

## EX ALDERMAN NEWSLETTER 203 AND CHESTERFIELD 148



By John Hoffmann

November 13, 2015

### **AREA FIRE CHIEF CAUGHT DOING ILLEGAL CONSTRUCTION WITHOUT REQUIRED BUILDING, ELECTRICAL, PLUMBING OR FIRE PERMITS:**

George MIKE Krause a 20-year veteran of the Metro West Fire Protection District, who was made Fire Chief in April of this year was hit with a Stop Work Order by St. Louis County Building Inspector George Guthrie on Friday November 6 at 2:19 PM after it was found he was doing major construction work at his home at 320 Cypress Place Drive in Wildwood without any required permits.



It was found that Krause was adding a full basemen bedroom, kitchen and bathroom that did not meet building or fire codes. We were told there was a good possibility that the work already done will have to be torn out so inspectors could see electrical and plumbing work. Sources have also told us that the basement must meet certain requirements to have living space.

Metro West covers Ballwin, Ellisville, Clarkson Valley, Wildwood and a very small section at the southern end of Chesterfield not covered by the Monarch Fire Protection District.



Here is a copy of the Stop Work order on file in the St. Louis County Computer System:

## Building - Status (12344739, Optional)

320 CYPRESS  
PLACE DR

[Print](#)

Status	Details
<b>APPROVED- COMPLETE</b> <b>11/6/2015 2:19 PM</b> Desired Date: TBD	<b>Record</b> 15VIO-00883 VIOLATION RESIDENTIAL VIOLATION NOTICE

*Last updated*  
Ed Guthrie  
11/6/2015 2:19 PM

[View Status History](#)

[View Result Comments](#)

### Result Comments

Showing 1-1 of 1  
Ed Guthrie (11/6/2015 2:19 PM)

**issued stop work order/violation12`**

### Related Inspections

Showing 0-0 of 0

<u>ID</u>	<u>Inspection Name</u>	<u>Relationship</u>	<u>Status</u>
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No records found.

For this type of construction Krause is required to file five sets of construction plans, five sets of plot layouts with the city. There is no charge from the city but there is a charge from St. Louis County. As of 12:30 on Tuesday November 10th Krause has not obtained any permits from St. Louis County and nothing was filed with the city through Monday at the close of business.

Krause and his wife Dawn built the house 3,733 square foot 2-story house in 2005. Their tax bill for 2015 will be \$7,845.

The Fire Chief's salary in 2015 for the Metro West Fire Protection District was budgeted at \$153,578.



320 Cypress Place with the Fire Chief's vehicle in the driveway



and the STOP WORK ORDER IN THE WINDOW

There are plenty of people who try to sneak in construction and large scale remodeling projects without paying for permits and dealing with inspections. But shouldn't we expect a man who oversees a fire marshal unit where they do these types of inspections with county and city inspectors as someone who would play by the rules?

# Firm buys Town & Country

On Monday night at the Town and Country Board of Aldermen meeting in an executive closed door session agreed to accept \$1,000,000 from WB Properties, LLC and then went out into the public meeting and voted to approve the site development plan that squeezes a 3-story 95-bed facility that is over 80,000 square feet plus parking on a 3-acre tract of land.

The approval from the Planning and Zoning Commission for the site required that WB Properties provide a PILOT (Pay In Lieu Of Taxes) to build on property zoned for retail. They also required that WB buys stripes of land the city owns along the edge of the street to increase the amount of green space and to increase the setback of the building. If these were not done in theory the plans would go back to P&Z and if they voted down the project WB Properties would need a super majority of six votes to get approval from the Board of Aldermen.



The Stonecrest Assisted living facility is connected to Town and Country Mayor Jon Dalton. Dalton, apparently forgot that he was Town and Country mayor and all conflict of interest ethics and filed paper work for this project with the Missouri Division of Health on May 1 as both the contact representative and the lawyer for the project.

Dalton recued himself from the project not after filing paperwork with the Division of Health and Senior Services, but after it was reported in the St. Louis Business Journal.

The Board of Aldermen went into executive session for 35 minutes before the start of the meeting and another 40 minutes toward the end of the meeting prior to the vote.



Dalton leaves the dais and is replaced by

Aldermanic President Jon Benigas.

Only Jon Benigas and Tiffany Frautschi consistently voted against this project. Benigas was concerned about the safety of a slight line that was only 240 feet.

"We are being asked to believe the same traffic engineers that tried to convince us the BJC traffic plan was a good idea," said Benigas reference the extreme traffic pattern change for the BJC-Children's Hospital building at Mason Road and I-64. (In fairness the police have reported just one major accident on the newly designed road.)



However as someone who did traffic studies and testified on traffic accidents along Connecticut Avenue as a court expert back in Maryland, Benigas is very correct that 240 is not much distance for a line of sight for drivers leaving the property from the employees' driveway. It should be at least 300 feet in my opinion.

