

## EX ALDERMAN NEWSLETTER 199 AND CHESTERFIELD 144



**By John Hoffmann**

**October 22, 2015**

**IT WAS A BUSY WEEK FOR WESTMINSTER CHRISTIAN ACADEMY.** Residents from the Arlington Oaks subdivision witnessed student-athletes coming through the trees from Westminster Christian Academy, stealing pumpkins from front door steps and then running back to WCA. On Monday night Oct. 12 the Board of Aldermen approved the written Findings of Fact 8-0 concerning their earlier vote to deny a Conditional Use Permit for Westminster to put up lights on their football field. The school's high priced lawyer was present.

On Tuesday the headmaster went around to a subdivision returning or replacing stolen property (pumpkins).

Wednesday everyone's good neighbor, WCA, filed suit in St. Louis County Circuit Court against Town and Country over the denial of the lights. Then on Saturday the less than friendly certified letters began arriving at residences from the WCA attorney.

Here is how everything transpired.

### **STUDENT ATHLETES FROM THE "GOOD NEIGHBOR" WESTMINSTER CHRISTIAN ACADEMY STRIKE AGAIN. THEY ARE CAUGHT STEALING FROM NEARBY SUBDIVISION WHERE MANY OPPOSED FOOTBALL LIGHTS FOR.**

During the spring when the Westminster Christian Academy had resurrected the failed Football Lights proposal from the dead and had the matter before the Town and Country Planning and Zoning Commission again, there were yard signs appearing being against the lights.

People in the Arlington Oaks and Brookmill Lane neighborhoods reported that many of the signs when the proposal was first defeated by the P&Z Commission had been stolen in 2008 and the ones left were stolen in 2015 when they were placed back along streets. They printed up more signs.

One of WCA's pitches for lights was what good neighbors Westminster was. However a member of the Cross Country team while working out running down the sidewalks along Clayton Road was caught stealing a "NO Lights" sign this spring.



Now those good Christian student athletes from WCA, the good neighbors to all, have been caught stealing again. Once again the victims were from a neighborhood with strong opposition to the football field lights. Apparently members of the WCA JV Soccer team were seen stealing pumpkins from doorsteps of houses in Arlington Oaks on two different days.



Kirk the ball and steal the pumpkins.

The "Good Neighbor Christians" from Westminster must have been on some missionary work where they wanted to teach the small children of Arlington Oaks who were looking forward to Halloween the lesson of "hard knocks of life - get used to it kid" rule.

I'm sure the fact the residents of Arlington Oaks were vocal about no field lights for football and soccer games had nothing to do with the pumpkin thefts.

A Missouri Sunshine Request to Town and Country Police Department revealed two dispatcher reports that showed the pumpkins thefts occurred on Wednesday October 7 and Friday October 9 and the suspects were seen running back to WCA. There was little doubt the thieves were from Westminster, perhaps on a Mission from God.

**TOWN AND COUNTRY  
POLICE DEPARTMENT**

1011 MUNICIPAL CENTER  
TOWN AND COUNTRY, MISSOURI 63131

**Calls For Service  
Detail Page**

**Event # 1756870**

Date & Time <b>10/07/2015 15:44:02</b>		Day <b>Wednesday</b>	Dispatcher ID <b>W83</b>	Agency <b>TCPD</b>
Beat	Sector <b>513.0</b>	District <b>TCPD-B</b>	Incident #	
Location <b>927 ARLINGTON OAKS TER TOWN AND COUNTRY MO -</b>				

REPORTING PARTY INFORMATION		
Name <b>AT&amp;T MOBILITY</b>	Phone <b>U</b>	Requests Contact <b>N</b>
Address		

CALL DETAILS	
Call Type <b>SUSP PERSON - SUSP PERSON</b>	Priority <b>2</b>
Description <b>Notes:</b> <b>3 W/M ONE WEARING A YELLOW SHIRT.. RUNNING THROUGH YARDS AND THROWING PUMPKINS.. JUST RAN THROUGH THE WOODS NEXT TO CALLERS HOUSE.. MIGHT BE ON WESTMINSTER NOW</b>	Total Consumed Minutes of all associated Units : Dispatch to Clear
<b>User Defined:</b>	
Disposition <b>GONE ON ARRIVAL -</b>	

**TOWN AND COUNTRY  
POLICE DEPARTMENT**

1011 MUNICIPAL CENTER  
TOWN AND COUNTRY, MISSOURI 63131

**Calls For Service  
Detail Page**

**Event # 1757796**

Date & Time <b>10/09/2015 16:17:28</b>		Day <b>Friday</b>	Dispatcher ID <b>W80</b>	Agency <b>TCPD</b>
Beat	Sector <b>513.0</b>	District <b>TCPD-B</b>	Incident #	
Location <b>927 ARLINGTON OAKS TER TOWN AND COUNTRY MO -</b>				

REPORTING PARTY INFORMATION		
Name [REDACTED]	Phone <b>U</b>	Requests Contact <b>N</b>
Address		

CALL DETAILS	
Call Type <b>STEALING - STEALING</b>	Priority <b>1</b>
Description <b>Notes:</b> <b>3 JUVENILES IN GRY, RED &amp; YEL TSHIRTS ARE STEALING PUMPKINS OUT OF YARDS</b> <b>LSH/TWD THE WOODED AREA BEHIND HIS HOUSE; RP WILL POINT OUT THE DIRECTION THEY WENT [10/09/2015 16:19:42 W80]</b> <b>PATH THRU THE WOODS TAKES YOU TO THE WESTMINSTER COMPLEX.....AREA CHECKED .....NO LOCATE.....</b>	Total Consumed Minutes of all associated Units : Dispatch to Clear
<b>User Defined:</b>	
Disposition <b>NRN - NRN</b>	
Comments	

The police did not file official theft or trespassing reports. Technically the thefts are Part I crimes on the FBI Crime Reports. The fact minor incidents were kept from being reported by the police would be normally a minor thing. But tension has been high between the neighbors and Westminster and the fact that athletes were coming from the campus through a wooded area really should have been documented by the police. First reporting the incidents and locating the students responsible whether they are charged or not would send a clear message. Secondly there needs to be documentation in the event of future incidents. That is important to the safety of the residents.

I normally praise the work of the Town and Country Police, but I think they were a little lazy concerning this and could have done a better job.



file photo



Scene of crimes



Scene of crimes

I spoke with Arlington Oaks resident Dan Dorr and learned that the pumpkins or replacement pumpkins were being returned by WCA Headmaster Tom Stoner. Dan said his door bell rang twice on Tuesday afternoon and when he answered it, there stood Stoner sheepishly apologizing for the theft of the pumpkins by the soccer players and his vehicle was loaded down with pumpkins.

