## **EX ALDERMAN NEWSLETTER 104**



November 13, 2013

# By John Hoffmann

#### MARYVILLE UNIVERSITY PACKS THE ROOM FOR THE LATEST PUBLIC

**HEARING**: On July 30 beginning at 10:30pm after a very long hearing on a BJC proposal for property it bought back in 2007 at Hwy 40 and Mason Road, there was another public hearing. The second Planning and Zoning public hearing was on the request from Maryville University to rezone 15-ares of residential property owned by the Ball family to Major Educational.

Maryville wanted to move a soccer field, softball and their entire maintenance facility from the campus to a site on Conway Road. The main reason is because Maryville is out of room to expand on the main campus.

That July 30 public hearing before the Planning and Zoning Commission lasted 90-minutes until midnight when the P&Z Commission voted to approve the rezoning request. No one attended the public hearing to speak in favor of the rezoning expect the officials from Maryville who put on a presentation.

#### http://www.johnhoffmann.net/ex newsletter 94.pdf

**Fast Forward to November 11**: The public hearing before the Board of Aldermen on the rezoning request was held on November 11. Maryville apparently wised up and decided to stack the crowd. I have a feeling some members of the Board of Aldermen will use this as an excuse to vote for the project.

The Aldermanic chambers and the city hall parking lot were filled long before the scheduled 7pm start.





The overflow crowd had to go into the cofrence room and watch on closed circuit TV.

Some speakers who lived in Town and Country and spoke for the project were employees or board members. Only one fully identified himself as being associated with Maryville.

Others would say what a good neighbor "Maryville" was but by the time they finished, Maryville would become "we" in their comments.

Of the 32 people who spoke five were from the Ball family who currently owns the land and ants to sell it to Maryville for a rumored \$3,000,000 and at least four people were associated with Maryville, including the student body president. There were other students in the crowd, one sat behind me and did school work all night and never paid any attention to what was being said. plus more employees of Maryville and not residents of T&C who would clap for people making remarks in favor of the project.



For three hours this kid did college kid did her homework, while

residents went without seats.

There were nine people who spoke in favor of the rezoning who we could not identify being with the Ball family or Maryville. Counting the plants from Maryville and the Balls a total of 14 people spoke for the rezoning.

17 people spoke against the project. One person was for the project if traffic was made to use the North 40 Outer Road and reach the fields by driving through the campus and not on Conway Road. .

Retired internist, Dr. Dorothy Cook gave the most interesting comments as it was like a thriller...it had a surprised ending. Cook spoke what a great asset Maryville University. It seemed like Dorothy was going to be for the project.

Then she threw a curveball. She mentioned that the current zoning laws would allow Maryville not to rezone the land, but simply get a Conditional Use Permit for the fields only. She then said the problem is the maintenance facility which should not be allowed on the Conway Road property.

**Go back to a simpler time...and give me \$3,000,000**: The most disingenuous speakers were the five from the Ball family. Their theme was how they grew up on the property, rode horses and how the campus of the then all-women Maryville College run by nuns and their property seemed to all run together. They failed to mention, "and if you approve this we get \$3,000,000."

LIES AND OTHER BULLSHIT FROM GEORGE STOCK: The main presentation for the rezoning was by Consulting engineer George Stock who is the front man for Missouri Baptist Hospital. George was spinning things as if Maryville University was a benevolent force in Town and Country. He actually overspun to the point where some of his statements could better be labeled as BULLSHIT. He are a few examples:



Maryville bigwigs confer during Stock's 40-minute presentation.





George Stock was spinning the facts faster than one of the Spinner's Motown 45 rpm records.

**WHAT HE SAID**: "Maryville is respectful of streams and nature. With Smith Creek we are intent to preserve it."

**TRUTH:** Actually Maryville is respectful of stream and will preserve Smith Creek because if they don't they will not get required permits from the Army Corps of Engineers and the Metropolitan Sewer District of St. Louis, plus they would be in violation of city, state the Federal laws.

