

UNAPPROVED CHESTERFIELD NEWSLETTER 28

APRIL 10, 30, 2013

By John Hoffmann

ELECTION RESULTS: Bob Nation was out spent 4-to1 and had the entire city council with the exception of the longest serving member (Barry Flachsbart) against him and managed to get elected mayor with 52% of the vote. That was pretty good going.

It was a good night for all those people who came to the public hearing about giving a special sales tax to the developer of one the outlet malls being built in town in the spring of 2012. Citizens speaking out against giving special breaks to developers while long time Chesterfield businesses got no similar advantages where given lectures by Mayor Bruce Geiger along with Councilmen Randy Logan and Matt Segal.

I was in the audience and was dumbfounded that elected officials would talk down to residents the way these three were doing. In fact I wrote three different columns for the Chesterfieldpatch.com about it. The regional editor, Kurt Greenbaum, a Chesterfield resident, killed all three after city hall started to complain about the coverage local editor Jean Whitney was giving the issue. After Patch.com lost \$100,000,000 nationally in 2011, patch.com in St. Louis fired all their paid columnists and part time writers. It was about the same time I left over Greenbaum's interference.

THE CID TAX ISSUE & DECEPTIVE CLAIMS: Bob Nation, who was against giving Community Improvement District (aka Commercial Improvement District) sales taxes to the Premium Outlet Mall, was upset that Matt Segal claimed he voted for the CID tax. In fact Nation was out of town and was not at the meeting when the tax was approved.



The victor Bob Nation sent out this doctored up photo of Harry Truman holding up the Chicago Tribune headline of Dewey Defeats Truman.

The vote was 6-1 with Barry Flachsbart voting against it.

“My wife and I were out of town on May 19 in Washington DC as our daughter was giving birth. We didn’t make it back for the Monday meeting and the CID vote,” said Nation.

The mayor-elect said that he did vote to have a first reading on the bill. But doing so by no means indicates you are for a bill. It just puts it on the agenda for an eventual vote at the next meeting. All bills have to have two readings, normally at different meetings. Nation claimed regardless if he is for or against a bill he will vote to put on the agenda for a first reading, an action that will result in a vote, usually two weeks later.



Loser Matt Segal, who touted his MBA and downplayed having worked for developers and received contributions from one of the Outlet Mall investors.



The winner Bob Nation showed his overall service including that of an Army officer, retired airline pilot, who stills flies volunteer medical mercy flights for charities.

PATCH.COM REFUSED TO RUN NATION ADS: If you are one of the few remaining patch.com readers, who may remember that in February Bob Nation had a banner ad running on the chesterfieldpatch.com. In March that ad was replaced by one from mayoral candidate Matt Segal.

Nation told us after the election that he had an agreement to have the exclusive mayoral ad on the chesterfield patch.com site.

“It wasn’t in the contract, but it was agreed to in emails before we signed the contract and before the ad began to run. On March 3 they broke that agreement and began running Segal ads,” said Nation, who said patch.com refunded his money.

OTHER PATCH.COM ISSUES: Nation felt the general press coverage over the mayor’s race was slanted against him, as reporters were too often going to Mayor Bruce Geiger for comments. Geiger was Segal’s campaign treasurer.

In his post election article the patch.com Chesterfield editor Frank Johnson wrote Segal supporters complained that Nation was distorting his own voting record (inferring his vote to read the bill on the CID tax).

While Johnson did not mention the fictitious Segal claim that Nation voted for the CID he was uninformed enough to allow a completely false posting by a reader that claimed Nation voted for the CID.

PATCHED UP: After losing \$100,000,000 in 2011 and costing AOL a profitable year, Patch.com continued to lose millions but just not as much in 2012. All this caused large cuts. I'm sure Chesterfield readers have noticed how the Chesterfieldpatch.com site could be renamed the **chesterfieldpatch.coma**. It has little news and lots of reader surveys that don't cost anything. .

After getting rid of the part timers, freelance columnists and reporters Patch.com is now spreading their editors thin. When launched, a Patch.com editor was in charge of the community his site was attached to, plus had two or three freelancers. Now in a cost cutting move editors are overseeing and producing content for two or three sites. Frank Johnson, who replaced Jean Whitney last September in Chesterfield is now also writing stories for the Ballwin-Ellisvillepatch.com .

That is why Frank was not doing any Chesterfield election coverage. On election night he was sitting until 12:30am at the Ellisville Mayoral Impeachment hearing. Frank is apparently burning the candle at both ends as he referred to the impeachment as the **EMBEACHMENT HEARING** in one article. .