Apparently Stoner didn't want the JV Soccer team to miss their game at John Burroughs so instead of the team returning the pumpkins and apologizing Stoner did. WCA lost 3-0 at Burroughs, so they are just as bad scoring goals as they are at successfully stealing pumpkins. (Actually I'm hoping the thieves were kicked off the team for the season and that was the reason for the shutout. Stealing from neighbors is not exactly the Christian Way virtue that Stoner claims the school and students are immersed in.)



Headmaster Tom Stoner

**BOARD OF ALDERMEN APPROVE FINDING OF FACT FOR VOTING DOWN**

**WESTMINSTER LIGHTS:** Three days after the last missionary work by the WCA soccer team of stealing pumpkins (I'm sure they were going to give them to the poor) the Town and Country Board of Aldermen vote 8-0 to approve the Findings of Fact in voting unanimously to deny the football field lights and permanent sound system at WCA.

The findings of fact were the written version of the verbal reasons for turning down the lights request. In the audience was Carrie Hermeling of Husch-Blackwell taking notes. Hermeling represents WCA. Yes, she is with the same firm that just jettisoned Sex Texter of teenage interns and marriage vow breaker John Diehl.



Carrie Hermeling

To save her time and trouble City Attorney Steve Garrett gave Hermeling his draft of the findings of fact.

So one three days after the last band of youths from WCA are stealing in a nearby neighborhood WCA sends a lawyer out to prepare to sue the city.

**WEBSITE ANNOUNCEMENT:** Apparently the lawsuit is God's will. At least it appears to be that way according to WCA's website announcement. I would have to think if they got input from God he might tell them to drop football before someone is hurt for the rest of their life. Six U.S. high school football players have already died on the football field this year.



From the WCA website on Wednesday October 14, 2015:

Today, representatives of Westminster filed a legal appeal for judicial review of the case we presented to the city of Town & Country requesting the necessary conditional use permit to [install lights and a permanent sound system in our football stadium](#). The Board of Directors made this decision after prayerful consideration of the advice from our team of experts.

From the start, we have been committed to and appreciative of the process available to us to present our desire and ultimately to defend our right to use our property in a reasonable manner and in accordance with the regular use outlined by the city and county ordinances for a major educational campus. The action initiated today is the next step in this valuable process.

To this point, our experience with the city of Town & Country directly mirrors our experience with the city of Creve Coeur when we applied for the necessary permits to expand the Ladue Road campus. After numerous denials by the city, we filed an appeal for review, and the judge ruled that the case presented in the official record did not support the denials of the necessary permits.

Similarly, we believe that the official record presented at the August 10 public hearing before the Board of Aldermen indicates, with the supporting opinion of a large team of experts, that we have met all the requirements for the necessary permit. We also believe that a judicial review of the case will identify a discrepancy between the case presented to the city and the decision made.

This issue is highly charged on both sides. We have heard from those opposing this project; however, we have also heard from many people in Town & Country and the greater St. Louis area who support this initiative as a reasonable use of our property in accordance with our mission. From the start, we have been eager to complete this project in such a way that meets Westminster's desires while managing the impact on the neighbors to the fullest extent.

We ask you to continue to pray that our interactions throughout this next step in the process will be consistent with the faith we profess and will continue to reflect a spirit of grace and truth for the sake of Christ and His name.

I will continue to keep you posted of all developments and am available to answer any questions you might have.

Love to you in Christ,

Tom Stoner, EdD  
Head of School

**THE LAWSUIT:** As with many lawsuits this one is full of untruths, known to most as lies, which favor the position of WCA. It is interesting how a school claiming such strong Christian values would include lies in the Petition.

**Here is the first lie. It is repeated several times in the lawsuit.**

3. The BOA's denial of WCA's Limited Evening Use of its stadium is illegal and is unsupported by competent and substantial evidence presented on the record before the BOA on August 10, 2015 at the CUP Hearing (collectively, the "Record").

**TRUTH:** The neighbors to WCA in opposition to the lights had hired a sound expert for \$5,000 who gave a presentation at the Planning and Zoning Commission public hearing where six members of the Board of Aldermen were in attendance. WCA's legal team was also in attendance. Dr. Rob O'Bert a Board Certified, Fellow ENT-otolaryngologist spoke and contradicted many of the points made by the WCA sound expert at both the Planning and Zoning Hearing and at the BOA public hearing. A real estate exec also spoke to contradict WCA's alleged real estate expert.

**The next lie:**

**A. Historical Use of Property Involved Outdoor Evening Events with Lights/Sound**

10. For over three decades, the Property at issue has been used for outdoor evening athletic and entertainment events involving lighting, sound systems and even fireworks.

11. For over twenty (20) years from 1981 through 2003, the Special School District operated West County Vocational Technical School which allowed use, without City objection, of its athletic fields during the evening, specifically by the Bonhomme Football League, also known as the Chesterfield Football League.

12. After WCA purchased the property from the Special School District, WCA rented the Property for outdoor events including the City's annual "Fire and Ice" event featuring bands, lights and fireworks.

**THE TRUTH:** West County Voc Tech did not have a varsity sports program. The athletic field was for gym classes not competitive sporting events. The field had been rented out to a Pee-Wee football league that brought in small portable lights for the few times a year that they played after dark. The years the City of Town and Country had the Fire and Ice fireworks show there were no stadium lights or portable lights for the once a year event.

**HALF LIES:**

14. In 2003, the City's BOA approved a CUP for field lighting for Christian Brother College High School ("CBC"), another private high school located in the City, whose field lighting included installation of eighty (80) foot light poles, the exact same height proposed for WCA's CUP for its field lighting.

**TRUTH:** The CBC football field does not abut existing subdivisions. It abuts I-64, and a church.

**HALF LIE:**

16. In 2013, the City BOA again approved a CUP for Principia Corporation, the owner of the property used by The Principia High School ("Principia"), another private high school located in the City, to permit the installation of fifty (50) foot light fixtures for Principia's existing outdoor athletic facility (soccer field).

17. The BOA's CUP issued to Principia placed no limitation on the number of times Principia could use the field lighting for its soccer field.

**TRUTH:** The Principia soccer field lights are in the middle of hundreds of acres that make up the Principia property and do not abut any residential subdivisions. There was absolutely no opposition to these lights from the closest residential areas. Also there was no sound system involved. Finally the lights were for a practice field and not the field where varsity sports were being played.

**LIE:**

22. The City BOA's disparate treatment of similarly situated applicants is discriminatory and unconstitutional and prevents WCA from enjoying the benefits of its major educational campus in a manner similar to the other private schools in the City and throughout St. Louis County.

**TRUTH:** There is no evidence of discrimination. All three schools are Christian based secondary schools. The difference is that WCA is the only one to build an athletic football field next to long time pre-existing housing. To grant the WCA request could affect property values and quality of life of residents.