Also the project's consulting engineer George Stock disagreed with Benigas' statement that forcing people to turn their heads at more than a 90-degree is dangerous. Once again, as someone who received an on-duty neck injury in a law enforcement job back in Maryland, I cannot turn my neck 120-degrees.



Tiffany Frautschi continued to believe that putting this large of a facility on only a 3-acre lot was unfair to existing residents and unfair to future residents who would be living at Stonecrest.

Three residents were at the meeting and spoke out against the project.

"There is no education in the second kick of a mule," said Steve Krause, a Ward 2 resident living off of Mason Road. "The thing we have in common living in Town and Country is the Zoning Code...In what way will this project develop benefits," he asked.

Meg, Eveland, who Mayor Dalton had nominated to the Finance Commission and then withdrew the nomination due to possible consolidation of commissions (see below) spoke and mirror Ald. Frautschi's points.



Meg Eveland is standing with the hair just slightly longer than City Attorney Steve Garrett's hair (seated lower left of frame)

"Putting a large number of new residents on small piece of land is not good. Placing a large building on such a small piece of land will cause problems," she said.

Ann Hamilton spoke and pointed the conflict of interest concern directly at the Mayor.

"I had a conversation with the mayor and I that I had trouble with. I have been very suspicious of this. People are talking about this overlay project," said Hamilton.



Ann Hamilton announced she is suspect of the mayor. It appears as if Steve Garrett's hair might be a little longer than hers.

Alderwoman Gussie Crawford (Ward 3) pointed out that she had received just two letters about the project and both were in favor of it. She added a poke in the direction of Tiffany Frautschi (Ward-2) saying that she found it interesting that the only people complaining about the project are people from Ward-2 and the project is in Ward-3.



Gussie Crawford (left) and Lynn Wright.

Benigas of Ward-4 had the last word before the 6-2 vote for the proposal.

"This will be a drain on city resources and increase danger to the public. I could not be more opposed to this bill," he said.

**NOT SO FAST...CITY WILL HAVE A DEFICIT BUDGET FOR THE THE START OF 2016:** After listening to a talk by City Finance Director Betty Cotner last month we reported that she told a group of Ward-2 residents that the city is projected to have a small surplus in 2016. We were WRONG! However 2015 will end with a large enough surplus that it will make up for the deficit in 2016.

Betty was claiming a projected general fund surplus of \$38,310. **HOWEVER, the entire city budget counting all the funds such as roads, capital improvements, parks and storm water equal a projected deficit of \$656,195 for the end 2016.**

This year that started with nearly a million dollar projected deficit will finish with a projected **\$1,413,291 surplus.**

Politicians like to drag out the General Fund and sell that figure to the public if there is a surplus in the General Fund. However the General Fund is just part of the total budget.

Over the years the General Fund has been artificially improved by claiming that gasoline for police cars and other city cars and trucks are a capital improvement. The same goes for utilities. The public considers the electric, water and gas bills along with gasoline for the car as everyday expenses not capital improvements. But municipal government claims they are not and tries to sell the public that the General Fund is healthy, when it should be in a deficit, like most of the other city budgets.



Here is a breakdown of the Town and Country estimated 2016 budget:



GENERAL FUND + 37,710



ROAD FUND - 269,730



CAPITAL IMPROVEMENTS + **274,720**



Parks and Storm Water - **686,805**



Security & Police Training - **12,090**

- **\$656,195**

Keep in mind that like in 2015 budget figures can change during the year due to increases or decreases in sales tax revenue and with construction projects coming in or over budget. Plus the surplus from 2015 is far greater than the deficit projected for 2016. So in other words, currently the budget looks good. There is also \$200,000 property sale in connection with the Stonecrest assisted living facility that was not calculated in the estimates. However there is no telling what expenses Mayor Dalton and the Alderperson will come up with for the Wirth Property/Town Square project.

**TWO PERSON TASK FORCE KILLS OFF COMMUNITY RELATIONS COMMISSION, COMBINES CONSERVATION AND GREEN TEAM INTO ONE AND COMBINES THE FINANCE COMMISSION WITH INSURANCE & BENEFITS COMMISSION.** Several good things happened and maybe one not so good thing after Alderpersons Lynn Wright and Linda Rallo made recommendations dealing with City Commissions.

Back in 2009 Mayor/Cigarette Lobbyist/User of Eminent Domain to Snatch Property from a Widow for Nightclubs Jon Dalton wanted to be like a Southern Governor and create Town and Country Colonels or Ambassadors.



First he wanted to have Colonels now he wants to have ambassadors. Maybe he can get a Town and Country Ambassador to Luxemburg!

At the time I was on the board of aldermen and felt it was merely a bureaucratic way for Dalton to increase his local political base.

Now Lynn and Linda want to dissolve the Community Relations Commission, something that Dalton created in 2009 and replace it with Ambassadors. Commissions can only have 10 public members (2 from each ward plus 2 at large) while the number of "Ambassadors" is unlimited.