**WHAT HE SAID**: "Maryville saved an underperforming Marriott Hotel, by buying it and converting it to a dormitory.

**TRUTH**: I was on the Board of Aldermen when this happened. Maryville had approval to build a new dorm on campus. However after the October 2008 recession they could not afford to build the dormitory. They admitted as much when they were before the Aldermen looking for a Conditional Use Permit to turn the Marriott Hotel located directly at the front of the campus into dorms. It was cheaper to buy the hotel and remodel it than build a new building. In other words Maryville was not rushing to the rescue of a hotelier in trouble, but took advantage of a good deal.

**WHAT WAS SAID**: Stock said how local residents get to enjoy the property for recreation and walks.

**TRUTH:** Nearby resident Jan St. Eves countered this by saying how twice her sons had gone to the Maryville field along Conway to kick a soccer ball or toss a baseball, only to have Maryville Security Officers force them to leave. She said that was followed with "No Trespassing" signs.

Also after nearby residents walked on the campus to the current maintenance facility and took photos of it in a disorderly condition, Maryville posted the area with No Trespassing signs. So much for those nice walks.

**WHAT HE SAID**: George Stock pointed out that the maintenance facility at Queeny Park was older than the one at Maryville and closer to homes on Mason Road.

**TRUTH**: When the maintenance facility at Queeny Park was created the park and all the houses along Mason Road were in unincorporated St. Louis County. The park is still in unincorporated St. Louis County and Town and Country has no control over it.

Also the maintenance facility at Queeny Park is kept clean and is not an eyesore. It is directly next to an area used for spring and summer weddings.

**WHAT HE SAID**: George Stock attacked the video of Dan Grossman representing one homeowner's association where the Dierbergs supermarket on Olive is super imposed on a photo of the open field where they plan to build the Maryville maintenance facility. Stock said how the supermarket is almost 50,000 square feet and maintenance facility is only 18,000 square feet.

**TRUTH**: The actual total square footage for the locker rooms, concession areas and a mezzanine level to the maintenance facility brings it closer to 28,000 square feet. However Stock failed to mentioned that the frontage of both buildings are about the same, while the supermarket is deeper with more square footage. So the image created by Mr. Grossman accurately shows what the front of the maintenance building will look like.



**WHAT HE SAID**: Stock said needed locker rooms and a concession stand were needed.

**TRUTH**: The Maryville University Gym is nearby with locker rooms and showers. Webster University Softball is played at a city owned field maintained by Webster University during the spring at Blackburn Park located two blocks from the campus. There are no concession stands or locker rooms. Washington University's softball field is located at the corner of Forsyth and Big Bend. It has no concession stand or locker rooms. Fontbonne University softball is played at the ABC Softball complex in St. Ann. There is a concession stand run by the park but there are no locker rooms.

Webster University plays soccer at the Soccer complex in Fenton. There are concession stands, but no locker room. Fontbonne plays soccer at a Clayton School district facility without a locker room for Fontbonne and the opponents.

In reality this structure is not needed for locker rooms or concessions, but appears to be an excuse to build the maintenance facility.

**WHAT WAS SAID IN JULY**: Stock tried to say at the July Planning and Zoning meeting that the fire marshal would not certify the interior road from the main campus drive to the maintenance facility.

**TRUTH**: The WCEMSFPD Fire Marshall told me in a telephone interview that the road was approved. We also found an email to city officials from the fire marshal that was sent long before Stock's July statement that the road met fire code requirements.

**WHAT WAS SAID**: George Stock said he could find no flood plain information about the Ball property.

**TRUTH**: He then had to admit that a flood plain was clearly shown on both pieces of property to the west and east of the Ball property.

The residents who appeared and made the best points were the one who did not speak against the ball fields, but who said that storing diesel fuel, road salt, metal trash waiting for a recycling truck every three months plus gasoline powered equipment in an area with flooding potential with the strong possibility of sending chemicals and fuels downstream to residential areas was nuts!