The rest of the suit repeats these basic themes which are either not true or only partially true. You might think that a truly Christian School might use the money they are funding this lawsuit with by offering scholarships to students whose families could not afford a "Christian" education.

The entire lawsuit is posted on our website at  
[http://johnhoffmann.net/westminster\\_lawsuit.pdf](http://johnhoffmann.net/westminster_lawsuit.pdf)

**NEXT The surprise certified return-requested mailings:** On Saturday residents in Arlington Oaks and Brookmill were contacted by their postal carrier with registered mail envelopes they had to sign for. There was no reason to send this mailing. All the residents knew about the lawsuit. Social media is very effective nowadays. But if I was sending out a copy of a lawsuit to my opponents I might be on the kinder and gentler side and say:

"Hi, I know you have been interested in the football field lights issue and we wanted to be sure you were aware that we filed a lawsuit against the city concerning their rejections of our request for lights at the football. We have enclosed a copy of the law suit for our neighbors.

But that is not what WCA did. Many felt the cover letter was done to intimidate the nearby residents, but all it did was piss them off.

## **HUSCH BLACKWELL**

Caroline L. Hermeling  
Partner

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October 14, 2015

**RE: NOTICE OF LAWSUIT: WESTMINSTER CHRISTIAN ACADEMY ASSOCIATION d/b/a WESTMINSTER CHRISTIAN ACADEMY v. THE CITY OF TOWN AND COUNTRY, MO**

You hereby are given notice that Westminster Christian Academy Association d/b/a Westminster Christian Academy filed a lawsuit seeking judicial review of the City of Town and Country's denial of its application for a Conditional Use Permit for stadium lighting and a permanent public address system on its existing outdoor athletic facility located on its campus at 800 Maryville Centre Drive. The enclosed Petition was filed on October 14, 2015 in the Circuit Court for St. Louis County, Missouri

Very truly yours,

HUSCH BLACKWELL LLP

By: Caroline L. Hermeling  
Caroline L. Hermeling, Partner

To have Westminster students come from the school property and steal holiday items from their yards while the Town and Country Police did almost nothing to document it or investigate the thefts followed by receiving registered mail envelopes containing the lawsuit has apparently brought the homeowners closer together.

**CBC FOOTBALL LIGHTS ARE NOT BURNING AS BRIGHT:** One complaint from residents and a finger pointed by WCA at the city over the rejection of football lights was the way CBC was violating the Conditional Use Permit allowing lights at their athletic field just 28 times a year. It seemed any evening in the fall or early spring that you drove down I-64 the CBC lights were on. There was football and soccer in the fall and Lacrosse and track in the spring, not to mention ruby. Word was to generate more revenue CBC was renting out the field with artificial turf to other groups.

I decided to start my own photo file of nights the lights were on at the CBC field. I am pretty sure that WCA will use the way CBC ignored the requirements of the Conditional Use Permit in any legal action against the City of Town and Country.



September 25, 2015

I was pretty disappointed. The lights were rarely on twice in the same week. Once it was either a non-varsity game or a scrimmage being played around 7 pm almost in the dark with the lights staying off.

I asked City Administrator Gary Hoelzer about what was different from last year to this year.

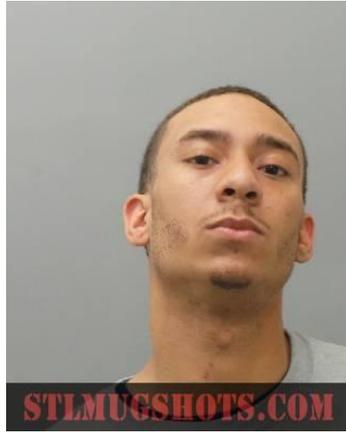
"We told them (CBC) we would be watching and counting and there would be consequences if they were in violation of the CUP," said Hoelzer.

**TOWN AND COUNTRY MAN FROM UPSCALE GATED COMMUNITY CHARGED WITH ARMED ROBBERY:** Kalaun Gray, 25, of 14361 Cedar Springs, the gated subdivision on Woods Mill Road between Manderleigh and the South Outer Forty Road has been charged in Bridgeton with Armed Robbery and Armed Criminal Action, in connection with an armed robbery of a Phillips 66 gas station 12218 St. Charles Rock Road.

The crime occurred on October 13. He was formally charged on 10/14/15. His bond was set at \$100,000.

On 04/26/14 Gray used a stolen or fraudulent credit card in Warrensburg, MO. He was arrested by the Warrensburg PD. He pled guilty on May 27, 2015 and was placed on 2-years probation.

Gray was also arrested on 04/17/15 for Domestic Assault. An incident on 05/14/15 in the City of St. Louis led to Gray being charged with Destruction of Property. That case is pending.



Mug shot from 10/13/15 arrest    Mug Shot from 4/17/15 arrest

Gray's father and the homeowner of 14361 Cedar Springs is Anthony D. Gray, a lawyer for Michael Brown's family and the acting Director of Public Safety in Pine Lawn, better known to North County cops as Crime Lawn.



Here is the probable cause statement from the investigating Bridgeton Detective.

Date: October 20, 2015

I, Matt Paxton, DSN 0251, Bridgeton 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 October 13, 2015, at 12218 St. Charles Rock Rd, Kalaun Gray, Black, Male, DOB 09/20/1989, 5'10", 145lbs, committed one or more criminal offense(s).

Count: 01            ROBBERY 1ST DEGREE- CLASS A FELONY

Count: 02            ARMED CRIMINAL ACTION - UNCLASSIFIED FELONY

The facts supporting this belief are as follows: The defendant was identified as the person who robbed the Phillips 66 gas station clerk at gunpoint.

Matt Paxton, DSN 0251, Bridgeton Police Department

IN THE CIRCUIT COURT OF ST. LOUIS COUNTY  
STATE OF MISSOURI

-VS-

KALAUN GRAY  
148361 CEDAR SPRINGS DRIVE  
CHESTERFIELD, MO 63017

**Defendant**

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**CHARGES**

Count: 01 ROBBERY 1ST DEGREE- CLASS A FELONY

Count: 02 ARMED CRIMINAL ACTION - UNCLASSIFIED FELONY

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**COMPLAINT**

State of Missouri )  
County of St. Louis )<sup>SS</sup>

Comes now the State of Missouri by and through the undersigned Assistant Prosecuting Attorney on information and belief that there is probable cause to believe that the above named defendant committed the following crime(s):

**COUNT: 01 ROBBERY 1ST DEGREE- CLASS A FELONY**

That Kalaun Gray , in violation of Section 569.020, RSMo, committed the class A felony of robbery in the first degree, punishable upon conviction under Section 558.011, RSMo, in that on or about October 13, 2015, at 12218 St. Charles Rock Rd, in the County of St. Louis, State of Missouri, the defendant forcibly stole U.S. Currency in the possession of Phillip 66, and in the course thereof the defendant displayed what appeared to be a deadly weapon.

