

EX ALDERMAN NEWSLETTER 279 AND CHESTERFIELD 224



May 29, 2017

THE ATTACK OF ENGELMEYER! OUR REBUTTAL Normally this space at the front of the Newsletter is for Town and Country News and we have plenty of that. But our lead has to be the attack on me and this website in a 45 minute power point presentation by Chesterfield Prosecuting Attorney Tim Engelmeyer before the Chesterfield Public Health and Safety Committee.

During the presentation Engelmeyer simply referred to me as “The Blogger!” He picked a number of cases mostly from 2012 and before that I wrote about in 2013 plus some from 2015. After each case he lectured how I was either wrong or intentionally lied. Of course after this attack Committee Chair Barry Flachsbar, the son of a well known St. Louis journalist did not offer me any rebuttal in either five minutes or at the next committee meeting.

In the presentation Engelmeyer who showed how people who pled guilty had records of convictions, he failed to mention that they were not actual convictions but guilty pleas to Suspended Imposition of Sentence plea deals. At the end of the probation the record is wiped clean from public review. The records he showed were only available on law enforcement data bases and not public data bases where you and I, insurance companies, pre-employment investigators or hospitals and schools could check employees.



Let the lying begin. Tim Engelmeyer at the Public Health and Safety Committee Meeting.

Here is my rebuttal response to Engelmeyer's presentation of half and whole lies directed at me. In many cases he claimed he could not prosecute the case because there were no witnesses. I pointed out the many witnesses he could have called including POLICE OFFICERS! His presentation was so full of lies I was amazed that he actually put it on.

THE ATTACK OF THE ENGELMEYER The following are the responses of John Hoffmann to the power point presentation made by Tim Engelmeyer before the Chesterfield Public Health and Safety Committee.

JUAN VARGAS: Engelmeyer lied. He told the councilpersons that he did not have a witness as no Chesterfield police officer saw Juan Vargas driving the car. He further stated that despite Vargas testing .142% a recent court ruling did not allow BA tests if three different tests were not made to check the instrument. Only two were done.

The TRUTH: All police officers learn early on that you have to be able to make a DWI case without a BA test. According to the police report Vargas showed ample signs of intoxication. He admitted he had been drinking at a company Christmas party.

There was a witness who saw Vargas driving a car. **Engelmeyer lied.** Vargas was stopped driving his car by **St. Louis County Police Officer Burke.** Officer Burke witnessed Vargas only in Chesterfield so he stopped him and called for a Chesterfield Police Officer to respond. Vargas was driving around in circles on a church parking lot with front damage to his car after just hitting a fence at the church when Officer Burke stopped him. If Engelmeyer would have subpoenaed Officer Burke he would have had his witness.

This is from my story Drunks and Thieves Part 1 June of 2015 located on my website.

MEXICAN NATIONAL IN ONE CAR ACCIDENT AND DRUNK...DWI CHARGE IS DROPPED: On December 14, 2013 around 10:30 p m Juan Vargas was stopped by St. Louis County Police Officer Burke. Officer Burke stopped the 2006 Honda being operated by Vargas on the Windsor Crossing Church parking lot in the 100 block of Eatherton Road after observing fresh front end damage on his car.

JAMES BOLDEN: Engelmeyer stated he got a conviction against Bolden. I chose these cases at random. I reported that Engelmeyer did get a conviction before a St. Louis County judge. We are in agreement and that is what I reported. This is from my May 7, 2013 Drunks and Thieves Newsletter:

On 12/06/2012 he pled guilty before Judge Judy Draper and sentenced to one year probation term unsupervised. In a plea deal approved by Engelmeyer.

Bolden got a conviction, but I also reported that Bolden had a record of 12 serious arrests dating back to 1996, including five felony stealing cases. Engelmeyer should have sent this case to the County Prosecutor's Office for felony charges.

Engelmeyer bragged how he got \$400 restitution for the victim. The case involved a driveway repair scam. Engelmeyer did not do jack. Judge Judy Draper issued three Failure to Appear warrants for Bolden until he finally paid the Chesterfield victim.

Engelmeyer did not tell the council the whole story about Mr. Bolden.

LEE DONG: Engelmeyer said he could not prosecute Dong for stealing as the witness was no longer available. He said Dong left the country for three years before returning and being arrested.

Here is what Engelmeyer did not tell them. The entire incident was on video with a recording, showing Dong with his 13-year-old in tow, cutting off price tags of shirts and then placing them on himself over each other. Another member of the Macy's security staff or the arresting officer who saw the video which was the Probable Cause for the arrest could have testified.

Stealing is a graduated felony. Three prior municipal theft convictions would mean a felony charge if caught again. Instead of using the video and the arresting officer or another Macy's security agent, Engelmeyer reduced the offense to littering.

Three years later in 2015 later Dong was arrested for committing felony sodomy on a minor and misdemeanor Sexual Abuse. He pled guilty in 2016 and was sentenced to nine months in jail for the misdemeanor and placed on a 5-year SES probation for the felony. Engelmeyer did not mention any of this in his presentation.

MICHELLE BAKER: Engelmeyer said he reduced the charge from DWI to Careless and Impudent Driving because no one saw her driving, when she drove up onto a front lawn and walked into a house at 2:40 in the afternoon. The homeowner walked her home and then called police. The police called for an ambulance and Baker was transported to St. Luke's Hospital due to extreme intoxication. Her BAC level was at .37% according to a blood draw.

Here is what Engelmeyer didn't tell the councilpersons when I complained about the way he handled the case. He complained he could do nothing about the DWI as the fact was no one saw her driving and I should I known that. In fact I was well aware of that fact.

Baker was not arrested on the day of the offense. Instead officers sent the case to Engelmeyer to review the report and he issued the charge of DWI despite the police report being clear there were no witnesses to her driving. Engelmeyer apparently was too lazy to read the entire report.

This is from my May 7, 2013 DWI and Thieves report, where I wrote there was no evidence to charge her with DWI:

At the time of her plea she had another DWI pending, but she was allowed to plea to a lesser charge. In defense of the plea agreement the police report did not list anyone who actually saw her driving a car and it was by her admission that the car ended up in a front lawn. However Engelmeyer knew this when he issued a warrant for Baker's arrest 12/15/11. Of course of all the cases we reviewed this one actually involved Illegal Parking and the defendant was not convicted of it. How ironic.

DAVID COLDEWE: Engelmeyer again lied about this case. He said the victim got restitution and was happy. Without the victim who did not want to testify he did not have a case. That was a lie!

During morning rush hour Coldewe saw a man who was dating Coldewe's ex wife. Coldewe was driving a dump truck and the other man was driving a small pickup truck. Coldewe began to chase the man on eastbound I-64 trying to ram his truck.

There were multiply witnesses who stopped and gave statements to the police. (Engelmeyer failed to mention them.) One witness described Coldewe as driving on the shoulder of I-64 east of the Missouri River Bridge trying to catch up with the pickup truck and actually passed the pickup truck in heavy traffic, pulled in front of the pickup truck and slammed on the brakes of the dump truck causing the pickup truck to crash into him causing injuries to the driver. Coldewe then made incriminating statements to the police. This is from the police report:

I went and talked to Coldewe again. Coldewe started yelling that B [REDACTED] was "banging" [REDACTED]. He then admitted they were road raging starting

Here is a statement from one witness:

The dump truck and pick-up truck were having some kind of road rage. I saw the dump truck swerve at the pick-up truck a couple of times. Then at about Chesterfield Parkway, the dump truck cut in front of the pick-up truck and slammed on his brakes. There was no way that pick-up truck could have avoided that accident. The guy in the dump truck is nuts. He was going ballistic and was trying to get the guy in the pick-up truck out to fight him.

Here is the statement from a second witness:

I first saw them coming across the Boone Bridge. They were both swerving at each other like they were trying to ram each other. I saw the dump truck cut across all four lanes of the highway and was slamming on his brakes to make the pick-up truck run into the back of him. The dump truck driver jumped out of his truck, screaming and cussing at the other guy. He was ready to fight him.

Here is the statement from a third witness:

I was in the right lane coming through the valley. I saw the large dump truck come flying down the shoulder at about 70 - 75 MPH. He was cutting in and out of traffic and he cut across all the lanes of the highway to cut the white truck off and slammed on his brakes. There was nothing that white pick-up truck could have done. I think he cut him off and slammed on his brakes on purpose.

While the Chesterfield Police should have filed Felony 1st Degree Assault charges against Coldewe, they did not. Instead Aggressive Driving and Careless and Impudent Driving Charges were filed along with Peace Disturbance charges with Engelmeyer.

Even if the victim did not want to be involved in the case, Engelmeyer had three witnesses, who were concerned enough to stop and give detailed statements to the police, he could have put on the stand. Plus he had the crash evidence seen by the police officers and admissions by Coldewe to the police. But Engelmeyer dismissed the Aggressive Driving charge and amended to the Careless and impudent charge to "Illegal Parking." Coldewe did plead guilty to Peace Disturbance for threatening the pickup truck driver after injuring him in a crash. Both the Parking and Peace Disturbance were cash fines. Coldewe got no points.

Engelmeyer told the council members that he was fortunate to get the Peace Disturbance plea. He did not make any attempt to try this case and convict Coldewe who had an extensive record of felonies, domestic violence and serious traffic offenses.

This case was featured in our Ex-Alderman Newsletter 206 on 12/0/15.

WILLIAM KERCKHOFF: On December 1, 2013, a Sunday afternoon, William Kerckhoff was drunk, drove off the road in an apartment/condo complex, hit a parked car and then fled the scene pulling into the underground garage at his mother's condo. Witnesses pointed all this out to responding officers. His BAC level was .24% or three times the legal limit.