MAYOR RECUSES HIMSELF...SAYS IT IS THE RIGHT THING TO DO...WHAT ABOUT ALL THE OTHER CONFLICTS? Mayor/cigarette lobbyist/User of Eminent Domain to snatch widows' property Jon Dalton does not like to be associated with controversy, plus George Stock the consulting engineer for Maryville gives him campaign contributions. While Dalton has a seat on the Planning and Zoning Commission he rarely shows up to those meetings, because he has to vote. As mayor he doesn't vote unless there is a tie.

Clearly there are a number of wealthy residents who live along Conway Road who have never paid much attention to local politics, but will likely do so now.

So what did Dalton do on Monday? He announced that his 200-person law firm at one time had represented Maryville University on a matter so he felt obligated to recuse himself from the hearing. This is after he had told some residents he supported their position against Maryville. With possible voters and contributors on both side of an issue, what is a person to do? Of course…leave! Dalton said four times that his decision was the "right thing to do."

Of course back in 2005 when Dalton was an alderman and then mayor he saw no problem being on the payroll of the city's largest contractor, the West County EMS and Fire Protection District.

In December of 2005 he had no problem signing a \$17.5 million contract with the Fire District, which his law firm did not just represent in Jefferson City as a lobbyist, it was Dalton. Again in 2010 Dalton saw no conflict of interest in signing a one-year contract extension with WCEMSFPD. Again in 2011 Dalton had no problem negotiating a new contract with his former client.



Dalton announces he is recusing himself from the

Maryville University public hearing, because his law firm once represented Maryville. Dalton apparently thinks it is okay to sign contracts with the Fire District which he represented.

Dalton also thought it was not a good idea to recuse himself when West County mayors wanted him to sign a letter supporting the St. Louis County ordinance banning smoking. Dalton at the time was a lobbyist for 28 different brands of cigarettes.

WRIGHT WASTES TIME LECTURING THE AUDIENCE ABOUT HOW APPLAUSE WASTES TIME: With Dalton off the dais, the hearing was held by Aldermanic President Lynn Wright, who did a classic dear in the headlights performance.

Wright stopped the hearing twice and lectured the crowd for over 30-second each time on how their polite applause after someone spoke expressing their opinion was wasting time. ACTUALLY the applause only lasted a few seconds and it was Wright's lectures that were wasting time.



Lynn Wright in one of her two unnecessary

lectures about how the audience should not clap. After the Pledge of Allegiance to start the meeting, Lynn apparently forgot about the first of those crazy amendments.

**COMING ON NOVEMBER 25!** The Maryville rezoning issue will be voted on at the next Board of Aldermen meeting. It does not appear as if anyone on the board of alderman has the guts to force a compromise, by allowing Maryville to place the soccer and softball fields on the Conway Road property, but keeping the maintenance facility on the main campus where it currently is, well out of a flood plain.

MEYLAND-SMITH CAN'T KEEP IT BRIEF IF HE IS TALKING OR WRITING. Fred writes how he would like to have something like the Maryville project in his nighborood: Here is a response from Fred "I can't shut up" Meyland-Smith to an email from a resident who is in opposition to the rezoning of residential property so Maryville can move two athletic fields and their entire maintenance facility to Conway Road. Fred

tells the resident how he would welcome such a project in his neighborhood. Gee maybe the city could start parking its dump truck and pickup trucks plus store the snow plow blades in Fred's neighborhood this winter.

Dear Amanda,

I have read your note and appreciate your willingness to state your views on the proposed project by Maryville University.

As requested, I will tell you that I am a member of the City's Planning and Zoning Commission and I did vote in favor of the proposal when the matter came before the Commission. I continue to hold that position based on a number of factors which I will summarize below.