1201099.0

**COUNT: 02 ARMED CRIMINAL ACTION - UNCLASSIFIED FELONY**

That Kalaun Gray , in violation of Section 571.015, RSMo, committed the felony of armed criminal action, punishable upon conviction under Section 571.015.1, RSMo, in that on or about October 13, 2015, at 12218 St. Charles Rock Rd, in the County of St. Louis, State of Missouri, the defendant

committed the felony of Robbery in the First Degree, as charged in **Count 1**, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of Robbery in the First Degree by, with and through, the knowing use, assistance and aid of a deadly weapon.

**FINANCE DIRECTOR REPORTS PROJECTED DEFICIT BUDGET FOR 2015 WILL NOW LIKELY END UP IN THE BLACK** City Finance Director Betty Cotner spoke at the Monday morning Ward-2 forum at the Longview Farm House on October 12. In her talk Betty said that the total budget would end up \$111,199 in the black. \$111,199 is not a big sum out of a \$15.4 million budget, but it is impressive.

This is a big turnaround from May when the budget deficit was \$1,297,632.



I asked Service Director and Public Works Director Craig Wilde if Public Works projects coming in under budget was a reason for the turn around. He said it wasn't because the Public Works projects were all pretty small in 2015.

Betty then explained that sales tax revenues were way up from estimates made at the end of 2014. She also said that the city issued more building permits than estimated.

In an early prediction this year Betty felt four of the next five years the city would see small deficits. However in 2016 she estimates there will be a small surplus. However this will be quickly wiped out if the Wirth Property/Town Square project results in extravagant speeding. Also the legal costs to defend against the Westminster lawsuit over denial of football field lights will also eat into the estimated budget surplus for 2016.

**MAYOR DALTON SETS UP SECRET FIRE CONTRACT COMMITTEE:** Tiffany Frautschi let the cat out of the bag at the Ward-2 Forum on Monday morning October

12. Frautschi stated that the committee has met with the current and the only contract holder, West County EMS & Fire Protection District (Formerly Manchester FPD in 1983 when the first contract was issued).

I asked if they would be taking bids from other fire districts or fire department. Tiffany said "they would be talking about if they would."

WHAT THE ???

This was the first I had heard of the Fire Contract Committee. Tiffany says it consists of her, Gussie Crawford, Fred Meyland-Smith and City Administrator Gary Hoelzer. She said it was appointed by Mayor Dalton. Dalton is the same guy who in 2005 as Mayor was on the payroll of the Fire District as a lobbyist and signed a \$17.5 (very overpriced) 5-year contract with the Fire District.

Contract negotiations is an exception to to the Missouri Sunshine Law Open Meetings Law, however the creation of a special committee or task force is not. It appears as if Mayor, Cigarette Lobbyist, User of Eminent Domain to Take a Widow's Business and Property for an Underfunded Nightclub District John Dalton is good at keeping secrets.



Dalton                                      The woman he cheated and her lawyer      The Saint he sued  
At the Ward-2 Forum I immediately asked Frautschi what she meant "they were talking about seeking other bids." I said that a contract service that uses 40-percent of the city's budget demands in the name of good government that bids be solicited.

Perhaps West County EMS & FPD has the best offer, but how would you know unless you got bids from other districts or departments?

It turns out that this committee appointed by Dalton was never announced and made public. This is not an example of good government. Even though the meetings can be closed under the Missouri Open Meeting Sunshine Law they should still be posted.



Gary Hoelzer

Fred Meyland-Smith

Gussie Crawford

Tiffany Frautschi

Tiffany told me "I think you are reading a bit more into this than really exists."

My problem with this is the four elected officials (Dalton, Meyland-Smith, Crawford and Frautschi) plus the top city hall staffer should be playing by the rules, which in this case is state law. The committee should be announced on the website and at the next open Aldermanic meeting. That was not done. The committee meetings should be posted and that has not been done. The public and interested bidders have a right to know what is going on and that there is an even playing field.

**FIRE STATION MOLD WILL COST CITY:** The conference room in the Town and Country Fire Station has been closed for any use, including public meetings due to mold. The Board of Alderman voted to spend \$17,415 for remediation services to two companies. Woodward Cleaning and Restoration will get the lion's share of the money at \$16,429.

Public Services Director Craig Wilde added there was a chance some furniture might have to be destroyed and replaced.



The conference room is on the northwest side of the station, behind the tree. The doors to the conference room and the men's bathroom are sealed off.

**WHAT WORLD OF FINANCIAL REALITY IS SKIP MANGE LIVING IN? Another installment of the World According to Skip:** At the recent Conservation Commission meeting Skip "Vacant Lot" Mange was telling commissioners that the city did not want to be a developer or landlord and hope to sell off the front 1.8 acres of the Wirth Property-Town Square to a developer for maybe two family style restaurants.

"We are not looking for things that will attract people from all over West County," said Mange.



There is an idea! Find a restaurateur who doesn't want to expand sales and profits and who wants to serve mediocre food so they will be no good reviews to draw in customers. I guess Skip doesn't want a restaurant to advertise. Maybe you should have to show your drivers' license at the door and they will only let people in with Town and Country addresses.

Skip has mentioned the vacant lot at Clayton Road and Ballas Road looks horrible. This was after he helped kill the Tim Horton's family restaurant proposal. With Skip's idea on how to market, anyone stupid enough to put a restaurant in at Clayton Road near Mason where the City doesn't want it to draw customers from the region should be broke and out of business within a year. Then Skip will have helped create two "horrible vacant lots."

**TELLING TIME WITH AMY ANDERSON:** At 10:01 am at the Ward-2 Forum meeting at the Longview House on October 12, Amy Anderson introduced Alderwoman Gussie Crawford, by saying, "Gussie Crawford is here with us this evening."

If if the Belle of Beaver Island (Anderson abandons her elected duties leaving town every summer for an island in Michigan) was on Michigan time it would still be morning.

**HIGH HEEL NIGHT AT CITY HALL:** Monday October 12 was apparently high heel night at the Board of Alderman meeting. I have often wondered why women who are already attractive submit to punishing themselves, their ankles and toes by wearing painful extreme high heel shoes. However if you look at how I dress, clearly I have not a clue about fashion. But I have always said they had the Hollywood Dance Stars billed

wrong. Fred Astaire and Ginger Rogers should have been Ginger Rogers and Fred Astaire. After all she had to dance in high heels and backwards!

That said on Monday I observed two examples of high heels that were impressive and spanned a couple of generations.

First it was Linda Rallo who has made a point of fashion over sensibility. I was impressed that she was not even swaying when standing in her heels. But a short time later it was a person who was given an award by Mayor Dalton at the start of the meeting who won the award for highest high heels.



Linda Rallo talking to Police Chief Pat Kranz before the last BOA meeting.