The Conservation Commission and the Green Team Commission would become the new "Environment, Horticulture and Wildlife Commission." Even after Dalton pushed through legislation that dropped the quorum requirement from 50-percent attendance to a sad 40-percent level the Green Team had trouble getting people to show up. Very little of their recommendations were ever considered by the Board of Aldermen. In 2014 Chair Jon Benigas stated the Green Team Commission should be disbanded if the Carbon Gas Footprint study was not approved by aldermen. It wasn't approved and this is the first step in getting rid of the commission.

There are only seven members of the Green team instead of the 10 allowed and of those seven three rarely show up for a meeting. I have always thought this was a ploy by Dalton to find a place to put "hippies" (including aldermanic vegetarian Jon Benigas) while trying to get support from the left for a guy who has made a living as a right wing lobbyist.

Here are the proposed alignments of commissions:

<u>Current</u>	<u>Recommended</u>
Public Art	No Change
Parks & Trails	No Change
Public Works & Storm Water	Public Works
Finance plus Benefits and Insurance	NEW Ways and Means Commission
Green Team & Conservation	NEW Environment, Horticulture and Wildlife
Community Relations	Disbanded replaced with Citizen Ambassadors
Police	NEW Police Fire and EMS Commission

Linda Rallo spoke specifically about the Police Commission change. She said calling it the Public Safety Commission was considered but there are members who want to be called Police Commissioners. Rallo is right and that is why more progressive communities have named the police advisory board "Public Safety Commission" instead

of Police Commission. People without any training and who are merely political appointees cannot use the word POLICE to describe themselves.

In Chesterfield the Police Committee made up of only elected councilpersons is called the Health and Public Safety Committee. Some communities worry about people serving on a police board getting badges.



The other big item reference commissions was that non residents would be eligible to serve on certain commissions, including Environment, Horticulture and Wildlife Commission, Public Art Commission, and Parks and Trails Commission.



I think while you might find someone with a special expertise interested in serving, this is more of a way to place Wright and Dalton friend Claire Chosid, a Creve Coeur resident on the Environment, Horticulture and Wildlife or Parks Commissions. Chosid is the self-proclaimed president of the Mason Ridge Garden Club that does volunteer work at the Longview Park.

**AT FIRST IT WASN'T A CITY EVENT. THEN I GET A POSTCARD FROM CITY HALL WITH THE MAYOR'S PHOTO ON IT. DALTON KNOCKS SCHOENDIENST OUT OF LINEUP!** When the Town and Country Parade Committee was first meeting at the Longview farmhouse the meetings were not listed on the city's calendar as if someone was trying to hide them from the public.

I complained to City Administrator Gary Hoelzer and he said the meetings were not a city event but a private event hosted by Fred Wiesenhan, owner of Maria de Villa Retirement Center, who was putting on the parade. I complained to City Attorney Steve Garrett, saying the committee included the city administrator, assistant police chief, the admin aide to the administrator and the mayor, the Parks Director and one alderwoman. Plus Wiesenhan and his wife are on the City's Community Relations Commission. I added the meetings were held at a city facility and the parade was going to require on and off-duty police officers and other city staffers.

Gary continued to claim it was a private event, but agreed to put it on the city calendar.

I attended all the parade meetings and ended up getting them contacts for antique cars and a couple of fire trucks plus some music groups. I was asked to be an official member of the committee but declined saying that I wanted to be able to make fun of them in the this newsletter if the occasion would arise.

A couple weeks after the parade I received a postcard in the mail from the City of Town and Country. On one side was a nice handwritten note thanking me for my contributions. On the other side are photos from the parade. Looking at the card I was surprised and saddened to see the photo of the Grand Marshal of the Parade Red Schoendienst, celebrating his 70th year in Major League Baseball, his 74th year in professional baseball, a member of the Baseball Hall of Fame and St. Louis Hall Fame **was not on the card.**

Instead of Red Schoendienst there was a photo of Town and Country Mayor/Cigarette Lobbyist and Conflict of Interest Person of Note Jon Dalton.

I was told there were no clear photos of Red Schoendienst. But I had posted one on my website with 12 pages of parade photos and sent the list to city hall officials.



I have to think a photo I took of Red Schoendienst and Joey from Make a Wish Foundation would have been a better choice than Jon Dalton.





May 2015



Nov 2015



5 Old Colony to be torn down



This is the acre side lot to 5 Old Colony



This is 3 Old Colony and is being sold separately but will surely be a "tear-down" also. This means the original ranch homes down the quiet rural like side street will have vanished.



Here is what we might be able to look forward to. This is 2 Old Colony Lane and 1 Old Colony is just as big.

**WHERE DOES THIS STREET GO?** We have focused on how important good street signage is in Town and Country this year, especially on Old Colony Lane.

This is 20 feet away from the intersection with Brookwood Lane look to the right:







Father Bede Price of Priory on the Board of Directors of St. Austin's School speaks in favor for the rezoning of the convent property for a school.