Engelmeyer claims he was tough and Kerckhoff pled guilty to both DWI and Leaving the Scene of an Accident, and I was wrong claiming he left the courtroom with nothing.

However, what Engelmeyer did not tell the council members was that Kerckhoff pled guilty and received SIS probation terms. Those resulted in No Points and No Fines and at the end of the probation period no record. When you plead guilty and get a SIS conviction you are not convicted of anything if your probation is not revoked.

Kerckhoff does not today have a public conviction for anything, despite being three times over the limit, crashing into a parked car and fleeing the scene. He does have a record in a police database but not one open to the public or insurance companies.

We reported this in our June 25, 2015 Drunks and Thieves Part 2 newsletter.

DAVID ROSS: Engelmeyer said I claimed that Ross got off, but Engelmeyer said he pled guilty to DWI.

Here the is real story and the truth. Ross was highly intoxicated. Employees at the Valvoline in Chesterfield Valley called the police when they observed Ross crashing into parking barriers between Valvoline and Wendy's.

Three Chesterfield Police Officers arrived on the scene and found Ross slumped behind the wheel of his running car. He was so drunk that they called paramedics to check him out. He made admissions to the police and paramedics that he knew he was drunk. This is from the police report.

Officer Lantz and I also entered the back of the ambulance to witness Ross's responses. The paramedics asked Ross, how are you feeling. Ross replied "really drunk". The paramedics continued to assess Ross and determined that he was not having a diabetic episode and that all of his medical vitals were normal. I asked Ross if he had been drinking and he replied yes. I asked if he had any alcohol in his car or if he had been drinking while sitting on the parking lot, and Ross replied no. Ross stated he was drinking at home, and he consumed a pint of Southern Comfort. I asked Ross where he was coming from, he replied his home in Georgia, but now lives in ██████████ Missouri. Ross then spontaneously stated that he was sorry, that he never wanted to hurt anyone, and that he wants to go home, but shouldn't drive because he is too drunk.

At the hospital a blood test determined his BAC level to be .34% or more than 4-times the legal limit.

Not only were there three police officers who put Ross behind the wheel of a running car. Police obtained the names of all the witnesses at Valvoline.

Ross ended up with NO Points on his driving record. Engelmeyer did not try to convict him of the serious offenses he committed in front of lots of witnesses. Instead Ross pled guilty to DWI and was given a SIS probation term. He did plead guilty to DWI but he was not convicted of it. Engelmeyer amended the Careless and Impudent Driving charge to Illegal Parking with a \$400 fine. Ross got no points on his license.

Engelmeyer called me a liar, but it was Engelmeyer who spun the truth into a lie. My reporting was very accurate.

This incident was in our Drunks and Thieves June 2015 Part 3 newsletter.

ROBERT SCHMITT: Engelmeyer accused me of claiming that I did not know the facts that the witness of the boyfriend-girlfriend disturbance refused to testify. He played a phone message from the girlfriend saying the police were wrong and Schmitt didn't do anything. Schmitt is the father of her child but doesn't live at her house. He has a record for domestic violence. Plus she is the one who called the police.

The police arrived and removed Schmitt from the house. An officer then offered to give him a ride to a hotel where he could stay overnight. Schmitt instead decided to fight three police officers. He was arrested for Peace Disturbance and Resisting Arrest.

Court rulings say you cannot disturb the peace of a police officer. Schmitt was arrested for Causing Peace Disturbance of the Girlfriend and then Resisting Arrest by fighting the police.

Engelmeyer was correct that one witness did not want to appear on one charge. But he intentionally failed to tell the council members that there were three police officers he did not call on the resisting arrest charge. Instead Engelmeyer amended that charge to "Littering."

Our version of the events was correct, despite what Engelmeyer wants to claim.

This appeared in our Drunks and Thieves June 2015 Part 2 Newsletter.

DAN MCLAUGHLIN: Engelmeyer said how McLaughlin Pled Guilty to DWI in the first case. He did but he was never convicted as he was placed on a 2-year SIS Probation. The moving violation of lane weaving on I-64 was reduced to Illegal Parking by Engelmeyer. Engelmeyer said when McLaughlin was arrested about one year after his first sentencing for DWI in an accident his SIS probation was "suspended." That was correct. But it was never revoked so he was never convicted of the first DWI even though he was arrested for a DWI accident a year later. Instead his probation (that should have been revoked) was extended another six months.

In the new accident his DWI was amended by Engelmeyer to Excessive BAC (Blood Alcohol Content). If McLaughlin would have been convicted of all the charges and had his probation revoked he would have had 24-points. Instead he had 8 points and got a 30-day suspension. Engelmeyer lied when he said it was a year-long suspension. It was clearly intentionally done this way so it would only be a 30-day suspension. If your license is lifted for a year it is Revoked. McLaughlin's was never revoked.

I wrote about both of these cases as a columnist for AOL patch.com.

AMENDED CHARGES. Engelmeyer claimed he amended 1,200 charges last year to Illegal Parking or 12% of all cases. He lied. He amended 1,413, equaling 13.1% of all cases. I did a Sunshine Request of the Court and received a list of all the charges he amended. They included Careless Driving cases, Leaving the Scene of Accident cases and other very serious cases.

Engelmeyer claimed that if he did not amend these cases to Illegal Parking everyone would want a trial. That is crazy. Most of the citations are mailed in with a check. People are not going to sit around to be convicted. It would increase the number of

trials, but Engelmeyer would not be having trials 12 hours a day, five days a week like he claimed.

Engelmeyer then showed all the courts he contacted that claimed to be reducing speeding cases to Illegal Parking. So What! That doesn't mean it is right. It sends a bad message to hard working police officers and a worse message to aggressive drivers, who routinely get off of serious moving violations. If Chesterfield Muni Court had the reputation of being tough on speeders, fewer people would speed in Chesterfield.

Engelmeyer said he doesn't reduce cases where people are doing 100 MPH. That is because he doesn't get any cases of people doing 100 MPH. Chief Ray Johnson does not allow officers to conduct speed enforcement on I-64. Recently Engelmeyer had a case of a man doing 92 MPH on I-64. He reduced that one to Illegal Parking.

Of all the cases I have reviewed I have yet to see Engelmeyer offer to amend a moving violation to "Illegal Parking" for a person not represented by a lawyer. People who can't afford lawyers are screwed in the Chesterfield Justice Circus.

Finally Engelmeyer admitted that he doesn't check to see if violators have gotten reduced deals in other cities or counties. If I can find out that information I don't know why Engelmeyer can't. It isn't that hard to find.

DWI CONVICTIONS: Engelmeyer claims I lied by saying people with SIS probations had no conviction. He kept showing cut outs from Casenet showing there was a conviction. There was a conviction on casenet files that can be assessed by the police and courts. HOWEVER there are NO CONVICTIONS on the same files accessed by the public, insurance companies, employers doing pre-employment checks or school districts and hospital checking employees. When I report NO CONVICTION I am referring to court files the public have access to. This is another spin that Engelmeyer puts on things.

OVERALL: Tim Engelmeyer both lied and slanted his presentation in a bias and unfair way. Also if these were the best cases he could find to defend himself, he and the City of Chesterfield have a very serious problem. He kept referring to me as "The Blogger" but this reporter has used public records to report the truth.

AFTER MORE LIES FROM ENGELMEYER MAYOR NATION WANTS TO REAPPOINT HIM TO A 4-YEAR TERM: After Tim Engelmeyer was done with lying and telling half truths and forgetting to mention his overall incompetence in doing his

job, Mayor Bob Nation said he was ready to reappoint him for another 4-year term. The Public Health and Safety voted 4-0 to make that recommendation.

I don't know if any of them might have changed their minds after "this blogger" sent this rebuttal to them, but maybe a few realized that Engelmeyer is a phony who doesn't like to do his actual job of prosecuting and lies about what a great job he is doing.

Perhaps some residents of Chesterfield might want to contact a councilperson about this.

REBUTTAL TO THE REBUTTAL: HOFFMANN IS A NON-RESIDENT, A KOOK AND A TROLL

The city administrator Mike Geisel sent an email to the council suggesting that they not be divided on the vote for a prosecutor. Is that really the job of a city administrator?

But a bigger more noteworthy email was sent out by Tim Engelmeyer, which did not question my Tuesday review of the facts of the cases, including one where Engelmeyer claimed there was on witnessed in a DWI case when in fact a police officer pulled the suspect over. He did not question another case where I pointed out in my original article that no one saw the suspect drive a car, but it was Engelmeyer who issued the arrest warrant despite a police report filed reporting no witnesses.

The email did not contain any defense. Instead Engelmeyer began calling me names including, a troll, a kook and a non-resident. Apparently according to Engelmeyer only residents should have first amendment rights to report on Chesterfield City Government activity. Also apparently it is acceptable behavior for city employees or contract employees to call people names. Here are those emails:

From: Tim Engelmeyer [<mailto:tim@epfirm.com>]

Subject: Rebuttal to Rebuttal

Dear Mr. Geisel:

I have reviewed Mr. Hoffmann's "rebuttal" to my PH&S Committee summary and at this juncture, I am not going to get into a back and forth debate about what I did or did not do on less than seven one-thousandths of a percent of the cases I have handled in our City. I stand behind my decisions on each and every one of the cases profiled, and as opposed to Mr. Hoffmann, I provided back up. His 'rebuttal' is the same, worn out mischaracterizations that I have already

addressed. I find it interesting and somewhat disingenuous that instead of doing his homework, research or even talking to me *BEFORE* he profiles these cases, he now tries to rehabilitate himself after being called out afterwards. Moreover, as opposed to sitting behind my laptop and guessing about what went into my decisions, I was actually there. I met with the witnesses. I was in front of the judges. I have my notes.