I showed the above photo to woman in the entertainment world who first thing after singing her last song is to change out of her high heels.

"Whoa those are high," she said.

Abigail Mueller won the Miss Pre Teen USA Ambassador crown for 2015. I'm not sure what all goes into this but appearance and public speaking clearly does. I first saw Abigail in the Town and Country Parade on October 3.



On October 12 at the Town and Country Board of Aldermen meeting Abigail was there to receive a plaque congratulating her being named Miss Pre Teen USA Ambassador. After she got the award she gave a speech about how great it was living in Town and Country. Often when a kid gives makes a comment at a meeting it is cute. That was not the case with Abigail. It was amazingly professional. The other thing that was amazing were how high the heels on her shoes were.



I showed this photo to my fashion consultant entertainer friend.

"Oh my God they are higher than the first ones you showed me," was her comment.

Abigail did something that few people do after they receive an award. She stayed until the end of the meeting. I asked her if she had entered her teenage years and turned 13 since winning the contest in February. Nope she is still 12!

## **UNAPPROVED CHESTERFIELD NEWSLETTER 144**



**October 22, 2015**

**THE CHESTERFIELD CITY COUNCIL SETS A DATE FOR HEARING TO CENSURE MAYOR BOB NATION. ALLEGATIONS THAT NATION USED FOUL LANGUAGE TO A CITY HALL EMPLOYEE WHILE VENTING ABOUT HIS LACK OF FONDNESS FOR THE CITY ADMINISTRATOR.**

On Monday October 19, 2015 after the conclusion of the regular Chester field City Council meeting three documents were released. They are as follows:

### **1) Resolution of Censure of Mayor Bob Nation**

All three documents are or will be posted on our website's homepage.

Bob Nation used foul language in front of an employee. However the language was not directed at the employee or her work. It was directed at the City Administrator Michael Herring.

BEFORE THE CITY COUNCIL  
CITY OF CHESTERFIELD, MISSOURI

In Re: The Matter of            )  
  )  
**MAYOR BOB NATION**            )

**RESOLUTION OF CENSURE  
OF  
MAYOR BOB NATION**

**WHEREAS**, on July 1, 2015, at the Chesterfield City Hall, Mayor Bob Nation, without invitation or permission, closed the door to the office of a Chesterfield employee (identified for these purposes as Jane Doe) and subjected Ms. Doe to an angry, unwanted, intemperate, vulgarity-laced tirade during which he: (1) demeaned Ms. Doe's supervisor;<sup>1</sup> (2) expressed the view that Ms. Doe's supervisor should and would be removed from his position;<sup>2</sup> (3) invited her to convey his comments to her supervisor;<sup>3</sup> (4) insulted persons active in the community and with whom Ms. Doe interacted in her official duties;<sup>4</sup> and

**WHEREAS**, Mayor Nation knew at the time he engaged in the foregoing conduct that what he was doing was improper;<sup>5</sup> and

**WHEREAS**, also on July 1, 2015, at the Chesterfield City Hall, Mayor Bob Nation, also engaged a Chesterfield employee (identified for these purposes as Mary Roe) and (1) angrily confronted her<sup>6</sup> as to her supervisor's whereabouts; and (2) demanded that she give him access to her supervisor's calendar without her supervisor's permission;<sup>7</sup> and

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<sup>1</sup> ". . . our so-called ██████████ r . . ." "He then went on in a loud and excited voice to disparage ██████████, calling him a son-of-a-bitch and that he 'needs to go.'" "He called him manipulative . . ." (Ms. Doe's memorandum of July 1, 2015.)

<sup>2</sup> "He said he was fed up with it and that ██████████'s time had come and he would be taking action soon to address it." (Id.)

<sup>3</sup> "He . . . then acknowledged that he was sure I'd be letting ██████████ know about the conversation, but that he didn't care and in fact, he 'welcomed it' and the time had come to address these issues." (Id.)

<sup>4</sup> ". . . that piece of shit of ██████████'s . . ." "██████████ and ██████████ can go fuck themselves." "Fuck, ██████████," (Id.)

<sup>5</sup> "He said he knew it wasn't right to say these things to me as a subordinate of ██████████'s . . ."

<sup>6</sup> "His tone was hostile and intimidating." (Ms. Roe's "Confidential" memo.)

<sup>7</sup> "Mayor Nation demanded that he have rights to ██████████'s calendar. . ." (Id.)

1

**WHEREAS**, Mayor Bob Nation has admitted that he engaged in the conduct described above and has not once denied that the facts related by those subjected to his actions were accurate; and

**WHEREAS**, the City of Chesterfield has adopted a written "No Harassment" policy that prohibits verbal conduct which has the purpose or effect of creating an intimidating, hostile or offensive working environment or which has the purpose or effect of unreasonably interfering with an individual's work performance and which encompasses actions between co-workers and non-employees alike; and

**WHEREAS**, the City of Chesterfield has adopted a code of conduct which city personnel are expected to live up to, including prohibiting discourtesy, interfering with the work performance of others, and disruptive activity in the workplace; and

**WHEREAS**, Mayor Bob Nation's conduct with Ms. Doe on July 1, 2015, was contrary to Chesterfield's No Harassment policy and was contrary to the code of conduct expected of Chesterfield personnel; and

**WHEREAS**, Mayor Bob Nation's conduct with Ms. Roe on July 1, 2015, was contrary to Chesterfield's No Harassment policy and was contrary to the code of conduct expected of Chesterfield personnel; and

**WHEREAS**, Mayor Bob Nation's conduct, especially his vulgar and intemperate statements to Ms. Doe and in demeaning and threatening her supervisor to her and demanding access to Ms. Roe's supervisor's calendar, was disruptive to the good order and discipline of the City's workforce and interfered with the loyalty subordinates owe to their superiors and thereby disturbed the efficiency and well-being of the City; and

**WHEREAS**, Mayor Bob Nation has sought to minimize his misconduct on the basis that he "had a bad day on July 1" and merely "vented his frustration" such that these women "bore the brunt" of his ire with someone else, and suggests these were "isolated incidents"; and

**WHEREAS**, the City Council notes that Chesterfield's policies do not provide that one cannot harass an employee more than once or prohibit only second acts of misconduct; and

**WHEREAS**, the City Council understands that we can hardly hold those who work for us to the high standards we expect if we do not hold ourselves and those accountable to us to those same standards of professionalism, good conduct, fair treatment and respect; and

2

**WHEREAS**, several citizens recently addressed this Council and cautioned that elected officials should always act with dignity and honor and be sensitive to not act in ways that embarrass the City or its residents; the City Council wholeheartedly agrees and appreciates their ratification of our view that if elected officials act in a way that does not reflect the dignity of the office they hold, that tarnishes the City's honor or is a source of embarrassment we must act in some way to hold them to account for their actions;

**WHEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, MISSOURI, AS FOLLOWS:**

The City Council of the City of Chesterfield hereby expresses its profound disappointment with the conduct of Mayor Bob Nation on July 1, 2015, as aforesaid, and publically reproaches Mayor Bob Nation for his inappropriate behavior.