Sure I have three major typos in my 6,500 word story on the impeachment hearing, but I never referred to an impeachment hearing to the beaching of a whale or pulling a boat onto a bench.

Anti-TIF politicians – Justified or not, candidates for Ellisville Council cast Paul's embeachment hearing and Tuesday's election as a referendum ...Frank Johnson April 5 Ballwin-Ellisville Patch.

CAMPAIGN OVERVIEW:

Bob Nation wasn't that worried about being out spent 4-to1 by Matt Segal.

"I felt we had a chance. Many people felt we didn't have much of a chance," said Nation.

FILING DAY SHENANIGANS: Bob Nation did comment on a subject that occurred in December but did not come out until after the April election. While some candidates might not be aware of it most persons seeking reelection know you can wait in line to file inside city hall after the normal closing hours the night before filing opens.

Councilman Derek Grier got in line the night before, but the next day when there was no one else for the Ward-2 race in line he stated he was in line for someone else.

Despite giving Segal a \$1,000 campaign contribution, Nation said he Ward 2 councilman Derek Grier showed promise as an elected official.

"I'm going to do the best I can to finally look forward and not look backward," said Nation about the opposition against his election by four remaining members of the council.

While Nation will gain support from newly elected councilwoman and former mayor Nancy Greenwood who takes Segal's spot on the council, plus recently elected Dan Hurt who defeated Randy Logan in Ward-3 plus Barry Flachsbart. But that still leaves youngster Derek Grier, Elliot Grissom, Mike Casey and Connie Fults on the other side. The problem I have seen covering the Chesterfield meetings if Fults doesn't like you a little, it quickly turns into a lot and there is little room for improvement.

WARD RACES: Concerning the new but larger minority of himself, Greenwood and Hurt; Barry Flachsbart told me there may be a difference when compared to the other councilpersons.

"I think the three of us, while not always agreeing, take the approach of 'what can we do to help residents in subdivisions first,'" said Flachsbart.

Ward-1 Former mayor, Nancy Greenwood simply ran away with the Ward-1 race. She got 69-percent of vote and defeated runner up Melissa Heberle 1,535 to 617. It could have been worse. Heberle was backed by Segal, the sitting Ward-1 councilman and had her name on the back of Segal for mayor door hangers and on his signs. Without the Segal campaign paying for part of her expenses the loss could have been worse.



Greenwood as the former mayor wrote a long and on point letter to the city council protesting the passage of CID sales tax that goes into the pockets of the Premium Outlet Mall developers and the TDD sales tax going into the hands of the Taubman Prestige Outlet Mall.



The beauty queen Adelaida Peterson only received 63 votes, a little less than 3-percent of the vote. I have to admit she could have made an interesting councilwoman. But since she never came out with a strong position on any local issue, it is surprising she got 63 votes.

WARD-3 Former longtime councilman Dan Hurt had no trouble at all defeating incumbent Randy Logan. Logan was one of the councilpersons who almost berated citizens who gave opposing views to his on the CID tax for an outlet mall developer. Hurt won with 67-percent of the vote. Logan took just 25-percent of the vote in the three person race.



Dan Hurt is back on the City Council after creaming Randy Logan winning by an 820 vote margin.

“I anticipated Dan would win,” said Councilman Barry Flachsbart. “He has always had a lot of support in Ward-3.”

Over in Ward 4 it was a three-way race with two lawyers running. Bruce DeGroot got 59-percent of the vote to turn back Rich Kastel (30-percent) and Pari Sheth (10-percent). DeGroot is on the Planning and Zoning Commission. We believed he was backed by Ward-4 Councilwoman Connie Fults. DeGroot is a regular reader of this newsletter and called after the election inviting me out for a cup of coffee or lunch despite some shots taken at his candidacy over his failure to file timely campaign finance reports.

“Maybe the people (councilpersons) who endorsed Matt will have to step back and wonder what happened,” said Flachsbarth over the stunning defeats to the council endorsed candidates.

The “anti tax-giveaway to developers sentiment” seemed to hold true in West County as a slate of candidates in Ellisville, backing embattled mayor Adam Paul and his anti-TIF for Wal Mart, won.

NEW CITY CLERK: While I was on vacation Chesterfield city clerk **Judy Naggia** retired! Judy was really great to deal with, whether it was information requests or Missouri Open Records demands. Despite the powers to be at Chesterfield treating me like an unwanted disease, Judy was always pleasant and helpful. She was a true professional in doing her job.