Let me make one thing crystal clear. And I'm going to call it like it is -- This man is a cowardly internet troll. He's a bully who thinks that he can tarnish reputations, affect city policy and mess with careers in a City that he doesn't even call home. I've done my research on him and he has been discredited and proven to be 'factually challenged' wherever he has been. He has been run out of his own city where he is widely known as a sideshow kook. He has lost virtually every job he's had including law enforcement. Yet, for some unknown reason he feels legitimized in our City.

At this juncture, the Council needs to make a choice. They either stand with me or they stand with John Hoffmann. It's that simple. When called to do so, I have answered every question the Mayor has asked of me. I have presented an extensive town hall meeting where I stood and answered questions for almost three hours. I have presented at PH&S. I have the unwavering support of our police department and court staff.

Above and beyond my appointment, there is a much larger issue at stake. That issue is whether we, as a city, are going to allow a discredited non-resident blogger to affect the day to day decisions made by our leaders. He is not a journalist. He is not a member of the press. He is accountable to no one. He is a troll with an agenda (bordering on obsession) with not only me, but other people and issues affecting our city.

Please don't interpret this to suggest that I am somehow immune from review or criticism. I should be held to a high standard and expect nothing less. But to rely on the ramblings of a madman when deciding important City issues is a dangerous road to go down. Instead, my door is always open. Confirm my work by calling or reaching out to me. Talk with our police department. Talk with our court staff. Talk with other prosecutors and/or judges in the area. Ask them about my integrity. Ask them about my reputation. Ask them about my dedication to our City.

Mike, I have spent an inordinate amount of time dealing with this man's flat-out lies for the last 5 years. I am done with his non-sense. Unless I am directed by you, the Mayor or the Council, I will not respond back and forth with this blogger any longer. I stand on my record and commitment to the City of Chesterfield. All I want to do at this juncture is to focus my attention on my job with the backing of our City leaders. You certainly have my permission to circulate this to the Mayor and Council.

As always, thank you.

Timothy A. Engelmeyer
Timothy A. Engelmeyer

FROM THE CITY ADMINISTRATOR:

On May 24, 2017, at 9:13 AM, Mike Geisel <mgeisel@chesterfield.mo.us> wrote:

Mayor and City Council:

I've provided Mr. Engelmeyer's response to Mr. Hoffman's rebuttal, below. Please read thoroughly and completely. As you know, Mr. Engelmeyer's re-appointment is being offered by Mayor Nation at the 6/5 Council meeting.

As you also know, at Monday's PH&S Meeting, Prosecuting Attorney Tim Engelmeyer provided a detailed, documented presentation responding to concerns related to municipal court procedures. By all observations, it was a compelling and convincing presentation. In some cases, it was pointed, providing direct contradictory evidence and commentary to previously published assertions.

Subsequently, after the meeting, Mr. Hoffman sent each of us an e mail rebuttal of PA Engelmeyer's presentation.

At this juncture, it is my opinion that it is pointless to continue this tit for tat exchange.

I won't begin to re-state the concerns or offer to summarize Mr. Hoffman's beliefs.

However, as I see it, there are two main issues:

- 1) There is a philosophical argument as to what our courts **should** do. The entire concept of amending charges. The legal constraints of a SIS disposition and whether that information is available to the public, even though that information is available to the courts and law enforcement. The Missouri practice of*

disposing of case load by pleading down and paying fines. While that is a completely valid point of view and broadly held perspective, it is largely outside of our prosecutor's control. That is a matter of court practice.

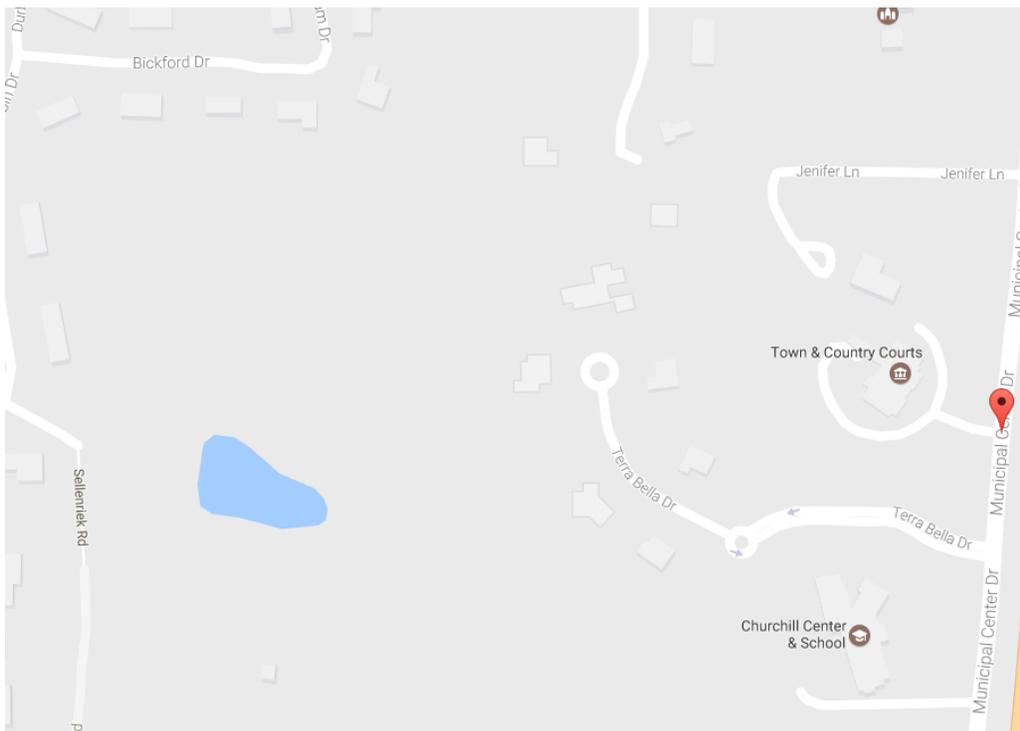
2) The second issue, from my perspective, is that Mr. Hoffman comes to conclusions based on the initial written report and available written records. He doesn't have the benefit of having interviewed witnesses, seen the evidence, or the defendant. He does not have the benefit of knowing whether the witnesses were cooperative, credible or available. He doesn't know whether there was a glitch in evidence handling. It is second guessing with an incomplete set of facts. Mr. Hoffman is left to try the case from the original police report. We all know there are compromised witnesses, evidence and mitigating circumstances that complicate cases. And while we would like to live in a land where time and court volume is not a significant contributing factor, we all know that is not the case. The other reality we have to address is that if a defendant doesn't like the resulting judgement from our municipal courts, they can simply throw it aside and have the court tried a second time in St. Louis County court, at additional cost, additional time, and in a court which is demonstrably more generous in pleas. If we were able to try the cases on the basis of the police report alone, we would give our police officers robes and call them judges. It just doesn't reflect reality.

There is simply no mechanism and we have no ability to re-try each of these cases in a sterile classroom. We either trust your political appointee's judgement in handling the vagaries of each case and disposing of them consistent with your expectations, or you offer a different appointee. You cannot effectively second guess actions without having the full explanation of details involved in each instance. The interviews, the availability, the mistakes, and the discussions. Mr. Engelmeyer has offered to provide information and explanation at every juncture. He has not resisted inquiries or criticisms.

The appointment of the City’s Prosecuting Attorney is the Mayors responsibility and prerogative. City Council has the responsibility for review and consent. It is difficult for the courts to continue operating under a cloud of distrust and allegations of misdeeds. Without regard to what decision the City ultimately comes to, whether it be to re-appoint Mr. Engelmeyer or if you elect to go a different way, I hope and trust that the City Council will be able to show their full support for the officers of our court. As they say, a house divided.....

BERRA FAMILY IS SUING TOWN AND COUNTRY! So much for the good neighbor policy:

The wealthy family with their own compound of family homes off of Municipal Center Drive between the Town and Country City Hall and the Churchill Center and School. The Berra family proposed to build a riding area and stables on the ground behind the family’s houses on Tara Bella. There are already horses there and a smaller stable.



Residents in the subdivision off of South Outer Forty Road including Bickford as seen on the map have been complaining of foul odors reaching their homes from the pasture field where horse manure and barn/stall waste including manure and urine were spread on the field. Residents report the odors started in the summer of 2016.



Proposed riding stable



Renee Berra at meeting

"All we are asking from the Berras is respect. No day is good for spreading it (the original bill prohibited spreading the manure and stable floor coverings on Saturday and Sunday.) We don't care if they put up a building, we just want respect," said one neighboring residents.

Members of the Board of Aldermen came up with a revised ordinance that would require the Berras to remove all manure and urine waste on a weekly basis and not spread it on the pasture.

The Berra's attorney Ed Griesedieck disagreed and accused the city of singling the Berras out with a special ordinance. (Griesedieck had his law license suspended for 18 months in 2013 for hiding political contributions and false billing. He was arrested on Federal felony charges, but pled guilty to an amended misdemeanour charge.)

On February 27, 2017 the Board of Aldermen passed the revised ordinance 8-0, sending a message to the Berras to try and get along with the neighbors.

That brought the law suit, filed on March 27, 2017.

The suit is titled Town and County Land CO, LLC (The Berras) vs, City of Town and Country.

**IN THE CIRCUIT COURT OF ST. LOUIS COUNTY
STATE OF MISSOURI
(TWENTY-FIRST JUDICIAL CIRCUIT)**

TOWN & COUNTRY LAND CO., LLC,)	
)	
Petitioner,)	Case No.
)	Div.
vs.)	
)	
CITY OF TOWN AND COUNTRY,)	
MISSOURI,)	
)	
Respondent.)	