The City Council further expresses to Mayor Bob Nation that the Council and the people of Chesterfield have a right to expect that the Mayor will in the future comport himself with honor and temperance and treat all with whom he interacts in the course of his duties with dignity and respect.

The City Clerk is instructed to lodge this Resolution in the official records of the City.

PASSED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, MISSOURI THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

---

Council President Pro-Tem,  
Presiding Officer

Attest:

---

City Clerk



Mayor Bob Nation and City Administrator Michael Herring the subject of the mayor's ire.

**#2 SHOW CAUSE HEARING**

The second document is an Order to Show Cause and Answer to Charges of Misconduct. This will be open to the public in the City Council Chambers. It will be a trial of sorts.

It is scheduled for Wednesday November 4 at 5:30 pm. This should be great theater and I would recommend attending.

Here are the two main charges he has to answer:

**Item One. Violation of No Harassment Policy**

The City of Chesterfield has adopted and promulgated a "No Harassment Policy" which states in relevant part as follows:

. . . the City of Chesterfield expects that all relationships among persons in the workplace will be business-like and free of bias, prejudice and harassment. Harassment of any kind is prohibited and will not be tolerated.

Harassment is defined as verbal or physical conduct which:

1. Denigrates or shows hostility . . . toward an individual because of his/her . . . gender;
2. Has the purpose or effect of creating an intimidating, hostile or offensive working environment;
3. Has the purpose or effect of unreasonably interfering with an individual's work performance; or
4. Otherwise adversely affects an individual's employment opportunities.

**OUR TAKE ON ITEM 1.** Mayor Nation did not show hostility toward an individual because of his or her gender. Mayor Nation did not intentionally create an intimidating, hostile or offensive working environment. He vented for two or three minutes about the city administrator and left. Intimidating, hostile or offensive work environment is regularly telling off color or sexual jokes, having repeated outbursts or deeming an employee in private or in front of co-workers. Nation did none of those things.

He took three minutes to vent that should not have interfered with the person's work performance. He certainly did not adversely affect the person's employment opportunities. Writing a memo and reporting this to Herring probably improved her work opportunities.

**Item Two. Violation of Conduct Policy**

The City of Chesterfield has adopted and promulgated a conduct policy which gives all personnel "fair notice of what is unacceptable conduct" including, but not be limited to:

4. Discourtesy.  
\* \* \*

14. Interfering with the work performance of others. . . . disruptive activity in the workplace.

**OUR TAKE ON ITEM TWO.** I can only go on 32 years of working in government jobs to say that I worked for several very good supervisors who on occasion blew up, swore and threw things and then went back to being a regular human being. If this was regular everyday actions it would be one thing. But it was an isolated incident on July 1, 2015 that last several minutes.

Another accusation of the mayor getting upset at a meeting of mayors over the sales tax laws could be seen as him losing his temper or Mayor Nation sticking up for the residents of Chesterfield who see 54% of the retail sales tax generated go to other cities.

**#3 A REPORT BY SPECIAL COUNSEL KEVIN O'KEEFE**

This is too long for me to include. However it is or will be posted on our website. This has the memo written by the city employee that more than anything shows the frustration Nation has had dealing with City Administrator Mike Herring.

It also has some ridiculous findings by O'Keefe that Nation violated Roberts Rules of Order by his conduct. I was not aware that not following Roberts Rules of Order was an impeachable offense, but O'Keefe thinks it might be. I'm now seeing how the Ellisville impeachment of Mayor Adam Paul which was handled by O'Keefe's firm and turned into a farce might be repeated. I think they night show that on July 1 for a few minutes Bob Nation let his temper get the better of him and he was a jerk. What politician has not been guilty at that?

**STILL LOOKING FOR HIDDEN FACTS ON HIRING EXPENSIVE SPECIAL LAWYER:**

October 14, 2015

TO: Vickie Hass, City Clerk

Harold O'Rourke, City Attorney  
City of Chesterfield

RE: Missouri Sunshine Law Request

This request under the Missouri Sunshine Law Open Meetings and Records Law:

Since votes in closed sessions of government bodies must be made public this is a request for the vote taken by the City Council to hire attorney Kevin O'Keefe, the date the vote was taken, who nominated and second the motion to hire Mr. O'Keefe and the actual vote count by Councilperson if a roll call vote was taken.

John Hoffmann  
13309 Manor Hill Road  
St. Louis, MO 63131

Here is what the Sunshine Law says about votes in closed meetings.

7. A journal or minutes of open and closed meetings shall be taken and retained by the public governmental body, including, but not limited to, a record of any votes taken at such meeting. The minutes shall include the date, time, place, members present, members absent and a record of any votes taken. When a roll call vote is taken, the minutes shall attribute each "yea" and "nay" vote or abstinence if not voting to the name of the individual member of the public governmental body.

**From:** Harry O'Rourke [mailto:horourke@smhhlaw.com]  
**Sent:** Monday, October 19, 2015 4:42 PM  
**To:** John Hoffmann  
**Cc:** 'Vickie Hass'; Michael Herring  
**Subject:** RE: Missouri Sunshine Law Open Records request

Dear Mr. Hoffmann,

In response to your sunshine request below, there are no open records responsive to your request under the sunshine law.

Very truly yours,

Harold V. O'Rourke  
**HAROLD V. O'ROURKE**

It appears as if Chesterfield is doing its damndest to make sure the public does not know how Kevin O'Keefe was hired or how much he is being paid.



A not very happy Kevin O'Keefe just before the closed meeting on Monday.

**CHESTERFIELD WOMAN HAS PROBATION REVOKED ON CHECK FORGERY**

**CHARGES:** Jennifer Stauffer, 45, of 1446 Westmeade Drive had her probation on 11 counts of Felony Check Forgery cases from Creve Coeur revoked on October 9, 2015 by Judge David Vincent III. She was arrested on Thursday October 15.



**DO NOT TAKE A CHECK FROM THIS WOMAN**

The 11 check forgeries occurred between July 3 and July 11 2013.

She pled guilty on 10/23/14, was sentenced to 7-years in prison, but immediately placed on probation. Here is her record that we could find.

05/26/15 Felony Passing Acc Closed Check Chesterfield PD  
Warrant was issued on 08/18/15 and arrest made on 09/02/15

04/22/14 11 Counts of Check Forgery Creve Coeur PD  
Pled Guilty 10/23/14 sent 7-years prison, placed on probation. Prob revoked 10/9/15

06/06/12 2-Counts Passing Bad Checks Franklin County  
01/07/15 PG sentenced to 200 days jail, but probation granted

05/25/12 2-Counts Passing Bad Check Ord Vio Bourbon, MO PD  
9/3/13 Pled Guilty fined \$50 warrant issued for Failure to Pay Fine/FTA

05/20/08 Felony Passing Acc Closed Check Ladue PD  
Pled guilty 08/29/09 sentenced to 2 years prison

09/19/07 2 Counts passing Bad Check Town and Country PD  
Pled Guilty 03/02/09 7-years prison

08/10/06 Felony Check Forgery O'Fallon PD  
Pled Guilty 02/06/09 sentenced to 7 years prison

07/12/06 Felony Passing Bad Check Stone County  
Pled Guilty 10/14/09 sentenced to 2-years prison

03/26/06 Misdemeanor Passing Bad Check St. Charles Sheriff's Office  
Pled Guilty 6-months jail

03/08/06 5 Counts Felony Passing Acc Closed Check Chesterfield PD  
Pled Guilty 08/17/07 placed on probation. Prob revoked sentenced to 7-years prison

03/06/06 3 Counts Felony Check Forgery Clayton PD  
Pled Guilty on 8/17/07 placed on probation. Prob revoked 03/02/09 7-years prison

02/26/06 2-Counts Felony Passing Bad Check Ladue PD  
PG 08/17/07 probation. Probation revoked sentenced 7-years prison

01/30/06 Felony Check Forgery Clayton PD  
Pled Guilty 08/17/07 placed on probation. Prob revoked 7-years prison

01/30/06 Felony Forgery Creve Coeur PD  
PG 08/17/07 placed on 5-year probation. Probation revoked sentenced to 7-years prison

07/18/04 Felony Check Forgery Des Peres PSD  
Pled Guilty 4/20/07 Placed on probation Prob revoked sentenced to 7 years prison

**22-YEAR-OLD BALLWIN MAN ARRESTED FOR ATTEMPTED ROBBERY OF CIRCLE K SHELL STATION ON CLAYTON ROAD:** Jordan Fendelman of 132 Shirley Lane Ballwin was arrested after he tried to rob the Circle K on Clayton Road east of Baxter in Chesterfield last Saturday night Sunday morning at 2:45 in the morning. Fendelman was out dueled by the overnight clerk. Fendelman came in with a hammer and the clerk went after him with a bottle of wine.



**PLANNING DEPARTMENT PROJECT UPDATES:** Here are some project and proposal updates from Chesterfield Planning Director Aimee Nassiff:

**FRIENDSHIP VILLAGE EXPANSION WARD 1**



Zoning map amendment 3 parcels recently acquired by Friendship Village. Goal is to have these parcels incorporated into the development. Public hearing for change of zoning to R-4 is Monday, October 26, 2015

**WARD 2 KRUSE FARM CENTER 4-STORY OFFICE BUILDING UPDATE**

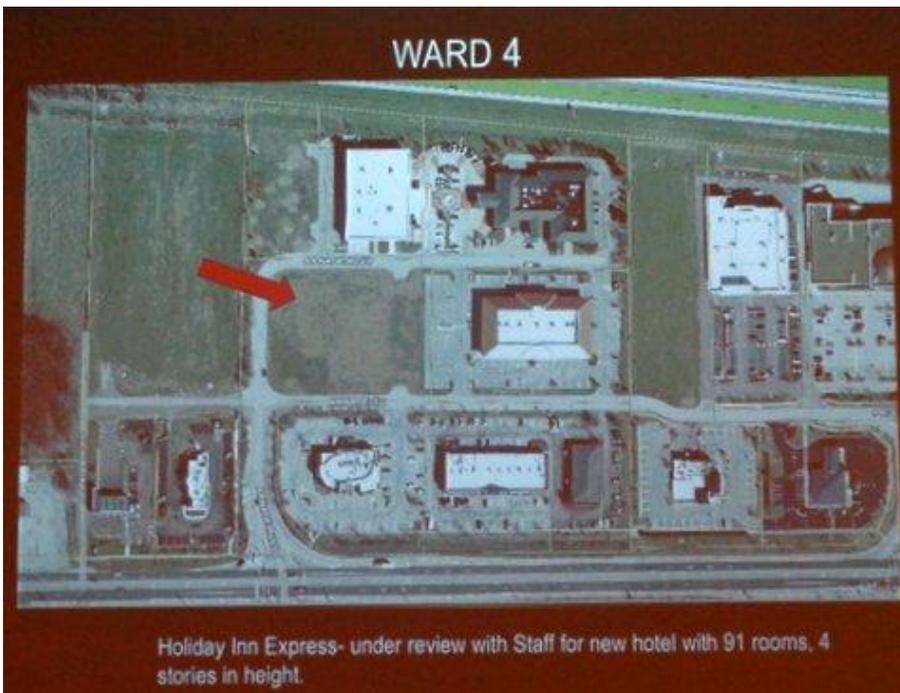


Kraus Farm Center-amended SDCP and ASDSP under review by Staff. Phase 1 is a single 149,669 square foot, 4 story building

**WARD 2 THE GROVE ASSISTED LIVING DEVELOPMENT**



The Grove in Chesterfield-96 bed assisted living development. Site Development Plan set under review with Staff.



This is on Chesterfield Airport Road. Armini's is at the top center and Culver's and Chick-fil-a is at the bottom left corner.

Other projects under review at various stages of the development process we are working on include but are not limited to:

- *Barat Academy site plan*
- *Long Road Crossing (Ameren Sub Station)*
- *Bur Oaks Improvement Plans*
- *Courtyard by Marriot improvement plans*
- *Edison Express Improvement Plans*
- *St Luke's improvement plans*
- *Burlington*
- *Telecommunication citing permits*
- *Gas Mart*
- *Highland on Conway*
- *Harmony Seven*
- *Ameren sub-station Long Road Crossing*
- *Brattle Hill*
- *Chesterfield Valley Nursery*
- *Bonhomme Presbyterian Church*
- *Chesterfield Airport Service-17909 Chesterfield Airport Rd*
- *Regions Bank amended lighting plan*
- *Autozone change of zoning*

**MUSIC:**

**FIRST 250 REQUESTING FREE CONCERT TICKETS GET FREE PARKING TOO:** It might be October but it is not too early to think about getting tickets to a free Christmas Concert.



The concert is at the Scottish Rite Cathedral at 3633 Lindell Blvd with an attached parking garage at the rear of the building. To get free tickets just send a self address stamped envelope to:

Scottish Rite Cathedral  
Concert Series Christmas  
3633 Lindell Blvd.  
St. Louis MO 63108

**SASHA 'S** Last week Arthur Toney was filling in for Chris Lupy Swan. Trumpet player Dan Smith dropped by. He is playing in the house orchestra at the Fox for the show Matilda .



Jim Manley and Arthur Toney

Il Bel Lago My wife hates going to Il Bel Lago. She was out of town plein air painting in Lesterville last week so I went twice. On Friday night it was Anita Rosamond and she put on a great show. It was all stuff I have seen her do a dozen times before, but every time it is a little different, but the twinkle is in her eye and she had people laughing. Anita is at Bishop's Post in Chesterfield every Thursday from 6-9 and back at Il Bel Lago (11631 Olive) on Halloween 7-10 which should be interesting to see if anyone shows up competing with kids at the door, college football and the World Series.

The Saturday gig was the Trio Monaco plus vocalist Cory Marks. They will be at an unusual Thursday night gig at Truffles in Ladue this week.

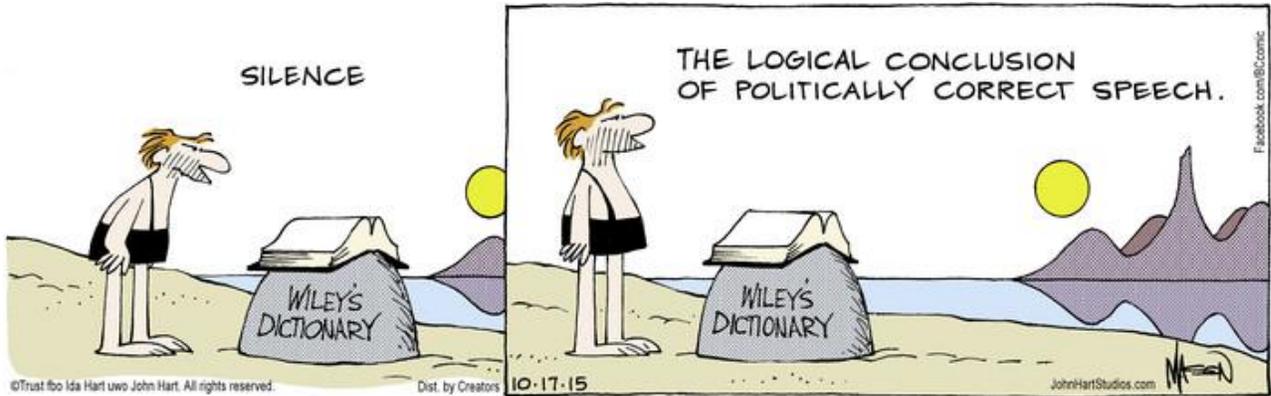


Anita suggesting we all come to the Cabaret. Jerry Moser sings the Academy Award winning song from 1944. A woman celebrating her birthday at a nearby table was singing along word for word. I asked her if she knew what movie it was from. She didn't. It was from Going My Way starring Bing Crosby as Father O'Malley from St. Louis. Finally Anita got every woman in the place up and dancing as she did a soul number.



An awful photo (sorry) of the Trio Monaco.

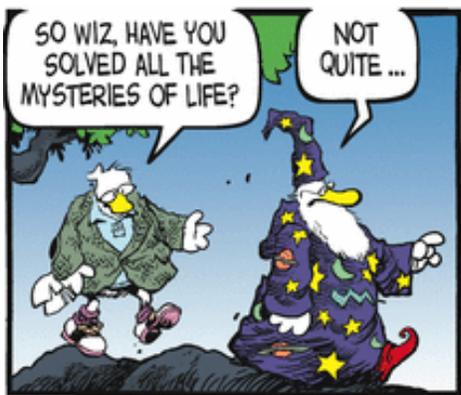
## CARTOONS:



"This isn't what I had in mind when you told me you were going to canonize me."



"We've got to let him go. He's got a concealed carry permit."



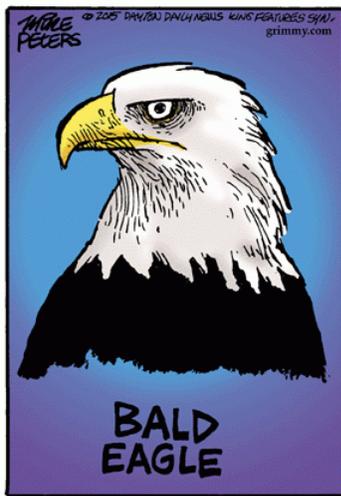
Matt Mason, 102 years old, passed away shortly after being awarded a key to the city.

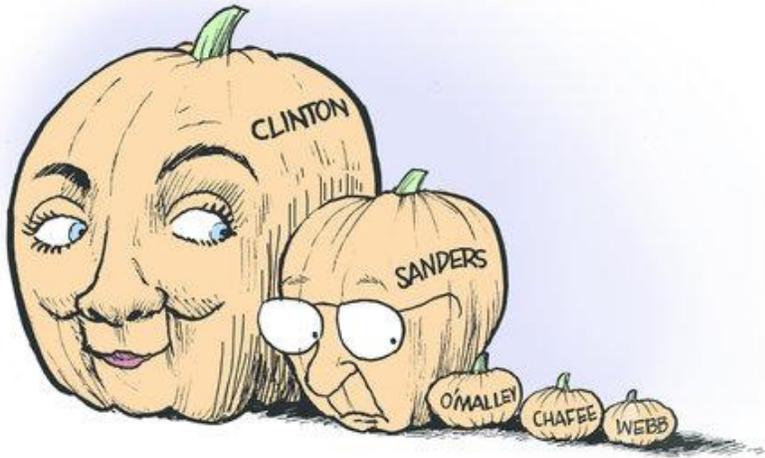


He was buried with his memento resting on his chest ...



making it the first time a Matt was left under a key.





WE SIMPLY CANNOT LET ECONOMIC POLICY BE DETERMINED BY EXTREMELY WEALTHY ONE-PERCENTERS.

CREATORS SYNDICATE © 2015 GARY

SO YOU'RE DROPPING OUT OF THE RACE?



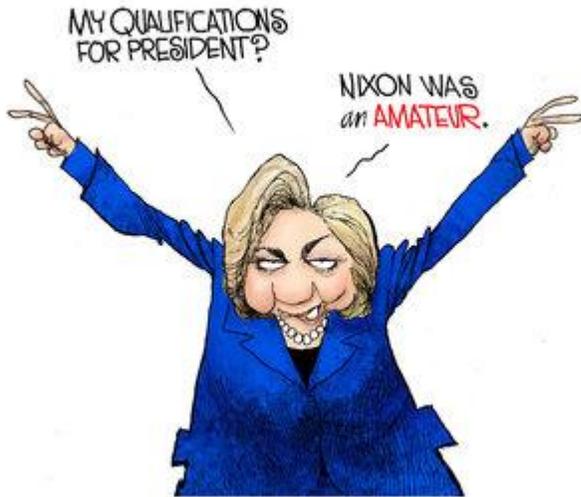
gary varvel  
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CREATORS.COM

WHO DO YOU THINK WON THE DEBATE?

JOE BIDEN.



garyvarvel.com



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