Importantly, you cite several points in your note which are in need of correction. The parking spaces requested are less than 200 (not 300), "not generally present in our area" is not accurate as the entire facility is not much different than what exists at 3 -4 other academic institutions in our City, "intensely developed" is not accurate either as more than 75% of the area is green grass and your statement about the City's Comprehensive Plan should also include the fact that the Plan also provides for this property to be used for educational purposes as well. Finally, there are no additional lanes proposed for Conway Rd. as you state.

I believe the proposed use of this property by Maryville University is consistent with the Comprehensive Plan. It is compatible with the surrounding area recognizing that it directly borders the University campus, a 18 +/- acre lot whose owner endorses the project and reasonably close to a major medical facility. Importantly, Town and Country is a community of diverse home types as well as numerous educational institutions, a major medical center, offices and retail businesses. All have a place here and the Maryville University project is entirely compatible with its surroundings.

There are some other points that are relevant to my decision making. The proposed use generates far less annual traffic than if it were developed with 1 acre homes. The maintenance building is more than 600 ft. from Conway Rd. Further, it is 25 ft. in height (vs. 42 ft. for a normal house), built using the same material as the academic buildings, professionally landscaped and houses material no different than what is already present on the campus. It should also be noted that the parking area is 14 ft. below the elevation of Conway Rd and it is further shielded by a 5 ft. berm putting the top of the light poles below the height of the lights of the automobiles now travelling along Conway Rd. The number of home games for the two sports that will use this space are quite limited and neither traditionally attracts large crowds thus the limited number of spectator seats proposed.

You mention that you recently moved to our City. I have lived here for more than 27 years and have served on the Board for 9 years. When faced with such decisions as this I always filter the decision

through the matrix of what would I want for my neighborhood. I would be very satisfied to have this entire project near or adjacent to my subdivision.

I welcome you and Brandan to attend our next Board meeting and look forward to hearing from you.

Fred Meyland-Smith

Alderman - ward 3

**DALTON INTRODUCES ANOTHER DEFICIT BUDGET FOR 2014:** Jon Dalton, despite his claims how the General Fund always has a small surplus submitted the fourth budget in five years with an overall deficit.

The 2013 budget started off with a \$3,000,000 overall deficit which ballooned to \$6,000,000 when additional road projects (regular overlaying and repaving that had been put off from past years) were added.

Currently it appears with several projects coming in under bid the total deficit for 2013 is projected to be \$4,383,021 of 18.79% of the city's reserve. The new budget is projected to chip away another 5.5% of the city's cash reserve.

2014 will start with a \$857,320 deficit.

Here is the breakdown:

General Fund: \$35,850 surplus
Road Fund: \$686,590 deficit
Capital Improvements \$10,840 deficit
Parks and Stormwater \$172,760 deficit
Safety and Training \$22,980 deficit

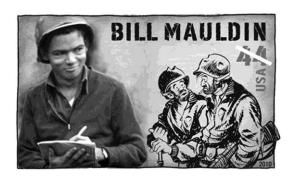
**PUBLIC SAFETY VERSUS BRANCH CHIPPING:** I noticed that there is \$80,000 back in the budget for branch chipping in 2014. However there is \$103,327 less money in the 2014 budget for deer management. Thee is just \$40,000 budgeted for deer management.

While having branch chipping is a nice service it does not fall into the category of Public Safety. However Deer management clearly is a public safety issue. The fact is after spending \$143,327 in 2012, the deer-vehicle accidents though October have not decreased.

**TRAFFIC TICKETS still paying part of the way:** 12% of the General Fund will be financed by traffic enforcement. The General Fund includes salaries for the police force. Actually the traffic enforcement revenue will represent 27% of the General Fund expenditures for the police department.

The city forecasts \$1,438,500 will be brought in from court fines. The cost of the court employees is now at \$310,130. That leaves \$1,128,370 in profit from the municipal court.