The always smiling and always nice Judy Naggia left Chesterfield after 19 years on the job.

Her replacement is former deputy city clerk **Vickie Hass**. Anytime Judy was absent, Vickie could not be more helpful.

SO MUCH FOR FOLLOWING THE LAW: As excellent as the appointment of Vickie Hass is, I question if it is legal, despite the city website clearly showing that she is the city clerk. I was told that City Administrator Mike Herring appointed her. However the city ordinances say a new city clerk's appointment has to be approved by the City Council. I missed one city council meeting while I was on vacation, the one on March 18. The agenda for that meeting shows there was no vote taken to approve Ms. Hass' appointment.

You would think the guy who has been the city's only city administrator over the last 25 years would know the law. Of course Herring apparently also accepted a gift of 2011 World Series tickets from a city contractor, which is also forbidden. I have to wonder if Herring is not quietly usurping power away from the City Council, by taking improper gifts and making appointments without required council approval.

Sec. 2-91. Appointment.

The City Administrator shall appoint the City Clerk with the consent of the City Council. The term of the City Clerk shall continue from the date of appointment for an indefinite period of time not to exceed four (4) years or until his employment is terminated by the Mayor with the approval and consent of the City Council. Such termination shall not be effective until thirty (30) days' written notice thereof has been given to the City Clerk.

(Ord. No. 4, § 1, 6-1-88)



City Administrator Mike Herring apparently is not always big on following the rules, whether it is accepting \$250 gifts or making appointments.

FIRE DISTRICT RESULTS: The fact that Jane Cunningham won the Monarch Fire District election with 60-percent of the vote should come as no surprise. I recommended that Jane run for the fire district in a column I wrote for patch.com when Jane was considering moving to run for another Senate term after her district was wiped out by redistricting. Why sell your house at a loss? If you want to do some good for the citizens run for the Fire Board and keep union salaries in check, I wrote.

Former Chesterfield state representative Cole McNary claimed he wasn't in the pocket of the firefighter's union. But he kept accepting campaign contributions from the union and union members. You don't have to accept campaign donations! Also the Union clearly sent out some anti-Cunningham flier on McNary's behalf.

The fact that district attorney Chuck Billings made a \$250 contribution to McNary strikes me as stupid for obvious reasons; now that the two-person majority has swung back to the fiscally conservative side that is not aligned with the union.

However, Board member Robin Harris claims he won't hold the contribution against Billings.

“I can honestly say that political contributions by an employee or someone providing professional services would not be considered by me when filling positions. I can note that when Rick and I ran in our respective elections, some employees expressed concern about retribution from the other candidate in the event they helped us and we lost,” according to Harris.

FLY ME TO THE MOON AND LET ME PLAY AMONG THE GOLF COURSES: The mailers for the Fire District race were more than a little weird. Frankly Jane Cunningham’s seemed to be pretty normal. It was Cole McNary’s flier and the three attack mailers sent out by the firefighters group hidden under the name “Citizens for Good Government” that were bizarre.

The one from McNary that made me laugh was when he explained to voters how he and his wife met. How the hell that deals with his qualifications to run a fire district is beyond me.

Another attack piece involved Jane Cunningham “Taking you back to the Future” claiming Cunningham on the Board would reduce the response of the fire district. It even mentioned how she accepted Christmas hams from a lobbyist. **Of course I wrote about this in a Post-Dispatch op-ed piece, in my patch.com column and in these newsletters. Jane and all Republicans INCLUDING COLE MCNARY got Christmas hams from Smithfield Farms for voting to strip Missouri landowners from being able to sue to Smithfield Farms hog operations for pollution.**

But the one that really gets me is the attack ad stating Jane took over \$25,000 in gifts from lobbyists (over eight years). I used to bash Jane about this...but not nearly as much as I did Cole McNary, who took thousands each year in free golf trips. In fact McNary normally took far more in lobbyist gifts annually as a state rep than Jane did as a senator. Also it is ironic to be claiming Jane would be on an airplane flight somewhere when one of the fire Board directors, Robin Harris is an airline pilot. Harris complained that after Steve Swyers was elected and Kim Evans was president of the board; meetings were scheduled when he was out of town.



THANK GOD FOR MEXICO: Sure I was a little worried when I was at the Wal Mart in Puerto Vallarta, Mexico and about to use my Visa card to purchase two six packs of Diet Dr. Pepper and a six pack of Coke Zero. Little did I know that my transaction was much safer than thousands of transactions being made that day at local Schnucks stores.