PETITION FOR ADMINISTRATIVE REVIEW

**Count I - Judicial Review Under
Sections 536.100- 536.140 R.S.Mo.**

15. Land Co. is aggrieved by the imposition of the eighth condition (to which it never agreed), which provides in relevant part: "H. Animal waste and related bedding materials generated on-site or from the adjoining Terra Bella subdivision shall be ... removed from property and be disposed of on at least a weekly basis." (the "Animal Waste Condition").

16. The imposition of the Animal Waste Condition is, for the reasons stated below, (a) unsupported by competent and substantial evidence upon the whole record; (b) unauthorized by law; (c) is arbitrary, capricious or unreasonable; and (d) an abuse of discretion.

No hearing date has been set.

**TARGET EMPLOYEE PISSED THAT TARGET CALLED THE POLICE OVER HIM
STEALING \$150 IN GIFT CARDS:** Damion Hill, 31, of St. Louis was hired by Target as

a cell phone expert in 2014. He first worked at the Ballwin store and then in 2015 transferred to the Town and Country Store.

Target security was doing an audit of gift card purchases involving cell phones and found that twice in May and once in June Hill had stolen \$50 gift cards and later used them. They had video evidence of the thefts.

Without resigning Hill suddenly stopped coming to work on July 3, 2015. He was contacted by a Town and Country Police Detective Hunt and turned himself in at the station on July 9, 2015.

Det. Hunt advised Hill of his rights per the Miranda Ruling and Hill declined to make a statement, except this rather incriminating one:

*****Hill stated he was "disappointed" and "insulted" at how Target was handling the matter and did not want to provide additional details pertaining to the gift cards and their subsequent redemption for personal use. Hill stated that Target could have / should have contacted him directly rather than involving the police and having him arrested.**

Hill was offered an amazing deal. If he made the \$150 restitution to Target they would drop all charges. He said he didn't have \$150.

However he did have the money to hire a lawyer who moved the case to the St. Louis County Associate Circuit Court in Clayton. The surely cost more than \$150.



Hill

OUTCOME: On October 6, 2016 Hill pled guilty and was placed on a No-Record, No-Fine probation. However he was ordered by Judge Richard Stewart to make \$150 restitution to Target and not to return to Target Stores. Hill could have saved a lot of

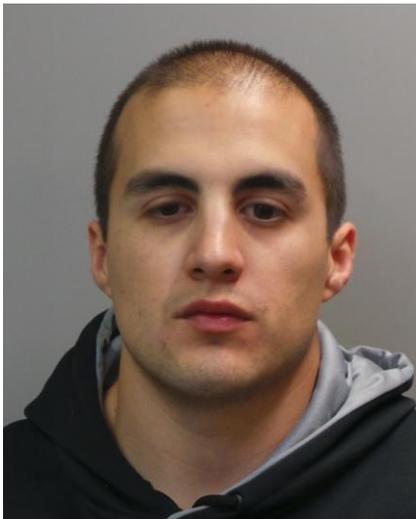
time by just paying back Target on the day he was arrested and have them drop charges. Hill is Stupid with a capital S.

MAN IN PICKUP TRUCK EXPOSING HIMSELF AT MISSOURI BAPTIST HOSPITAL:

A woman reported that while at Missouri Baptist Hospital a man in a pickup truck asked her for direction and when she walked to the truck, the directions he wanted was for her to look at his lap where he had his junk in this hand.



These are surveillance video images of the truck and a sticker in the rear window. On May 12 Town and Country Police did arrest a suspect, Anthony Pletcher, 26. He was booked and then released pending warrant application for Sexual Misconduct.



Anthony Pletcher.

UNAPPROVED CHESTERFIELD NEWSLETTER 224



May 29, 2017

JOSH HAWLEY'S DOESN'T THINK HIDING LEASES OR VOTING TO KEEP THEM FROM THE PUBLIC IS A SERIOUS VIOLATION OF THE SUNSHINE LAW: After investigating the Doorrack lease deal where it was decided by then City Administrator Michael Herring with the knowledge of the entire City Council not to post minutes of the 10-year \$800,000-plus lease deal, for a vacant lot with no plans for its use, from the public, I filed a complaint with the Missouri Attorney's General Office. This seemed to be a very strong case. I guess I was wrong. Here is a letter I sent back to Hawley:

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

May 22, 2017

Hon. Josh Hawley, Attorney General
Missouri Attorney General's Office
P.O. Box 899
Jefferson City, MO 65102

Non-Responsive Response to Serious Sunshine Law Complaint

Dear. Mr. Hawley,

On January 10, 2017 I sent an open records complaint to your office. This was a very serious complaint, not about one or two non-posted meetings, but how for seven years

elected officials and city staff hid from the public real estate an \$800,000-plus lease documents for a vacant lot. They voted to keep the documents at the city attorney's office in Clayton, MO so the documents would not be at city hall for anyone to find.

Here is the opening paragraph of my letter.

*“Missouri Attorney General's Office
Missouri Open Records/Sunshine Complaint Unit
P.O. Box 899
Jefferson City, MO 65102*

Madam or Sir:

This is an official complaint against the:

City of Chesterfield, Missouri

The complaint involves how the City of Chesterfield intentionally hid since March of 2009 until November of 2016 the vote to lease property known as the Doorack Property at the intersection of Old Chesterfield Airport Road and Baxter Road, the minutes of the vote and the lease itself. “

I had no complaints that the records were not released in November of 2016. My complaint was they were hidden from 2009 to 2016. The 2-year statute of limitations on this violation should not have started until November 2016 when the records were finally produced.

I received a response from your staffer Casey Lawrence saying the complaint was closed. How can you simply close a complaint about a city attorney (now an associated circuit judge), a mayor (now the head of Metro Transit) who were intentionally hiding public records and violating State Law along with an entire City Council in Chesterfield?

It appears that Ms. Lawrence's main function in your office is to close or unfound complaints and not to take action on serious violations.

She enclosed a response from the City Attorney of Chesterfield that never addressed the main heart of the complaint, which was the seven year cover-up beginning on March 2009 and lasting until November 2016. His response dealt with someone else's complaint on a totally different issue and on a side matter that occurred after November

of 2016. He ever addressed any defense or made any admission to the intentional hiding for public records for seven years.

He stated the documents were released in November of 2016. However he NEVER explained why they were hidden from the public for seven years!

I supported your candidacy and voted for you. If your office gives tacit approval to elected officials and high ranking city staffers to violate the Missouri Open Records law, I will never be able to support you again.

If you don't respond to this, it will be fine. I will simply know that it is business as usual from the Koster Administration to the Hawley Administration.

Yours truly,

John Hoffmann

For the entire letter from Hawley's office and the non response from Chesterfield City Attorney go to our website homepage at <http://johnhoffmann.net>



CHESTERFIELD APRIL 2017 CRIME AND POLICE

STATS: Read what crimes were committed and how busy the Chesterfield Police were last month.

**CHESTERFIELD POLICE DEPARTMENT
APRIL 2017 MONTHLY REPORT**

REPORTS	OFFENSES REPORTED CURRENT MONTH			TOTALS YEAR TO DATE			CLEARANCES CURRENT	
	2016	2017	CHANGE	2016	2017	CHANGE	MONTH	YEAR
MURDER	0	0	N/A	0	0	N/A	0	0
MANSLAUGHTER	0	0	N/A	0	0	N/A	0	0
NON-FORCIBLE RAPE	0	0	N/A	1	0	-	0	0
FORCIBLE RAPE	0	2	+	1	4	+	1	1
SEXUAL OFFENSE	1	0	-	2	1	-	0	0
ROBBERY	1	0	-	2	2	N/A	0	1
ASSAULT	13	6	-	74	47	-	2	25
BURGLARY								
RESIDENTIAL	2	1	-	9	9	N/A	0	2
COMMERCIAL	0	0	N/A	3	9	+	0	0
LARCENY								
FELONY	32	21	-	83	69	-	4	7
MISDEMEANOR	28	43	+	155	182	+	17	58
AUTO. THEFT	1	1	N/A	6	10	+	0	1
ARSON	1	0	-	1	0	-	0	0
CHECKS/FRAUD	22	15	-	95	87	-	1	5
VANDALISM	10	7	-	53	32	-	0	2
DRUG VIOLATIONS	20	12	-	49	51	+	10	39
D.W.I.	13	3	-	42	42	N/A		
TOTAL	144	111	-	576	545	-	35	141
ARREST								
ADULT	133	91	-	483	481	-	N/A	N/A
JUVENILE	11	13	+	63	44	-	N/A	N/A
TRAFFIC								
VEH. ACCIDENTS	200	148	-	619	540	-	N/A	N/A
MVA FATALITIES	0	0	N/A	0	0	N/A	N/A	N/A
MVA INJURIES	34	32	-	113	130	+	N/A	N/A
WARNINGS ISSUED	541	468	-	2452	2349	-	N/A	N/A
PARKING SUMMONS	20	5	-	100	49	-	N/A	N/A
SUMMONS ISSUED	665	678	+	3062	2971	-	N/A	N/A
RECOVERED VEHICLES	0	0	N/A	1	1	N/A	N/A	N/A
RADIO ASSIGNMENTS	4488	4102	-	17252	16122	-	N/A	N/A
ALARMS	120	111	-	495	433	-	N/A	N/A

18-YEAR-OLD FROM NORTH ST. LOUIS TAKES THE RAP FOR \$1,119 WORTH OF STOLEN GOODS IN HER CAR AND CLAIMS THE OTHER THREE YOUNG WOMAN HAD NOTHING TO DO WITH IT. The Chesterfield Police have a special unit that patrols and answers calls at retail stores from Chesterfield Mall to all the stores in the Chesterfield Valley. Merchants have direct cell phone numbers to the officers on the special squad.

On Friday July 31, 2015 the security manager of the Target store in Chesterfield Valley confronted several black females who were seen shoplifting items. The store security officers recovered the stolen items. Rather than hold the women, they released them and watched them drive off in a yellow Chevrolet Monte Carlo with Illinois license plates.