VETERANS DAY MOMENT OF SILENCE...NOW LET'S SHOP: It was somewhat ironic that Mayor Dalton began the meeting asking everyone for a moment of silence for our veterans, (Memorial Day in May is for those who died in battle, Veterans Day was for the ones who survived) since the meeting fell on Veterans Day, November 11. Of course under the leadership of Dalton, the city no longer recognizes Veteran Day as a holiday. The city cancelled Veterans Day and moved the paid holiday to the emotional and important day for all Americans, Black Friday, the day after Thanksgiving.





Under Mayor Dalton the city quit celebrating Joe and Willy and started celebrating shopping mobs.

**SOLAR PANELS:** The Board of Aldermen as a whole voted to spend \$50,000 to enter a lease agreement for solar panels to be installed at City Hall and at the Longview Park Farmhouse. I'm shocked they didn't want to install some on Skip Mange's log cabins at Drace Park to give it that "Back to the Future" look from 2014 to 1850.

The Board read the bill twice and voted on it so they could enter into the agreement with a vendor, before Ameren UE backs out of the Solar energy rebate program on January 1.

From what I have seen looking at the number of other government agencies, including cities and school districts that have installed solar panels, it is actually 15-to-20 years before you see a profit from the panels, due to their high costs and the low electric rates in the St. Louis area.

For instance what about hail and wind damage...who has these insured and how much extra will that cost? That was never discussed.

# **UPCOMING PROJECTS FOR 2014**: There are four storm water projects budgeted for 2014. They are:

Mueller Lane	Engineering and Construction	\$125,000
Corrington Court	Engineering and Construction	\$175,000
Fiddle Creek	Construction	\$296,500
Kings' Glen	Engineering and Construction	\$144,500

#### WHEN A PUBLIC SCHOOL TUTION IS MORE EXPENSIVE THAT A PRIVATE

**SCHOOL**: My curiosity was peaked when I was reading a sports article in the September 26 edition of the Post-Disptach. It was about former Missouri basketball star and NBA player Steve Stipanovich's daughter Hannah spending her senior year at Clayton High School. Hannah had transferred from Westminster to Clayton High School.

Steve Stipanovich had been head girls' basketball coach at Westminster until he resigned last April. The Stipanovich family had lived in Town and Country in a subdivision off of North Mason Road. Last year they moved to a rental house off of Conway Road. Now they are in the Clayton School District.

It was very interesting to see that a Stipanovich kid was not going to Westminister. Hannah's older sisters went to the Christian school and Kelli is a starting Volleyball player at the University of Arkansas in her senior year.

Hannah scored her 1,000<sup>th</sup> point in basketball last February as a junior playing for her dad. She was on a state championship volleyball team last year at Westminster.



Sports aside, I was interested in the cost of her education on the open market, as Clayton is constantly ranked as one of the top public high school in Missouri. It turns out that she is going to a public school with a higher tuition rate (for out of district kids) than the private school she attended.

This year the Westminster tuition is \$13,900. However the rate at Clayton High School for out of district transfers is \$16,250.

Before being in the Clayton School District the Stipanovichs had lived in the Parkway School District. This year the Parkway School District's tuition rate for out of district students is \$11,444, a bargain compared to Clayton or Westminster.

Here are some other area private school tuition rates:

\$23,600 Mary Institute-Country Day

\$23,500 Whitfield

\$18,700 Villa Duchesne

At Catholic DeSmet High School when her dad Steve starred on the basketball court with Mark Dressler before they both went on to the University of Missouri the current annual cost for a high school education is \$13,395, \$505 less than the going rate at Westminster.

**THAT FIVE O'CLOCK MAIL DELIVERY**: Everyday there is a first and a last when it comes to mail service. For some people early delivery means they can use documents received in the mail all day long. For people getting their mail late it used to never come later that 3 or 3:30pm.

That has now changed. My subdivision is on the "late" delivery. But instead of my mail coming sometime between 2:30 and 3:30 it is now often arriving after 5 o'clock.



A new rule from downtown says Postal carriers can not start

working before 8am. This is causing mail to show up later than usual. Many carriers want to go back and be able to start at 7am.