Two days after returning from a trip that included stops in Central America and the Antilles I was in the press box at GCS ballpark in Illinois doing the PA announcing for Webster University. There were three students and three adults in the press box, I was the only adult who had not had their credit card compromised from using it as Schnucks.

This just tells you the problem is a lot bigger than Schnucks wants you to know. I was lucky that I was nowhere near a Schnucks store for 16 days. Now I don't plan to be near one unless I have plenty of cash.

In 1970 when Schnucks was the #2 supermarket in town they swallowed up #1 Bettendorf-Rapp. You have to wonder how much this will hurt Schnuckendorfs. .



They used to be happy to take your check.

ELLISVILLE IMPEACHMENT UPDATE: While I was at the Town and Country BOA meeting Monday, they were holding the final night of the Ellisville Mayoral Impeachment at the St. Johns Church on Manchester Road (to accommodate the large crowd). Former patch.com editor Jean Whitney was nice enough to cover what was advertised as the "closing arguments and public deliberations" for me. Unfortunately it appeared to be false advertising.

MAYOR IMPEACHMENT WITHOUT A WORD OF DELIBERATIONS: Mayor Adam Paul had left with over 100 Ellisville residents in attendance and almost three hours later he was impeached on such charges as making a 3-minute long telephone call to a relocation agent to discuss benefits for residents being displaced by a Wal Mart project.

The evening started off with closing arguments. Keith Cheung, the former Town and Country prosecutor (fired after being censured by the Missouri Supreme Court for improper conduct) waved the city charter amendment over his head and said the impeachment was not about Wal Mart, TIFs or Adam Paul. That is was about upholding the charter.

Soon to be former Mayor Paul's attorney Chet Pleban was the most entertaining figure on the evening.

"This (impeachment hearing) started on April Fool's Day and ended in a church. That is not lost on me," said Pleban.

Pleban mentioned that Councilman Matt Pirrello's comment on a KMOX talk show that Paul did not testify in his defense, which was a sure sign of a guilty man. (So much for basic rights afforded most Americans.)

"I have got news for you Mr. Pirrello. Innocent men tell their stories to honest tribunals and not to lynch mobs," said Pleban.

Last week in the final day of testimony Ellisville City manager Kevin Bookout testified that he thought Paul was disrespectful to the council when he said "shame on you" to them reference some proposed legislation.

On Monday night Pleban called out the name of five of the councilpersons and then said, "Shame on you for not respecting Adam Paul and the people who elected him."

Pleban finished the night early.

"Tonight is the championship game of the Final Four. I don't know how that is going to turn out. But, I know how this going to turn out and I'm not going to stick around," said Pleban. He then left followed by his partner Lynette Petruska and Paul.

Paul got caught by the media at the first floor lobby of the church auditorium.



Photos by Jean Whitney



Another Packed House

“This is truly a David and Goliath story. I’m a 32-year-old man standing in the way of a \$11 million tax deferment,” Paul said.

There were supposed to be public deliberations. However there were no deliberations at all. Pleban had been saying for weeks that the council members had decided to impeach Paul regardless of what the evidence was weeks earlier. In fact the city attorney who has been missing for over two weeks avoiding subpoena service to appear at the hearings wrote up a resolution over a month ago that the city council had found Paul guilty of all charges.

By 8:30 the votes were taken with no discussion. The verdicts were all 5-1 guilty with one exception. It was all over by 9:15.



Photo by John Hoffmann

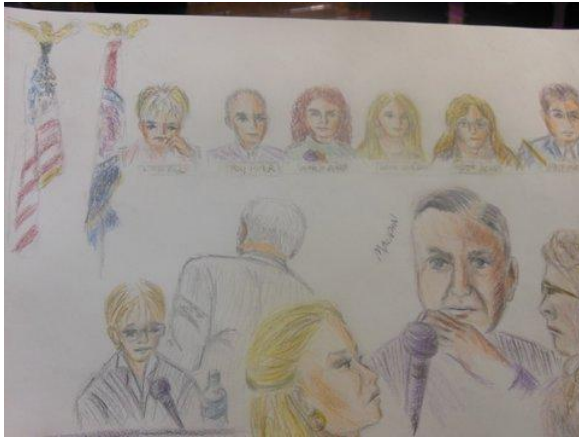
Michele Murray, sitting next to Matt Pirrello, shouted “guilty” into the microphone after each charge was read. Murray leaves office in a week due to term limits. Her seat is being taken by a Adam Paul backer.