INCREDIBLE LUCK: The next day on Saturday August 1, 2015 the security manager called the Chesterfield Police Retail Unit and spoke with Officer Dammrich to pass along the information about the females in the yellow Monte Carlo he had caught shoplifting. At the exact same time around 6 o'clock on Saturday afternoon Chesterfield officers reported on the police radio pulling over a yellow Monte Carlo with Illinois license plates occupied by three African-American women after a peace disturbance at a retail shop. Officer Dammrich radioed that he was responding and for the car and women not to be released.

Officer Dammrich arrived Chesterfield Airport Road and contacted the driver of the car, April Harvey, 18 of North St. Louis. Officer Dammrich told Harvey that he knew what had happened the day before and asked if she had any stolen items in the car or the trunk. She admitted there were stolen goods from Target in the trunk.

She stated that she and others the day before (who she refused to name) had stolen the items in the trunk and the three passengers had just been picked up to go shopping and had not stolen anything.

In the back seat were two "booster bags" consisting of large bags lined with aluminum foil wrap to defeat security sensors along with numerous stolen items of apparel. One passenger Unautica Thomas told an officer that she knew the car was full of stolen items.

At the scene April Harvey wrote the following statement:

"That all stolen merchandise was mine and the 3 in car I just picked up today to go shop not steal but stuff was in my trunk and got pull over by cops. Target, Saint Clair Squars in Illinois & Chesterfield was where everything was believe to be taken from".

This is from Officer Dammrich's report:

After reviewing Harvey's statement, I asked what had been stolen from Chesterfield. She stated a majority of the items besides those from Target were stolen from stores located inside of Chesterfield Mall. She stated some miscellaneous items were taken from St. Clair Square in Fairview Heights Illinois.



Unautice Thomas

Police located 73 stolen items. They are listed as the following with the first 10 from Target. :

Item#

1. Carter's brand baby clothing set - UPC 8851073595 - \$15.99
2. Carter's brand baby clothing set - UPC 8851073603 - \$15.99
3. Carter's brand baby clothing set - UPC 8851078706 - \$15.99
4. Carter's brand baby clothing set - UPC 8851074512 - \$10.99
5. Carter's brand baby clothing set - UPC 8851074480 - \$10.99
6. Carter's brand baby clothing set - UPC 8851074719 - \$ 12.99
7. Carter's brand baby clothing set - No UPC or price
8. Carter's brand baby clothing set - UPC 8851078661 - \$15.99
9. Carter's brand baby clothing set - No UPC or price
10. Carter's brand baby clothing set - UPC 8851074703 \$12.99

11. Victoria Secret "Pink" tote bag - No UPC or price
12. Victoria Secret "Pink" tote bag - No UPC or price
13. Victoria Secret woman's shirt - UPC 0667539523624 - \$24.99
14. Victoria Secret woman's yoga pant - UPC 0667539424327 - \$56.95
15. Victoria Secret woman's shirt - UPC 0667539451392 - \$25.95
16. Victoria Secret woman's shirt - UPC 0667539811004 - \$26.95
17. Victoria Secret woman's "Pink" tank top - No tag or UPC
18. Victoria Secret woman's shirt - UPC 0667539200617 - \$26.95
19. Victoria Secret woman's yoga pant - UPC 0667540036205 - \$56.95
20. Victoria Secret "Love Spell body lotion - UPC 0667534419670 - \$14.00
21. Victoria Secret "Pink" cell phone case UPC 0667539739407 - \$19.95
22. Victoria Secret woman's yoga pant - UPC 0667540035123 - \$59.95
23. Victoria Secret woman's yoga pant - UPC 0667540119403 - \$39.95
24. Victoria Secret woman's yoga pant - UPC 0667540048963 - \$56.95
25. Victoria Secret woman's yoga shorts - UPC 0667536869404 - \$25.95
26. Victoria Secret navy blue panties size XS - no price tag
27. Black headband - unknown brand - no tag
28. Brown fabric cap - unknown brand - no tag
29. Young & Reckless brand grey shorts - UPC 400041852291 - \$44.95
30. Young & Reckless brand grey shorts - UPC 400041852116 - \$44.95

31. Young & Reckless brand grey shorts - UPC 400041852291 - \$44.95
32. Kendall & Kylie brand maroon tank top - UPC 400042632816 - \$34.95
33. Forever 21 brand hunter green hand bag set - UPC 00154432021 - \$27.90
34. Forever 21 brand gold in color necklace - UPC 000130495021 - \$9.90
35. Forever 21 brand denim pants - UPC 00116321011 - \$7.90
36. Forever 21 blue shirt - UPC 00078200262 - \$3.90
37. Forever 21 white tank top - UPC 00081705022 - \$1.90
38. Forever 21 brand blue shirt UPC 00051160082 - \$3.80
39. Forever 21 brand white tank top - UPC 0008170522 - \$1.90
40. Forever 21 brand orange shirt - UPC 00078200282 - \$3.90
41. Forever 21 brand necklace gold in color - UPC 000130495021 - \$9.90
42. Forever 21 brand bracelet pink in color - UPC 00091076031 - \$2.99
43. Forever 21 brand white and pink hair brush - UPC 00183602021 - \$4.90

44. Rimmel brand eye definer - UPC 607347887003 - no price
45. "Dr. Miracle's" brand holding gel - No UPC or price
46. Express brand gold in color bracelet - UPC 08136882 - \$26.90
47. Unknown brand bracelet gold in color - UPC 301737153 - \$1.99
48. Fossil brand black bracelet - UPC 796483123168 - \$28.00
49. Fossil brand black bracelet - UPC 796483123168 - \$28.00
50. "Tech & Go" brand pink and purple charging and sync cord - UPC 826341020343 - no price
51. Fossil brand red and gold colored bracelet - UPC 796483165816 - \$38.00
52. Fossil brand brown bracelet - UPC 796483064348 - \$48.00
53. Fossil brand teal watch - UPC 796483165847 - \$38.00
54. Fossil brand yellow and pink bracelet - UPC 796483064423 - \$1.99

55. Unknown brand brown and green bracelet - no UPC or price
56. Unknown brand silver in color bracelet - no UPC or price
57. Victoria Secret body oil - no UPC or price
58. Cover Girl brand lip gloss - no UPC or price
59. Rimmel brand lip contouring pencil - UPC 5012874027743 - no price
60. Francesca's brand watch - no price or UPC
61. Remington brand multi-color cloth - no UPC or price
62. Fossil brand blue bracelet - UPC 9648313588 - \$29.99
63. Fossil brand black bracelet - UPC 9648312316 - \$12.99
64. Francesca's brand grey watch - UPC 505259 - \$20.00
65. Unknown brand silver in color bracelet - no UPC or price
66. Unknown brand pink charging cable - no UPC or price
67. H&M brand pair of black shoes - no UPC or price
68. Unknown brand patterned scarf - no UPC or price
69. Unknown brand white laced shirt - no UPC or price
70. Unknown brand scarf - no UPC or price
71. Charlotte Russe black tank top - UPC 301864810 - \$17.99
72. L.A. Hearts brand pants - no UPC or price
73. Express brand black and blue dress - no UPC or price
74. Unknown brand black panties - no UPC or price
75. Unknown brand white tank top - no UPC or price
76. L.A. Hearts brand grey shorts - no UPC or price
77. Children's Place brand blue denim pants - UPC 440000563998 - \$24.95
78. Sonia Kashuk brand gel liner - UPC 1300701061 - no price
79. Green H&M brand purse - no UPC or price
80. Pre-paid Visa debt card 4941 5901 8002 9708
81. 10 Piece set of hair weave - no price or UPC
82. Claires' brand clips - UPC 888711478642 - \$9.50
83. Claires' brand clips (1 is missing) - UPC 888711603310 - \$9.50

Per instructions from a supervisor Harvey and Turner were released on citations and not booked nor were mug shots taken, despite having \$1,119 in stolen property in their possession. They could still have been released on summons, but common sense says to take their mug shots and fingerprints in case they return or other police department need them in connection with other theft investigations.

RECORDS: April Harvey's record of citations and arrests shows few serious charges:

08/19/14	Riding Metro Rail w/o a fare card	St. Louis County PD
01/03/15	Disorderly Conduct	Pine Lawn
08/01/15	Stealing U/\$500	Chesterfield PD
08/11/15	Disobeyed Red Light	St. Louis City PD
11/28/15	Riding Metro Rail W/O a Fare Card	St. Louis City PD
03/15/17	No Proof of Insurance	St. Louis City PD

Unautica Thomas

05/01/15	Stealing U/\$500	Ballwin PD
	04/01/16 PG 2-year SES Probation plus 80 hours Community Service	
	02/14/17 Probation Suspended	
08/01/15	Receiving Stolen Property	Chesterfield PD
	Reduced to Trespassng PG 8/11/16 Fined \$250	
06/07/16	No Operator's Lic/Unlic Motor Vehicle	Crestwood PD
08/18/16	No Operator's License/No Insurance	St. Louis City PD

OUTCOME: Unautica Thomas Pled Guilty after her lawyer moved the case to St. Louis County Associate Circuit Court. on 08/11/16. Chesterfield prosecutor Tim Engelmeyer had reduced the charge of Receiving Stolen Property to Trespassing. She was fined \$250.

April Harvey: Harvey pled guilty on April 12, 2016 and was fined \$300.50. She has not paid the fine and a warrant for her arrest was issued on April 18, 2017

MONARCH: DAN BUCK AND BIG SPORTS REFUSE TO MEET WITH MONARCH IN PUBLIC. THEY CONTINUE TO TRY AND EVADE THE MISSOURI SUNSHINE LAW AND ATTACK ME AND THIS NEWSLETTER AS BEING HORRIBLE AND MEAN SPIRITED: I'm a popular this week. We got the emails from Monarch and they do not paint a pretty picture about how Dan Buck and Big Sports do not want the public to hear what they are up to with their development in Chesterfield Valley.

