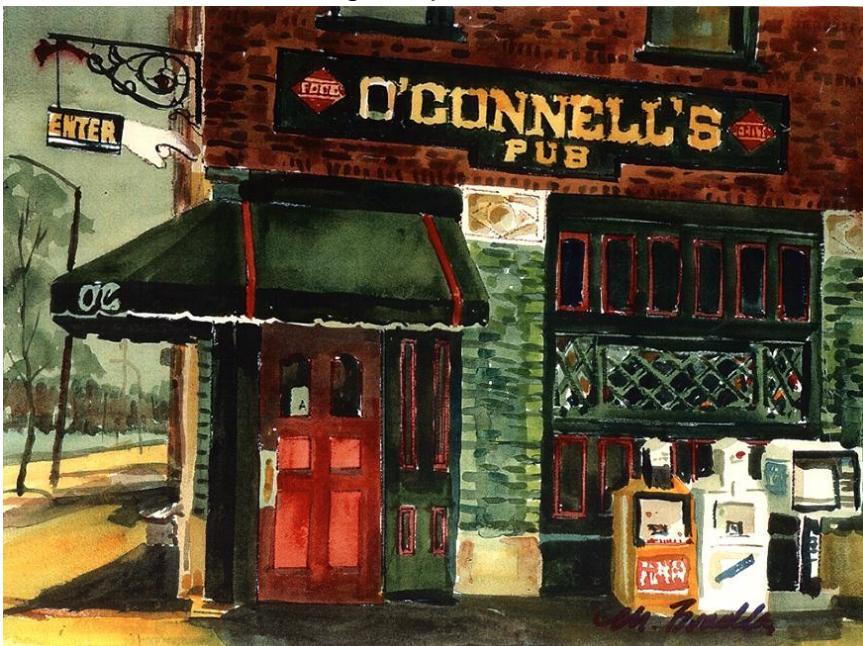


Christmas Eve Lunch and Music : Anita Rosamond will be performing at the Parkside Grill on Christmas Eve at the Parkside Grill from 2-to-5. Stop by for some lunch and some carols by the electric piano.



FOOD: GREAT HAMBURGERS FOR OVER 50 YEARS: I have been eating burgers at O'Connell's since 1969. There were good in 1969 when O'Connell's was on N. Boyle in Gaslight Square and they taste the same in 2016 on South Kingshighway at Shaw. Back in the 1960s I was a disc jockey at two radio stations located in Gaslight Square. One was in the Musical Arts Building and overlooked O'Connell's. It was the last eatery left in Gaslight. Lucky for me! It was great. By 1973 owner Jack Parker moved it to S. Kingshighway and Shaw. The amazing thing is that the food, especially the burgers did not change. Served on a paper plate, they were some of the best burgers in St. Louis.

As time goes on there have been very few changes at O'Connell's. Much of the tables and chairs used in Gaslight Square are still there. The menu is basically the same.



The big sellers at O'Connell's are the burgers. The standard burger is the 1/2 pounder (\$5.75 burger \$6.25 cheese burger).



Over the years the 1/4 pound "junior burger" is all I need to get full.



While the French fries are average at best, I have always been a fan of the onion rings (\$5.25 full order / \$3.25 for small order) and my wife likes the fried mushrooms (\$4.50).



The other popular item is the roast beef sandwich. (\$7.50)



I have stopped ordering the Roast Beef. First of all even for a fat guy, it is too much food. Plus it is a lot of work to eat one. Sometimes that roast beef can be a chore to chew and digest.

The daily specials include the Rueben on Tuesday that Rueben lovers have given good marks. The Saturday rib tips often have too much fat.

However, the one thing that has not changed are the burgers. Nora the waitress from England who used to keep cash intertwined in her fingers dated back to the Gaslight Square Days retired about 10 years ago. Red the bartender retired over a decade ago. But owner Jack Parker now in his 80s is alive and well. The two things that have not changed are the furniture and the burgers.

Due to the road construction at the Kingshighway bridge much of the front parking lot at O'Connell's is gone with only about six parking spaces left. The street parking on Shaw Avenue also has been taken away during construction as they added a detour lane. There is now a back parking lot. You have to drive past the building on Shaw and turn right into a driveway. I'm told that the lunch crowd has been affected the most by the construction. The road construction is supposed to be completed in the Spring of 2017.

The other thing that is different at O'Connell's is in the early evening and on weekends there are lots more younger kids with their parents having a meal. Part of the reason is the reasonable prices and the St. Louis smoking ban is probably the other.

CARTOONS:

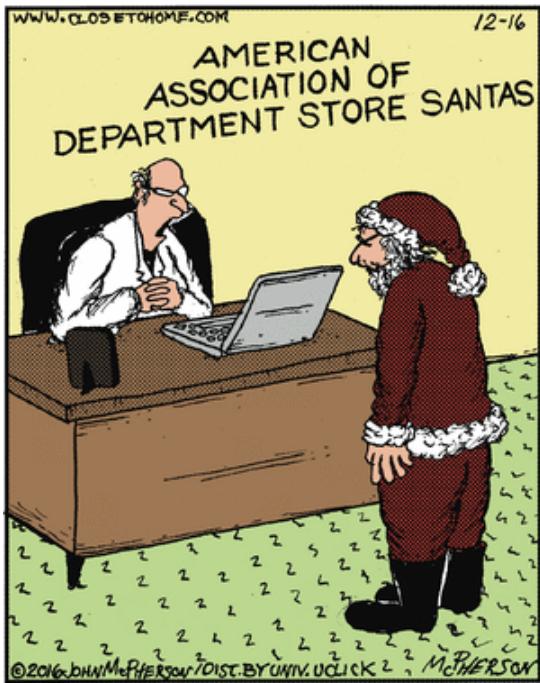




CLOSE TO HOME

BY JOHN MCPHERSON





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"You're a disgrace! You're not the LEAST bit overweight anymore, your disgusting gut is gone! You are FIRED!"