Now St. Austin's has found a Ready-to-Move-In facility on the North Forty Outer Road in Frontenac. The location is the former B'Nai El Temple. The matter was on the October agenda for the Frontenac the Board of Aldermen to be referred to the Planning and Zoning Commission. However, St. Austin's withdrew it to do a traffic study first. Of course the building was okay for a Jewish Temple and school, so it is hard to imagine why it can't be a Catholic grade school. However, city cannot turn down religious houses of worship, but they can turn down religious oriented schools as Town and Country did in 2014. B'Nai El Temple was a house and worship AND a school. That can make a big difference.

We understand the building needs some work having been vacant. We visited the site and found some of the rear parking lot needed to be repaved. But it was an existing school building that would save St. Austin's considerable construction costs.



Front



**THE DEER REPORT:** Still pissed how a dead and bloated deer on the side of the road on Topping south of Thornhill Court did not get counted for the September deer report, I started being a smartass, photographing dead deer and sending them to the City. One of those photos was one at the gated Lochinvar subdivision entrance on Mason Road.

Police Chief Pat Kranz wrote me back saying how the deer did not die as the result of a vehicle collision. The deer had rammed the gate to the subdivision and gotten its head stuck and died trying to get out.



**FOR OCTOBER:** There were 13 deer-vehicle encounters reported by the Town and Country Police. This is six fewer than the 19 in 2014. However, 2015 is still ahead of 2014 60 to 50 with two months to go in the rut season. For October Ward 2 had the most deer strikes with five of the ten. However the collisions were all in the north half of Ward 2 and the largest deer populations are in the south half of the ward.

Here is where and when the accidents occurred in October 2015:

Oct 04 7:39 AM 900 Block of Weidman Road Ward 3  
Oct 06 7:09 PM WB Clayton at Hwy 141 Ward 3  
Oct 07 1:07 AM SB south of Clayton Rd Ward 1  
Oct 11 5:01 AM Clayton Road at Rutherford Ward 2  
Oct 16 6:22 PM Mason s of Conway Road Ward 4  
Oct 18 12:04 AM EB I-64 west of I-270 Ward 1  
Oct 18 2:33 AM EB I-64 east of Mason Road Ward 2  
Oct 19 6:50 PM EB Clayton Road at Des Peres Road Ward 1  
Oct 20 6:43 AM 1000 block of Municipal Drive Ward 1  
Oct 22 1:53 AM WB I-64 ramp to North Forty Drive Ward 2  
Oct 30 9:30 AM EB I-64 east of Mason Road Ward 2  
Oct 30 1:00 PM EB I-64 east of Mason Road Ward 2



**2015 Deer Accident Locations thru October**

I-270 **8** Ward 1  
I-64 Ballas to Mason **11** Ward 1 & Ward 2  
I-64 Mason Road to W City Limits **5** Wards 3 & 4  
North Forty Drive **1** Ward 1  
South Outer 40 Drive I-270 to Mason **2** Wards 1 & 2  
South Outer 40 Mason to Hwy 141 **2** Wards 3 & 4  
Clayton Road Topping to Bopp **1** Ward 1  
Clayton Road Mason to Topping **7** Ward 2  
Clayton Road Mason to Woods Mill **6** Ward 3  
Weidman Road **2** Ward 3  
Conway Road **1** Ward 4  
Ladue Road **3** Ward 4  
Highway 141 **5** Ward 3 and Ward 4  
Mason Road **2** Ward 2  
Mason Road **3** Ward 4  
Municipal Center **1** Ward 1

## UNAPPROVED CHESTERFIELD NEWSLETTER 148



**November 13, 2015**

**THE REST OF THE BOB NATION STORY:** I am a bit surprised that the mainstream media has been quick to put the Swearing Mayor story on the front page and do TV news stand ups from city hall without digging a little deeper.



Reading the statement of the admin aide to City Administration Mike Herring concerning her contact with Mayor Bob Nation when the mayor asked to see Herring's work calendar and she refused there was a lot of room for interpretation. She wrote about the encounter and then ended it by writing,

"This is not the first time Mayor Nation has made me feel uncomfortable; sometimes he comes off as a bully."

There are a lot of reserved workers who surely feel that way when dealing Type-A personalities and leaders, but that doesn't mean it is a case worthy of media attention.

Since a legal representative was not allowed to interview the employee or question her at a "hearing" we will never know for sure what happened.

The other one was the alleged encounter with former County COO under the Charlie Dooley administration at a gas station. While this was not a formal charge it made it to the media through minutes of an originally closed meeting with the City Council hired attorney Kevin O'Keefe. It was alleged that Nation chased down Earls and contacted him at a gas station and threatened Earls. There was never a formal allegation of this so it just sat out there in the public. It was leaked to the media in the release of a memo. During the call-in segment on KETC's Donnybrook program even a caller brought it up.

Chesterfield Mayor Bob Nation called me after he read that I mentioned it in our Newsletter #201.