The documents that we obtained show how Buck and Pat Flynn were going to meet with the Fire Board and suggested a round table meeting. But when the Fire District was going to send out a press release to promote the meeting and try and get public attendance, Buck went through the roof and accused them of lying in the press release. The press release was sent to Buck and Big Sports to review before it was sent out; so nobody was trying to pull a fast one.

Big Sports then pulled out of the public meeting and offered to meet with the directors on a one-to-one basis, which is what they did with the Chesterfield City Council in 2016 which avoided requirements of the Missouri Sunshine law. Monarch refused.

At one point Buck in an email about my lack of understanding the project wrote: "He is not educated on our project (beyond what he read in the lease agreement which is only

a SLITHER of the full scope of this project) nor is he interested in learning the real facts...as they might interfere with his obstructionist viewpoint.”

In fact I had an hour meeting with City Administrator Mike Geisel, Craig White, the city's director of finance and Tom McCarthy the city's Parks Director to get the full story and came away still being suspect and suspicious of the this deal. Apparently reviewing terms of leases is no longer important according to Mr. Buck.

Here are the emails we obtained. You read them and make up your own mind.

FROM JANE CUNNINGHAM Monarch Director:

4-24-17

Pat Flynn and Dan Buck have agreed to the 5:30pm workshop on May 18. Below is what I sent to them initially. Let me know anything/questions you want me to have them prepare for.

I think we should put out a press release right away inviting the public and letting them know this is a "Transparency Opportunity" for taxpayers to learn about the major project and what's in it for Chesterfield taxpayers. Also highlight on the website.

Jane

Pat- Wonderful. Who will be coming? We will put it in the agenda for the 5:30pm meeting on May 18. I think we will set it up like a workshop so we can sit around a table together which I think would make it more informal/conversational. You all probably ought to start with a presentation on what the project is and the key points of the contract with Chesterfield. We are open to your suggestions too. I will gather some preliminary questions so you all are prepared.

Sent from my iPhone

FROM: FIRE CHIEF CAREY SPIEGEL

4-28-17

Mr. Flynn and Mr. Buck,

The Monarch board members and I are so pleased with your kind offer to address us on May 18 and answer questions on the Sports Dome development. Attached is a press release we will be sending Monday morning. Let me know if it needs any corrections. We just wanted you to have a heads up on our announcement of the meeting.

Thank you again. We look forward to being with you and hearing about the project.

Cary Spiegel,

Chief

FROM DAN BUCK BIG SPORTS:

4-28-17

Cary - The facts in the press release are not accurate. 26 acres of the 74 acre development will be owned by a FOR-PROFIT company (Big Sports Properties, LLC). The city is REQUIRING a land replotting once all the land is acquired that will MANDATE that all for-profit companies, retail and hospitality (hotels and restaurants) be located on BSP's land. This means, that ALL the for-profits will be paying FULL property taxes, retail taxes, park taxes, hotel taxes, utility taxes and CID/TTD/TIF taxes assessed on them by the city, county and state. So the line in the news release ""the land being developed will be property leased from Chesterfield taxpayers, therefore not subject to property taxes." is completely false information.

The agreement is between Big Sports Properties, of which I am the managing partner. The major tenant who will build and own the SPORTS fields, courts and education center is a Non-profit "BASE Foundation" that will be bringing a \$30 million sports complex to baseball, softball, basketball and volleyball clubs AT NO CAPITAL COSTS to the city and NO OPERATIONAL COSTS to the taxpayers (unlike the existing \$14 million sports complex that has an operating expense and costs to tax payers of over \$2 million per year. THIS complex, is being created and operated with NO PUBLIC subsidy and NO PUBLIC Tax money. In fact, the master lease with the city of Chesterfield for their 50 Acres (not 30 which is in the press release) will exceed \$5 million over the 50 year term. By square footage, that lease agreement is more than 3 times the lease price of ALL the combined non-profit tenants currently using the 300 acres of Chesterfield valley Athletic Complex.

Additionally, we will not only have 25 acres of PRIVATE development, we also will operate 363 days per year (not seasonal 7 months) and will bring \$1.25 million visitors to the property, making an economic impact of more than \$60 million per year, including 60,000 hotel room nights and over \$30 million in projected retail support every year for chesterfield valley.

I ask that you not send this inaccurate press statement to the media as the sources of your information are clearly not accurate. The agreement with the city, is ONLY for the ground that sports facilities will be located on. CBSA, Ascension Parish and dozens of sports leagues do exactly the same thing currently with the city. They lease, tax free, ground and fields at below

market rate in order to provide quality sports for children and families. Just as the BASE Foundation will be doing (but at a higher lease rate).

Also, another correction.... Pat Flynn is a member of the BASE Foundation (the Missouri non-profit) and I am the managing partner of Big Sports Properties (the land owner and lease holder on the city ground). We will sublease the city ground to multiple non-profits (volleyball clubs, baseball and softball associations, etc.). The hotels, restaurants, medical offices, urgent care and any retail will be on OUR ground where ALL taxes will apply and NO public subsidies are involved.

Happy to take a call at your earliest convenience. Let's get the facts correct and have open and honest dialog. This is a project that should galvanize our community and rally people to create such a dynamic sports destination that can put Chesterfield at the forefront of youth sports. There are already too many false impressions and half-truths beings shared ths project because people refuse to do the required research to know the truth. Chief, use your position to build bridges and get the TRUTH out and help us create a world-class facility for our region.

Dan

Dan Buck

Managing Partner, Big Sports Properties, LLC

FROM FIRE BOARD DIRECTOR JANE CUNNINGHAM:

4-28-17

Mr. Buck-

That is why we ran it by you before releasing to make sure it is accurate. We will make the needed changes. Thank you for letting us know.

Clearly it is important to have this forum.

Jane Cunningham

FROM FIRE CHIEF CARY SPIEGEL:

S-5-17

Directors,

I have had a lengthy, but cordial conversation with Dan Buck. He has expressed concern that a public meeting with Monarch Fire Protection District would turn into criticism of Big Sport. At this time they are declining an appearance at a public meeting with the Monarch Board of Directors. He would like assurance that any meeting would restrict itself to actual fire and EMS issues.

He respectfully requests a meeting with any of the Directors prior to committing to an open meeting with the entire Board of Directors.

Please advise?

Respectfully submitted,

Cary Spiegel,

Chief

FROM FIRE BOARD DIRECTOR JANE CUNNINGHAM:

S-B-17

Pat and Mr. Buck-

Below and attached is a newsletter that is put out by an online reporter who covers Town and Country and Chesterfield. You may have seen the story about you on Page 28 of the attached from John Hoffmann's coverage of an earlier Monarch Board meeting.

I think the presentation will offer a great venue for you to get your own story out as well as address questions accurately. Bob Nation feels there has been much misinformation and misunderstanding. This will be your opportunity to set the record straight if only about how fire and EMS is impacted by the project. It will also be a good chance to share your enthusiasm and vision for the development as a whole.

We look forward to having you.

Jane Cunningham

FROM FIRE BOARD DIRECTOR JANE CUNNINGHAM:

5-10-17

The "main source" of information I have on the project is Mayor Nation. Sounds like there is much more to it that would be helpful to hear. I don't know where you got the "witch-hunt" idea. The Board has not discussed a format other than a workshop with you all leading off to get your story out any way you choose. We can provide an overhead display if you like.

I would assume that would lead to more informed questions if there are any.

Monarch has been through a lot of scrutiny and battles in the last few years to get where we are today as a pro-taxpayer government entity. Transparency is a primary hallmark and reputation we do not want to jeopardize. We even have open public meetings for collective bargaining with the union and may be the only government in Missouri that does. We publish all salary and benefit information by public employee name, including Board Members,

on our transparency portal. Show-Me Institute has held Monarch up as a government to emulate.

In my opinion, meeting outside of the public domain would threaten our significant achievement.

I can't speak for other board members, but I'm not willing to open myself up to criticism or put the district at risk after the huge sacrifice we all made over an extended period of time to achieve what we have.

I view the meeting as an opportunity for you all to get accurate information out and address questions yourselves where you can control the answers. Although disappointed, we obviously respect your wishes.

Jane Cunningham

FROM DAN BUCK:

5-10-17

Jane - Mayor Nation is correct... there has been a TON of misinformation and misunderstanding surrounding the POWERplex and most of it has been spread by the blogger you mentioned. As a journalist for the first 22 years of my professional life, I'm disappointed in your term of "reporter" when referring to Mr. Hoffman. He is, at best, a highly opinionated blogger who writes half-truths to fit an obvious agenda aimed at attacking politicians and projects he doesn't personally like. We refuse to engage in an ugly online war of words with a man who has written horrible and mean-spirited things about me, my partners and more importantly a project that aims to transform the culture of youth sports in our region for the better! He is not educated on our project (beyond what he read in a city lease agreement, which is only a SLITHER of the full scope of this project) nor is he interested in learning the real facts... as that might interfere with his obstructionist agenda.

Jane, we request again, a meeting face-to-face with you and other members of the Board (one-on-one is preferred) in order to share the REAL facts on this project. Mr. Hoffman has NEVER requested to see or even bothered to inquire about any taxation questions before making grossly inaccurate, half-truth assumptions in his blogs, or as you call it "newsletter". It's a shame that elected officials would give credence and credibility to such propaganda before seeking the other side of the story... I would think you would want to gain ALL the facts from the actual people bringing millions of dollars of private investment to your community, before you'd make public statements or share your views about our project with other community leaders. Many in Chesterfield have shared with me your *dissapproval* of our project, which shocks me considering you and I have yet to have any discussions regarding the POWERplex. How can you make an informed, logic-based opinion before talking to the people involved?