Photo by John Hoffman

Councilwoman Linda Reel voted “Not Guilty” on all charges except one count that Paul allowed disruptive meetings.

FROM THE SKETCH BOOK: Sketches by a local Ellisville resident Arlene Rosengarden of the first three days of the hearings:



SUSPECT IN ATTACK ON SMITTY'S WAITRESS STILL HAS NOT BEEN CHARGED WITH A FELONY......however, the suspect Jayne Baning has found time to make a threatening phone to the victim, Nancy Seaman, at her Chesterfield home.



Baning's mug shot

In January, after being refused bar service because she was intoxicated, Jayne Baning used the stem of a broken glass as a weapon. She struck waitress/bartender Nancy Seaman, who has worked at the popular restaurant for 23 years.

Nancy suffered a cut on her face from the side of left eye to below her mouth that took 81 stitches to close. She has undergone procedures to clear her sinus, reduce swelling under her eye and on Monday underwent extensive plastic surgery on her face.



During the attack Seaman lost so much blood she began to choke on blood flowing into her mouth. She still has dental surgery and more plastic surgery facing her in the future.

After the attack uniformed Chesterfield Police officers arrested Baning, but released her on a simple assault citation. When we began to inquire about the case, the ordinance violation charge was dropped and the case was assigned to a detective. The case is now at the County prosecutor's office waiting review and arrest warrant issuance.

The police are now also investigating the threatening phone call incident.

Seaman sued Baning in Circuit Court on March 12 for the January attack. A number of Smitty's employees and customers have begun a boycott of the Petromart Phillips 66 station on Clayton Road at Baxter after they hired Baning as a clerk. If and when Seaman comes back to work Baning would be in violation of the restraining order as the gas station is within 500 feet of Smitty's.

Seaman is still off of work and does not anticipate returning in the near future.



On Sunday April 14 at 3pm there will be a benefit concert feature three bands that regularly appear on the weekends at Smitty's at the Ballwin VFW. Admission is \$10.

It would be nice if in the future a benefit could be held at Smitty's for Nancy. Anita Rosamond already said she would be happy to perform.



Always popular Anita Rosamond has offered to do a benefit for Smitty's waitress Nancy Seaman if Smitty's makes space available.

MUSIC AND FOOD:

It was an uncomfortable night last Friday at John Mineo's when the Doug Bert quartet played in the loft over the bar.



The upstairs AC was not working pushing the temperature PAST THE 80-DEGREE MARK. Meanwhile smoke from the outside patio fire pit was filling the loft area. After two hours everyone smelled like we had been in front of a camp fire on a weekend in the woods.



However, everything was nice and cool and without smoke on the first floor. That is where Dean Christopher will put on a floor show on Friday April 26 as part of a 40th Anniversary dinner starting at 7:30. Reservations are required and formal attire is requested.

ROUTE 66 JAZZ ORCHESTRA IN KIRKWOOD: The very entertaining Route 66 Jazz Orchestra will make their first appearance at the Kirkwood Station Brewing Co. at 105 E. Jefferson Ave at Kirkwood Road (Lindbergh) on Wednesday April 17 at 7pm. I'm hoping for a light agenda after the swearing in ceremony in Chesterfield that will allow me to scoot over to Kirkwood to catch the second set.



Wednesday April 17 @7pm

SAX NIGHT AT SASHA'S: Last Wednesday Saxophones ruled instead of the usual trumpets at Sasha's on DeMun in Clayton. Colleen Farquhar, in between gigs on Holland American and Seaborn cruise ships, along with Joe Bayer and Larry Johnson wailed with Jim Manley on trumpet and Chris "Luppy" Swan hidden from view on the keyboards.



CHESTERFIELD'S JOE MANCUSO AT THE SHELTON: It will be an unusual Tuesday night show on April 23.



AN AMERICAN TREASURE AT TOUHILL:

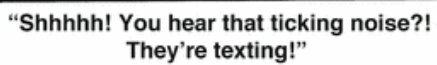


Former Tonight show band leader 85-year-old Doc Severinsen and his big band will be at the Tourhill Performing Arts Center on Saturday April 20 at 7:30pm. Tickets are \$35.



CARTOONS:







LIBTARDS

by Dixon Diaz

Republicans are racist, sexist, homophobic, gun-toting religious fanatics.



But you support the Muslims, who are racist, sexist, homophobic, gun-toting religious fanatics.



That's their culture. You have no right to judge them.



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