This just isn't my carrier. Another letter carrier who I was used to see stopping at Drace Park at 2pm for a bathroom break is now stopping there as late as 4:30 pm, just before sunset. I have seen mail trucks stopping at mailboxes along Mason Road in the dark.

I asked several carriers about this and they all have the same answer. A new boss for the St. Louis region downtown has ordered that mail carriers are not to start their work day before 8 o'clock.

The carriers I spoke to said they used to start at 7am and would be normally be done with their 8-hour day plus a 30-minute lunch break at 3:30. If there were delays due to volume, weather or traffic they would still be done around 4pm, well before dark.

Now they say they are often still out in the late afternoon after sunset and they don't like it at all. Everyone I spoke to is asking postal customers to complain to the main office downtown about their late mail service.

#### **BE HAPPY WHERE YOU LIVE:**

For Sale...Only...\$1,260,000



On Bradley Lane in Chevy Chase,

Maryland

**MAPS**: Someone sent me maps of the world that are highlighted to show different issues. Two caught my eye immediately. The maps that claimed to show hospitality to foreign visitors and one showing a free press.

The United States was not in the top tier of either one. If you look at the map Canada and Iceland are both listed as top countries for friendliness to foreigners. This map was done by the Washington Post and also shows Yemen, Senegal and Mali to be very friendly. While I agree with the choice of Canada, where with the exception of French speaking Quebec, everyone I have ever encountered in Canada have been amazingly friendly.

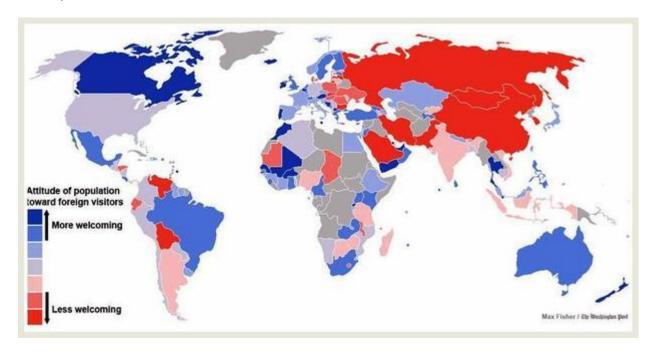
The same is true with Iceland (also on the list) and is a reason I try to fly Icelandair when I go to Europe.

But Yemen and Mali? Yemen and Mali are both experiencing internal terrorist issues. They are apparently friendly if you can put up with those terrorists. Both Yemen and Mali are also on the State Department "Travel Advisory" list as countries where it is dangerous to travel to, especially for Westerners, who are prime kidnapping targets. Maybe they are friendly kidnappers too!

#### **NATIONAL ATTITUDES TO FOREIGNERS**

This surprising and interesting map uses data from the World Economic Forum, to rate how welcoming countries are to foreign visitors. The information was gathered using a survey in which people were

simply asked, "How welcome are foreign visitors in your country?" **DID YOU KNOW?** According to the data, the three countries in which foreigners are most welcome are Iceland, New Zealand and Morocco.



#### **FREEDOM OF THE PRESS**

Scandinavia and northern Europe stand out as the frontrunners in this 2013 map, which shows respect for media freedom. We'd certainly like to see some more white on this one in years to come! **DID YOU KNOW?** Finland – also known for its <a href="awesome baby boxes">awesome baby boxes</a> – has stood out as the country that most respects free press for three years running.