As I've told Chief Spiegel, we will not enter into any public forum where we have no control over the format or environment, especially with a board that is using information propagated by an angry "blogger" as their main source. Once we have an opportunity to share the truth about taxation (local, county and state tax generation), land uses, economic impact numbers, community benefit and how our project ELIMINATES the burden on taxpayers who have traditionally had to fund EVERY park and recreational sports venue in our region... then and only then will we enter into a public meeting with the Monarch Fire District Board.

Jane, you of all people - a strong fiscal hawk - should join Rex Sinquefield (who is making a \$6 million gift to our education center) and other great fiscal conservatives in celebrating a NEW model for building and operating youth sports facilities... Our business model is transferring the risk and fiscal liability off of taxpayers and supporting the project through sports-focused donors, generous companies, hotels, restaurants

and retailers who benefit from the sports campus.... We put a huge part of the operating burden also on the families and teams that will come from 8 different states to stay, play and compete in Chesterfield (not hammering our taxpayers for the costs!). We actually BRING taxable for-profits to a sports venue so we CAN cover community costs associated to a sports complex (fire, EMS, Sewer, Roads, etc.)

This is the first project of it's kind in Missouri that is not relying on the tax payer subsidies, TTDs, CIDs, Public guaranteed bonds, or park funding, to underwrite the capital costs and operations. We are bringing \$50 MILLION in PRIVATE funding and philanthropy and PAYING the city over \$5.6 million over 50 years for land that would otherwise be a full tax burden on the parks department, plus we run the entire complex with no parks department expense - ZERO!

I'd welcome a sit down to share ALL KINDS of other facts, including a breakdown of the \$800,000 a year of NEW taxes generated by this site.... If we can't get an audience with members of the board in advance of the 18th, then we will graciously decline that invitation. An unwillingness to learn the facts before a public meeting, clearly shows a lack of "truth-seeking" and honesty. Such a witch-hunt meeting would be a no-win situation for our partnership group or the BASE Foundation.

Look forward to getting a reply and a time to sit down and share the FULL facts of the POWERplex and let you make an informed decision based on the full scope and details of the project.

Dan Buck

President, Buck Innovation Group

Managing Partner, Big Sports Properties, LLC



CHESTERFIELD POLICE BLOTTER: Here is what the Chesterfield cops dealt with last week.

CHESTERFIELD POLICE DEPARTMENT Media Report May 17, 2017 - May 23, 2017

<u>Time of Occurrence</u>	<u>Generic Address</u>	<u>Business/Location Name</u>	<u>Incident Type</u>
05/12/2017, 0900 05/12/2017, 1700	21XX COUNTY CORK DR 4		Larceny under \$750 Person
Brief Narrative Description: Unknown subject took victim's purse after it was lost and used debit card in other jurisdiction to make withdrawal.			
05/21/2017, 1000 05/23/2017, 1330	10XX CHESTERFIELD POINTE PKY	Garden View	Larceny Over \$750 Person
Brief Narrative Description: Unknown subject took watch from victim.			
05/08/2017, 0000 05/08/2017, 0000	14XXX LADUE RD		Fraud Identity Theft
Brief Narrative Description: Unknown subject used victim's information to purchase items.			
05/23/2017, 1635 05/23/2017, 1635	17XXX NORTH OUTER 40 RD	Sunglass Hut	Larceny under \$750 Shoplifting
Brief Narrative Description: 18 yo male concealed sunglasses and left store without paying.			
05/23/2017, 1700 05/23/2017, 1700	17XXX NORTH OUTER 40 RD	Sunglass Hut	Larceny under \$750 Shoplifting
Brief Narrative Description: Unknown subject concealed sunglasses and left store without paying.			
05/23/2017, 1350 05/23/2017, 1350	1XX THF BLVD	Walmart	Larceny under \$750 Shoplifting
Brief Narrative Description: 23 yo male took electronic items and walked out of store without paying. Also in possession of narcotic paraphernalia.			
05/23/2017, 1820 05/23/2017, 1820	12XX E CHESTERFIELD PKY	PF Changs	Weapons Violation Firearm
Brief Narrative Description: 20 yo male pointed firearm at victim after argument at work.			
05/23/2017, 2020 05/23/2017, 2030	XX FOUR SEASONS SHPG CTR	Dierberg's	Robbery Strong-Arm
Brief Narrative Description: Unknown subjects pushed two grocery carts full of groceries out of store without paying. Store employee confronted subjects and hit her head on vehicle while attempting to take back items. Injury minor with no treatment requested.			
05/22/2017, 0923 05/22/2017, 0936	1XX HILLTOWN VILLAGE CTR	Schnucks	Larceny Over \$750 Shoplifting
Brief Narrative Description: Unknown subject filled cart with soap and clothing and walked out of store without paying.			
05/20/2017, 1600 05/20/2017, 1945	14XXX COBBLE HILL CT		Fraud Credit Card
Brief Narrative Description: Unknown subject used victim's credit card for purchases after it was lost at unknown location.			
05/22/2017, 1631 05/22/2017, 1631	2XX CHESTERFIELD MALL	Spencer's	Larceny under \$750 Shoplifting
Brief Narrative Description: Two 16 yo females concealed glassware and clothing and left store without paying.			
05/20/2017, 1930 05/21/2017, 0730	3XX E CHESTERFIELD CTR	Drury	Larceny under \$750 from Auto

Brief Narrative Description: Unknown subject forced lock on victim's vehicle and took packaged furniture.			
05/21/2017, 0742 05/21/2017, 0742	6XX W CHESTERFIELD PKY	Chesterfield Police Department	Property Damage to Vehicle
Brief Narrative Description: Unknown subject damaged police vehicle by denting driver's door.			
05/19/2017, 1600 05/20/2017, 1200	16XXX SWINGLEY RIDGE RD	Hampton Inn	Larceny Over \$750 Person
Brief Narrative Description: Unknown subject took bag with necklace after it was left behind in hotel room.			
05/20/2017, 1145 05/20/2017, 1200	2XX CHESTERFIELD MALL	Sephora	Larceny under \$750 Shoplifting
Brief Narrative Description: 16 yo female concealed cosmetics and left store without paying.			
05/19/2017, 0430 05/19/2017, 0505	2XX CHESTERFIELD MALL	Victoria's Secret	Burglary Commercial - Business
Brief Narrative Description: Unknown subject broke out front doors to business and took clothing.			
05/18/2017, 1630 05/19/2017, 0745	14XXX POCONO CIR		Larceny Over \$750 From Auto
Brief Narrative Description: Unknown subject entered victim's unlocked vehicle and took firearms and ammunition.			
03/30/2017, 1000 03/30/2017, 1000	2XX S WOODS MILL RD	St. Luke's Hospital	Fraud Checks
Brief Narrative Description: Unknown subject altered victim's check to bigger value.			
05/19/2017, 1310 05/19/2017, 1440	1XX THF BLVD	Walmart	Ordinance Violation Leaving Animal in Vehicle
Brief Narrative Description: 51 yo female left two dogs unattended in vehicle during warm day.			
05/12/2017, 1200 05/14/2017, 1700	14XXX NORTH OUTER 40 RD	Demar Gardens	Larceny under \$750 Residence
Brief Narrative Description: Unknown subject took jar full of quarters from victim's room.			
05/13/2017, 1600 05/14/2017, 1600	14XXX NORTH OUTER 40 RD	Delmar Gardens	Larceny under \$750 Person
Brief Narrative Description: Unknown subject took watch from victim's room.			
05/05/2017, 1900 05/06/2017, 0800	16XXX W CHESTERFIELD PKY	Bishop's Post	Larceny under \$750 License Plate/Tabs
Brief Narrative Description: Unknown subject took license plate off of victim's trailer.			
05/19/2017, 1820 05/20/2017, 1854	4X CHESTERFIELD MALL	Macy's	Larceny under \$750 Shoplifting
Brief Narrative Description: 35 yo female concealed clothing and left store without paying.			
05/19/2017, 1530 05/19/2017, 1800	18XX SWEET LAKE CT		Fraud Credit Card
Brief Narrative Description: Unknown subject used victim's credit card information to make purchases.			
05/19/2017, 2230 05/19/2017, 2230	15XX CHARLEMONT DR		Trespassing Private Property
Brief Narrative Description: 33 yo female entered victim's residence without permission and possibly damaged his vehicle in the driveway.			
05/19/2017, 2344 05/19/2017, 0000	17XXX BLUFFVIEW RIDGE CT		Drugs Possession - Misdemeanor
Brief Narrative Description: 27 yo male in possession of marijuana and paraphernalia after suspicious person check.			
04/07/2017, 1200 04/07/2017, 1200	1XX THF BLVD	US Bank ATM	Forgery Check
Brief Narrative Description: Unknown subject forged victim's check after it was stolen in another jurisdiction.			
05/18/2017, 0137 05/18/2017, 0137	BRAEFIELD DR & OLIVE BLVD		Drugs Possession - Misdemeanor
Brief Narrative Description: 21 yo male in possession of marijuana and paraphernalia after being stopped for a traffic violation			

05/11/2017, 1100 05/11/2017, 1100	6XX SPIRIT DR	Mohela	Harassment/Threat by Mail
Brief Narrative Description: 45 yo female sent harassing letter to victim business.			
05/18/2017, 1615 05/18/2017, 1615	4X CHESTERFIELD MALL	Macy's	Larceny under \$750 Shoplifting
Brief Narrative Description: 22 and 21 yo male concealed clothing and left store without paying.			
05/18/2017, 1925 05/18/2017, 1925	2XX CHESTERFIELD MALL	Sunglass Hut	Larceny under \$750 Shoplifting
Brief Narrative Description: 20 yo female concealed sunglasses and left store without paying.			
05/17/2017, 1650 05/17/2017, 1750	16XXX BURKHARDT PL	YMCA	Larceny under \$750 Person
Brief Narrative Description: 18 yo male took wallet out of unlocked locker.			
05/08/2017, 1950 05/08/2017, 1950	18XXX OUTLET BLVD	Saks	Larceny Over \$750 Shoplifting
Brief Narrative Description: Unknown subject concealed clothing and left store without paying.			
05/16/2017, 1340 05/16/2017, 1345	14XXX CLAYTON RD	Parkway West High School	Assault Common - Actual Assault
Brief Narrative Description: 16 yo male pushed victim after argument causing minor injury.			