"Gary Earls and I have attended dozens of meetings together. He has an unusual sense of humor and I like him. I saw him driving on Olive one day after Charlie Dooley was out of office. I saw that he turned into the gas station. I thought I'd say hello and see what he was doing. It was a friendly contact," said Nation.

"My reputation is already in tatters. I don't need a complete fabrication," he said.

There was also the memo to the council that found its way to media about remarks Nation made after being served papers of the Censure Hearing (which was never close to be a truth finding hearing) the night before he left on a vacation tour to China. The memo reported how Nation swore at O'Rourke after being served in private by O'Rourke and swore about other councilpersons and staff pushing the censure.

**The Other Side of the Story:** Mayor Nation tells us that O'Rourke has a master's degree in divinity. After Nation admitted that he was venting about frustrations he has had with City Administrator Herring, in front of Economic Development Director Libbey Malberg-Tucker when he swore, that O'Rourke told him that if he felt the need to vent to call him.

According to what Nation said after inviting the mayor to vent at him, O'Rourke turned around and filed a memo with the council providing details of the rant. So much for an attorney-client privilege or the sanctity of the O'Rourke confessional.

**THEN THERE WAS THIS:** Over the weekend Tony Messenger, former editorial board chief and now columnist at the Post Dispatch wrote about the Censure, Bob Nation and Jane Cunningham. Here is part of what Messenger wrote:



## **Messenger: In the Capitol or Chesterfield, workplace harassment is no joke**

*An investigation conducted by Clayton lawyer Kevin O'Keefe, at a potential cost of \$17,000, found other employees who complained of Nation's language and said he was a bit of a bully.*

*It shouldn't have taken \$17,000 to figure that out.*

*In fact, were I better at saving voicemails, I could have made the council's case for free.*

*Nation, you see, doesn't like to be criticized, and over the past couple of years, he's had plenty of slings and arrows slung his way, mostly because he wants to remove Chesterfield from the sales tax sharing pool in St. Louis County so the burgeoning retail center can keep all of its growing sales tax base at the expense of the other 89 municipalities in the county.*

*My favorite call from Nation came after I wrote an editorial criticizing him for suggesting Chesterfield should secede from the county and join St. Charles. Say this for Nation: He knows how to use his four-letter words in a sentence.*

*Of course, calling a newspaper editor and cussing him out is a time-honored tradition. I haven't been offended or intimidated by Nation's language or attitude in our conversations over the years. But, politics aside, creating a hostile workplace is a different matter entirely, hence the reasonable effort by the Chesterfield City Council to stand up for its employees.*

*Nation's failure isn't that he has a potty-mouth (one newsroom memo hardly cured me of mine), but that he lacks the humility or self-awareness to learn from his mistakes. This is common in politics, where the system is set up to build up the ego of individual candidates to the point where some of them mistakenly believe they can do no wrong.*

**That portion of his column got this email from Bob Nation to me and others:**

**From:** Bob Nation

**Date:** November 6, 2015 at 9:16:15 PM CST

**Subject: Messenger: In the Capitol or Chesterfield, workplace harassment is no joke : News**

[http://www.stltoday.com/news/local/columns/tony-messenger/messenger-in-the-capitol-or-chesterfield-workplace-harassment-is-no/article\\_7869aa87-3ff4-54c7-aad1-744454b660a2.html#.Vj1p5ibUAa0.mailto](http://www.stltoday.com/news/local/columns/tony-messenger/messenger-in-the-capitol-or-chesterfield-workplace-harassment-is-no/article_7869aa87-3ff4-54c7-aad1-744454b660a2.html#.Vj1p5ibUAa0.mailto)

This editorial by Messenger is another fabrication. He must have his wires crossed because I do recall speaking with him and having what I thought was a civil and congenial conversation. It does not make sense that I would call him and cuss him out. I believe that I have only called him once to comment and give him some factual information regarding sales tax redistribution. This is another smear job/fabrication to sell the post disgrace. No surprise as I think he is a Wildwood resident.

Best Regards,  
Bob Nation, Mayor  
City of Chesterfield

**Next Messenger went after Jane Cunningham in her position as a director of the Monarch Fire Protection District. Here is what he wrote.**

*That's why I found it instructive that former state Sen. Jane Cunningham rose in Nation's defense on Wednesday night. According to the Post-Dispatch story by reporter Steve Giegerich, Cunningham both defended Nation's vulgarity, and also suggested that such punishment for it, if necessary, should be doled out in private.*

*"From my experience at the state Capitol, four-letter words are common in the workplace," she said. "But no one has been censured. That is just reality, and this is overkill."*

*Cunningham isn't wrong that four-letter words are common in the Capitol, but she misses the point.*

*First, it's worth noting that in her current job as director of the Monarch Fire Protection District, [she voted in closed session](#) to suspend a fire captain because he had spoken to the media.*

*He had criticized the board for a silly move in which it created a barrier between it and the public at meetings using bulletproof vests. Cunningham is following the age-old tradition of politicians doing their most embarrassing work behind closed doors.*

I'm sorry if I sound like a cheerleader for Jane Cunningham. I wrote two columns for AOL's Patch taking some shots at Jane when she was a State Senator. But as goofy as I thought some of Senator Jane's positions were I have a hard time finding any fault with her job as a director on the fire board. In fact she has been a key in bringing the fire

district operations out of the hands of elected officials backed by the fire union and putting it back in the hands of people backed by taxpayers.

In the case of Messenger's comments they completely missed the mark and were grossly unfair. First of all employees cannot go public with details of internal security. To do so puts the staff and elected officials in harm's way. Any person, whether in the private sector or in government who discusses internal security in public is going to be disciplined or fired!

Secondly Messenger takes Jane to task for voting on the discipline hearing behind closed doors. Personnel matters with government or private sector employees are always behind closed doors. Most government agencies, including the Monarch Fire Protection District have laws requiring personnel actions be held behind closed doors. In fact the fire union, where the fire captain was a shop steward, demand such regulations of personnel actions being behind closed doors. For Cunningham to discuss or reveal her vote she would have to break the District's Rules and Regulations. Messenger is so far off base on this one it is sad.

**HERE IS WHAT EVERYONE SHOULD HAVE LEARNED IN THE LAST SIX**

**MONTHS:** Since the first night Harry O'Rourke took over as Interim City Attorney it is clear that he is the wrong man for the job. As matter of fact he is a terrible man for the job.



Harry "The Confused" O'Rourke    Former City Attorney Rob Heggie

On his first night on the job when Rob Heggie stepped down after the announcement of his appointment to a St. Louis County Associate Circuit Court judge position, there was a question on a procedural matter that O'Rourke didn't have a clue on. It forced Heggie

to get out of his seat in the audience, walk to the podium and as the former city attorney to tell the Council and Mayor how to proceed.

Here is what is on the bottom of O'Rourke's letterhead:

† Fellow of the American Academy of Matrimonial Lawyers    ‡ Fellow of American Academy of Adoption Attorneys

This guy is not a government affairs lawyer. He is an adoption lawyer.

The fact that O'Rourke doesn't understand government law became perfectly clear during the "Swearing Mayor" case. O'Rourke hired Kevin O'Keefe a partner at the law firm that bungled the attempted removal of Ellisville Mayor Adam Paul, where a circuit judge declared Paul's constitutional rights were violated at the very beginning of the process and ordered him back in office. The hiring of O'Keefe was a PR mistake.



Kevin O'Keefe

He also hired O'Keefe without a contract, without exact fee arrangements or a vote of the council accepting the fees, which is in violation of Missouri Law. In theory without a contract it should be illegal to pay O'Keefe.

O'Rourke refused to release any information concerning the hiring of O'Keefe to several members of the media in violation of the Missouri Sunshine Law.



Just before the Censure "Hearing" date he did release the information he had refused to share with reporters to a local elected official.

He and O'Keefe were certainly on the road toward an impeachment of Nation until Nation's lawyer, Chet Pleban, pointed out behind closed doors there was no legal basis for an impeachment.

O'Rourke routinely interjects himself at meetings when he is not asked for an opinion

When O'Rourke was first appointed Councilman Bruce DeGroot said the appointment should only be for six weeks and allow the Council to interview other candidates for the job along with O'Rourke. After seven months on the job it appears as if DeGroot had a very valid point with his 6-week suggestion.

I understand from several sources that City Administrator Mike Herring pushed for O'Rourke's appointment.

This should be a subject both the Council and the Mayor should agree on because some of O'Rourke's recent work has been hard to miss as being substandard regardless where you stood on the Bob Nation "swearing in front of employees issue."

**THINGS THAT I DID NOT HAVE ROOM FOR IN THE LAST NEWSLETTER:** There was just too much to write about at the Phony Censure Hearing, where evidence was not allowed by the defense and no challenges were allowed.

**ADAM PAUL:** The Ellisville mayor whose popularity with city residents soared after his outgoing City Council tried to impeach him and he was defended by Chet Pleban. By not allowing public comment until the end of the meeting no one got to hear what Paul was going to say. He had to leave to attend an Ellisville City Council meeting.



Paul talking with Jane Cunningham before the meeting.

**ROBIN HARRIS HAD TO FLY AWAY TO A MONARCH BOARD MEETING:** Robin Harris the president of the Board of Directors of the Monarch Fire Protection District, but like Adam Paul, Robin had to leave to start the Board meeting down the street that Jane Cunningham was late getting to. Robin who usually talks faster than I can take notes, gave me a copy of his planned remarks.

**A short time ago I watched as the City Council publicly admonished Mayor Nation for using coarse language with an employee of Chesterfield. There seems to be no question that the mayor used some expletives in the presence of a city employee, through they were directed toward that employee. The Council chose to censure the mayor for that action.**

**I would like to borrow from a book read by many through the centuries. In the Bible, the Book of John chapter 8 Verse 7 notes Jesus saying, "He that is without sin among you let him first cast a stone at her."**

**I would ask each Council member to tell all the Chesterfield residents if they have ever used an expletive in the presence of any citizen of Chesterfield. If, as I suspect, every member of the Council is guilty of that transgression, you need to hold another vote to censure the entire City Council.**

**I'm not here to support using foul language in the presence of anyone. I am here to simply say, a very long time ago as a young officer in the U.S. Navy I was aware of the concept, "praise in public, punish in private." It seems the chesterfield City Council is unfamiliar with that leadership technique.**

**I want to end tonight by saying I am here with several others who would like to know if the members of the City Council have always lived up to the ideals you demand from the mayor. It is obvious that not been done prior to tonight. Thank you.**

**SUE ALLEN MADE THE "HUH?" STATEMENT OF THE NIGHT:** State Rep. Sue Allen spoke to the Council after the vote to censure Mayor Nation. What she said was anybody's guess. Here is how she started:

"I didn't know if I would speak. I heard some things on the radio today and I got some phone calls. I don't know what was said..." Then her comments turned to gibberish.

I turned to KMOV reporter Matt Sczesny, who was sitting next to me and asked, "Do you have any idea what she was talking about?"

"I have no idea," said Sczesny.



Jeff Berntylhal of KTVI stopped taking notes and Attorney Chet Pleban rested his head on his hand as Sue Allen talked on making so sense.

**ANOTHER BLUNDER BY HARRY O'ROURKE:** Last week I wrote how Councilman Bruce DeGroot blundered by stopping Mayor Nation's defense attorney Chet Pleban, who was making a strong case how Nation was not getting any due process as Pleban was unable to question witnesses, see evidence or call witnesses. It appeared that Pleban was about to end his presentation, when DeGroot stopped him and accused him of "testifying" which was clearly something that the City Council members clearly wanted no part of. The interruption simply egged Pleban on for another five minutes.

Apparently Interim City Attorney Harry O'Rourke did not understand the cause and effect. A few minutes later former Senator and current Monarch FPD Director Jane Cunningham was making her comments to the Council. Members of the public were allowed three minutes. Jane was speaking from a prepared text which we ran in last week's very long newsletter.

When Cunningham's 3-minutes were up, I could look and see that she was on her last page with about six sentences to go. However, O'Rourke stopped her proclaiming that her three minutes were up. 80-percent of the crowd booed O'Rourke

Here is a rule to live by: Don't stop a woman from talking when she is almost done! Especially a Type-A person like Jane Cunningham! Someone stood up and shouted that Jane could have his three minutes.

The Connie Fults was going to simply tell Cunningham to finish up. But O'Rourke interjected that the council needed a motion, a second and a vote to allow Cunningham to finish her comments. All this took about three minutes or a little longer.



O'Rourke's work as a timer added about five minutes, because Cunningham finished her prepared remarks in about a minute and then went off script for another minute, thanks to the poke from O'Rourke.

**THE LOUDEST BOO BIRD IN THE CHAMBERS.** While 75 to 80-percent of the crowd was backing Mayor Bob Nation, there was a vocal minority that was loudly clapping when former Mayor Bruce Geiger told Nation to resign and former councilman Randy Logan rudely dissed Nation in his remarks. The loudest person among them was the person booing when anyone spoke in favor of Nation. It was a woman who was sitting next to City Administrator Mike Herring.

If she wasn't with Herring, he certainly needed to move. But Herring was not thinking of anything involving political correctness on the night.



In the above photo Herring is with the group who opposed Nation and actively supported his opponent in the last Mayoral election. Left to right is former Councilman Randy Logan, former Councilman Derek Greir, current councilman Elliot Grissom and in the blue tie Mike Herring.

**MUSIC: RAT PACK MONDAY IS BACK THIS MONDAY** Dean Christopher and a trio of top area musicians are back taking over the front half of the One-19-North restaurant at 119 N. Kirkwood Road. Music and laughs start at 7:30. There is no cover and you can spend 2 hours nursing a Coke if you want to, but the food is really good.



Dean cracks up trumpet player Jim Manley.



Louis Armstrong later made an appearance.

**TWO NIGHTS LATER ANITA ROSAMOND IS AT THE WALNUT GRILL:** Anita Rosamond who is appearing weekly in Chesterfield at Bishop's Post every Thursday from 6-to-9 has added another West County restaurant bar to her stomping grounds. She has been appearing every other Wednesday at the Walnut Grill on Clayton Road at Clarkson Road from 6:30-to-0:30.

She was there on Wednesday November 4 as part of a trio. I went after the Mayor Nation Censure in Chesterfield. She will be back to the Walnut Grill on Wednesday November 18.



Anita belting one out



Anita is on the keyboards while Sunny Friedman, who with her late husband owned the Playboy club on Lindell sings a ballad.

**ANITA RETURNS TO SMITTY'S!** For the first time in nine months Anita returns to Smitty's on Clayton Road at Baxter for an afternoon gig from 2:30-5:30 the Saturday after Thanksgiving. After appearing and packing the neighbor bar/restaurant for 22 years on one or two Saturdays a month, Smitty dropped her from the schedule after her February gig. All the other Friday and Saturday night music acts had been dropped a year earlier. After the County-Wide smoking ban went into effect, Smitty did not need music groups to bring people into the joint. Clean air and the blue plate specials did the trick.



Anita at Smitty's in 2012.

**INTERESTING NIGHT AT THE ONE-19-NORTH:** Drummer Chuck Kennedy started with a quartet last Friday at the One-19-North in Kirkwood. Things went to five when Valarie Tichacek sang. The second set started with Joe Bozzi sitting in. He did not bring his vibes, but showed up with a trumpet. As we were leaving Jim Manley was showing open after a gig at a Chesterfield art gallery.



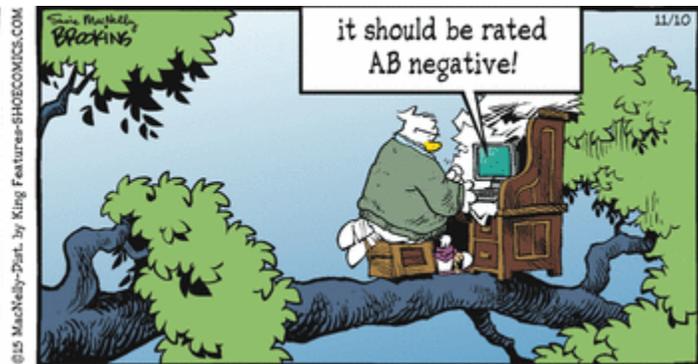
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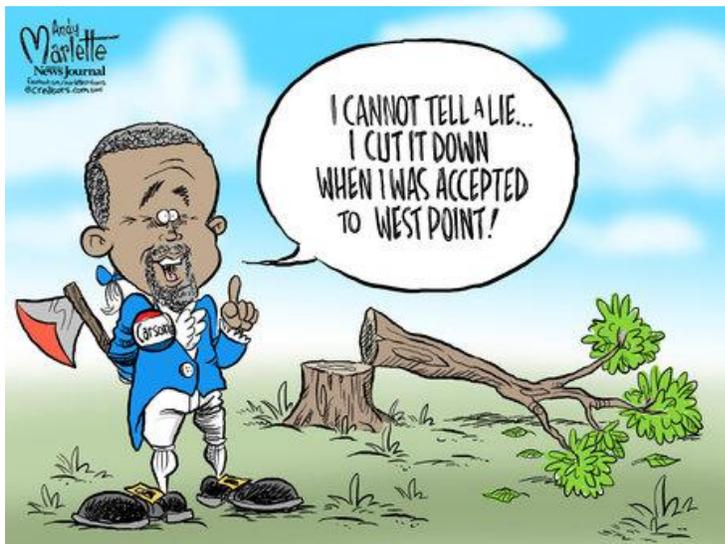
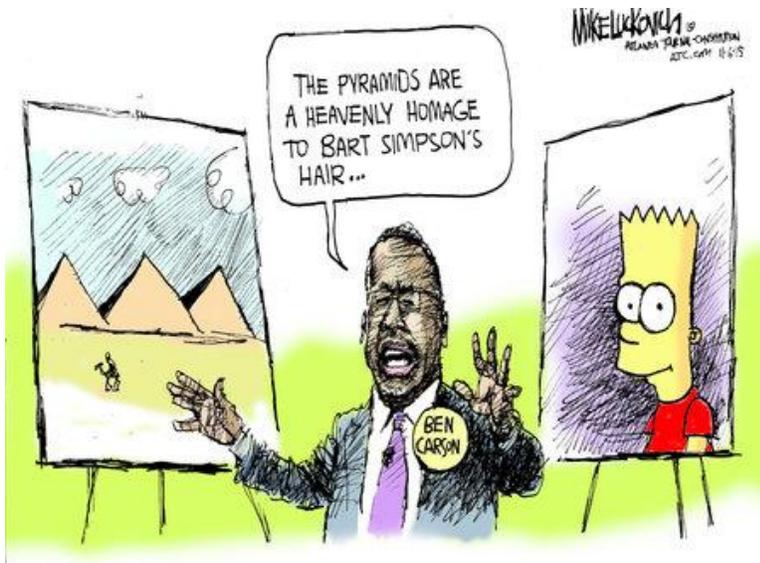


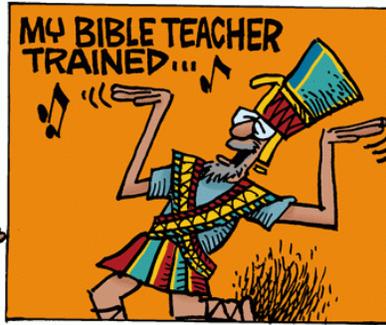
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BY DAN THOMPSON









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