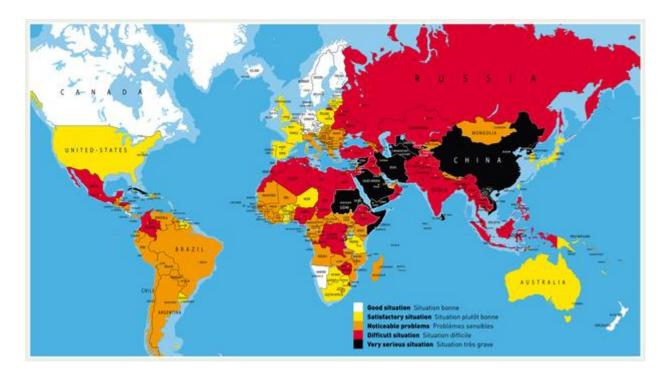


Image: Reporters Without Borders

#### FOOD:

**Raising Cane in Des Peres!** There is a new chicken fast food place in Des Peres. It is on the north side of Manchester just west of Chick-fil-a, at 12215 Manchester. My wife and I tried it on its second day of operation.

The menu is refreshingly simple. It is chicken fingers with a few sides...that is it! The sandwich is just some chicken fingers on a Kaiser roll with some lettuce. A box meal comes with fries, slaw and a piece of Texas toast. The chain is relatively new and is headquartered in Baton Rogue, Louisiana.

We went ala carte and ordered five chicken fingers, 75-cents worth of Cole slaw and 29-cents worth of sauce. That's right they charge you for the sauce if you order ala carte. With tax the bill was around \$6.50.

The chicken fingers were better than those sold in Schnuck's or Dierberg's hot food deli sections. However they were not as good as chicken strips at Hardee's or Chick-fil-a.





Frankly, I was not grabbed by the product to the point where I am looking forward to the next time I come back. In fact my experience might just make me be sure to try Chickfil-a or Hardee's the next time I want chicken strips. There has been a Raising Cane's at the Chesterfield Mall since last spring.

**BILLY G's** Kirkwood is getting to be a lot like the Delmar Loop. We went there on Saturday night to get a late dinner and hear Jim Manly and Arthur Toney play some jazz at the One-19 on S. Kirkwood Road. At 9pm there was a 40-to-60 wait for a table.

We decided to walk around the corner and try Billy G's at 131 W. Argonne across the street from the train station. There was a private party going on inside and outside of the train station with people dancing in the driveway.

We got to Billy G's at about 9:15pm. Despite it being 58-degrees the patio was half full. The spacious inside was about 90-preent full but we got a table for our party of three.

Instead of getting dinners we decided to sample other items on the menu. The clam chowder was excellent, however we were told that it is rarely on the on the menu.

An order of onion rings were pricey at \$8.99 and frankly not that good.

B-B-Q is served Thursdays-through-Sunday. We tried a brisket sandwich that was \$12.99 and came with sweet potato fries and Cole Slaw.

The sandwich was large allowing us to split it three ways. The brisket was dry and had to be helped with generous portions of B-B-Q sauce. My tablemates, two experts on things from sweet potatoes said they were okay, but not special.

The total bill that included a bottle of a specialty beer and a cup of hot tea came to \$38.44. Frankly the food is half as much in price and much better at Charlotte's Rib on Clayton Road at Kehr's Mill. That said Billy G's seems to be popular with the locals, but you can do better.



**MUSIC**: Last weekend we had a variety of places to choose from, but went to see Jim Manley and Arthur Toney at theOne-19 in Kirkwood.



**UPCOMING**: The 7-piece Mad Brass and Rhythm return to Jazz at Bistro this weekend with two sets each night beginning at 7:30. Last November the place was packed. We came for the early show and moved back toward the bar staying for the late show.

If you have a kid playing an instrument in high school...here is an inexpensive chance to take them to one of St. Louis' better music venues. Also every musician playing is very accessible after the show. Several are music educators and would love to talk to your younger musician.





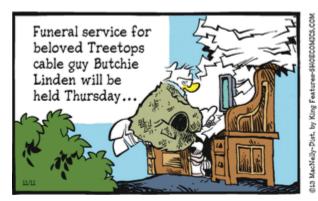
## **CARTOONS**:

SHOE is by far the funniest comic around unfortunately the editors at the Post-dispatch don't think so.





























From the pen of former St. Louisian, the son of local TV icon Charlotte Peters and CBC grad Mike Peters.