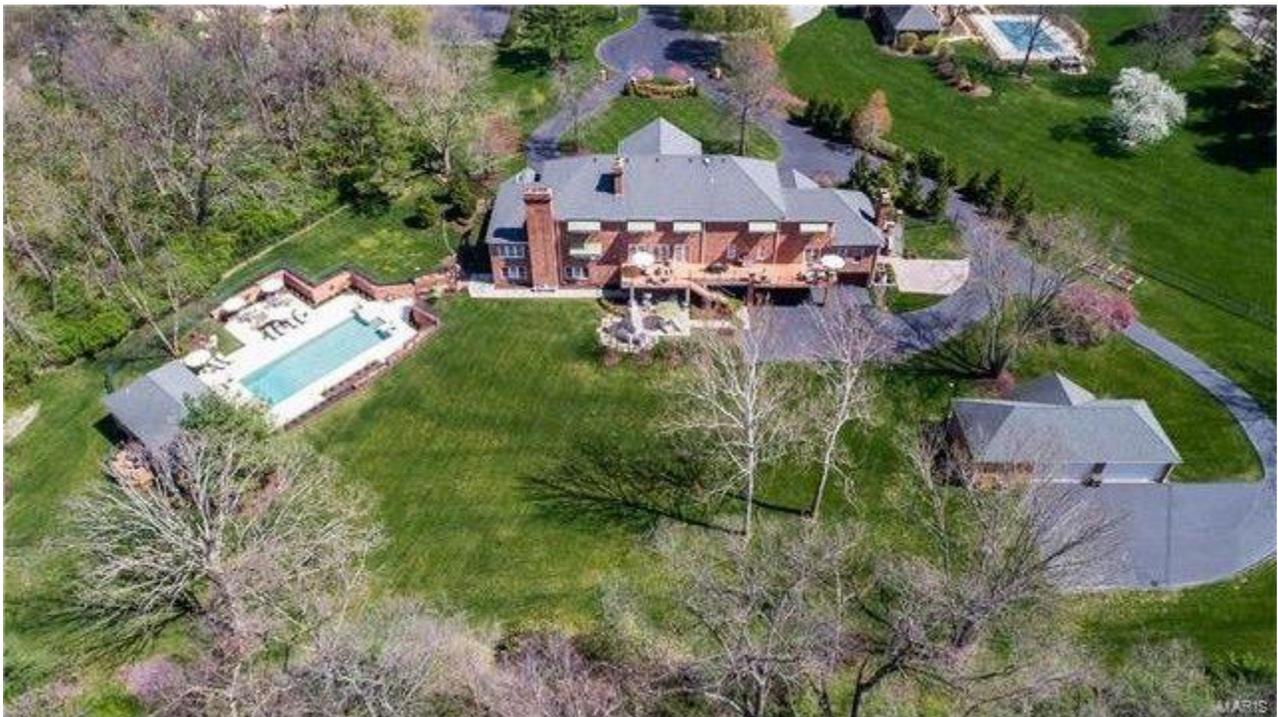
Crime Highlights last week included gunplay at P.F. Chang's, where an employee pulled a gun on another employee, instead of a shoplifting at Victoria's Secret it was a burglary where the windows to the store in Chesterfield Mall were smashed out and items were stolen and the felony stealing over \$750 from Schnucks where detergent was stolen. Large bottles of laundry detergent are favorite theft items of drug addicts as they can 50% of the face value on the street.

REAL ESTATE: David and Laurie Thiemann are trying to unload their house at 7 Carters Grove Court in Ladue for a buyer's prices of just \$3,995,000.



7 Carters Grove Court in Ladue is located off of Warson Road just one block north of Old Warson Road.

This house sits on 3 acres of land. The house was built in 1985. It has 10,578 square feet of living space. It could be considered a modern day “Daniel Boone home” as it has seven fireplaces. To me a big selling point isn’t the six full and 3 half baths, but there are nine garage spaces, although there appears to be two different garages. The second garage area appears to be in the “in-laws” house. 2016 taxes on the house were \$35,966.



David Thiemann

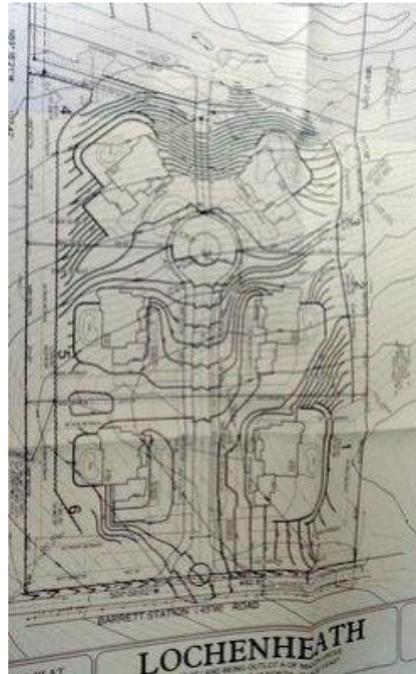
David Thiemann is president and CEO of Thiemann Real Estate. The most recent article on Thiemann is how his company bought a 216 unit apartment complex in Kernersville, North Carolina for \$48-million. But the one I liked the best was from the Post-Dispatch February 8, 2012 edition.

The article was about a trial with a couple suing Thiemann's company that owned an apartment complex in Manchester, where the smell of the decomposing body of the former tenant was so strong in the couple's apartment that according to court testimony from the wife "made you want to puke." Another tenant testified she was asked by management not to mention that the former tenant died in the apartment and his body was decomposing long before he was found.

The judge awarded \$11,300 in actual and punitive damages plus \$6,000 in legal fees. This has nothing to do with the house, but I liked the story.

LAND BEING MOVED ON NEW SUBDIVISION ON BARRETT STATION ROAD:

Two weeks ago the Miceli Home new subdivision saw an army of earth movers preparing the area for a new 15 acre subdivision for six homes.





RAINTREE ADDITION WELL UNDER WAY: If you are a 5-year-old boy going to The Raintree school currently has to be a lot of fun. You get to see trucks, guys in helmets, cranes and other neat stuff. The Raintree School on S, Mason Road near the southern City Limits of Town and Country is for pre-school to K. The building itself is new to begin with, built in the last seven years, and now with there is a major addition. Clearly business is good.



HOW I SPENT LAST WEEK: That is the microphone I was sitting behind for four days and nights at an area minor league ballpark, where I was doing the PA for a NCAA Regional Baseball Tournament that decided which one team from the Central Region would go to the D-3 College World Series. By the last two days the crowd was not that big as three St. Louis area teams were eliminated early. North Central College from Naperville, IL won the tournament. It will be almost nine months before I say “Now Batting” again.



RESTAURANT REVIEW: The Twisted Tree.



The Twisted Tree on Lindbergh at Watson Road. It used to be a biker hangout in its past life as the Mile 277 Tap and Grill. It is now a high end steak house with a familiar

night manager, Jimmy Kristo, former owner Jimmy's on the Park in Clayton. The Twist Tree is owned by the same people that own the Syberg's family restaurants.

As with most high end restaurant's we of course tried lunch, because it is cheaper than dinner.

My wife ordered a hamburger. The standard burger is two patties on a bun (\$11). She also ordered a side of Mac n' Cheese (\$3). I went with the Tenderloin Philly that was covered in crème cheese. I had not heard of "crème cheese in place of regular cheese, but decided to try it. We both ordered sides of Onion Rings that had a \$2 upcharge.



The burgers did not have much taste. My wife ate one patty and took the other one home. I ate it the next day with lots of mayo on it along with a slice of Borden's American Cheese. The half-pound burger down the street at the Mellow Mushroom (\$9.99) is a single patty but tastes better and is at a pizza joint.

I think my Tenderloin would have been good if it didn't have the crème cheese on it. I can't get too upset over the name. At least they didn't claim it was a Philly Cheesesteak. It was titled "Tenderloin Philly." The meat was great and flavorful if my bite did not include crème cheese. If I go back I might order it again without the crème cheese.



A little odd. The hot bread was delivered in a brown paper bag. The bread was okay. What's a bigger waste of resources, washing a cloth naplin the bread is wrapped in or the use of paper?



And the best part of lunch was:



It was the Mac n' Cheese. It is a side on the dinner menu but if you ask for it at lunch it will be served. Ours was hot and very gooey. Clearly made from several cheeses. A fork full of this and there is not drips or run offs. This Mac'n Cheese is so much better than what they serve at Syberg's.

Biggest price difference and second best item: The Onion Rings at the Twist Tree are \$2 up-charges as a side and are \$6 and \$10 for a small or large order. They were very good. They are also exactly the same as the Onion Rings at Syberg's that sell for \$1.99 for a small order.



Twisted Tree side



Small order at Syberg's

As a side note the wait staff was extremely friendly, although a couple of suggestions missed the mark. We recognized our waitress who was on her first day after 9 years at Annie Gunn's.

CARTOONS:

