

EX ALDERMAN NEWSLETTER 57

July 24, 2012

By John Hoffmann

POLICE COMMISSION FLIP FLOPS...or...OPEN WIDE THE POLICE DEPARTMENT HAS SOME BIG SPOONS AND ITS FEEDING TIME: We mentioned in our last newsletter how unusual it was for the police commission, a group of citizens with no background in government or law enforcement to show some independence and go against the police command staff.

This month they did a complete reversal and opened wide and were spoon fed the police staff's position without hearing both sides on the issue.

Background: In Ward-4 a family has a pit bull for a family pet. The next door neighbor wants the police department to enforce the city's vicious dog ordinance that has five criteria for a dog to be considered. The first four deal with actual behavior, such as bites or killing domestic pets. The fifth is breed specific and says all pit bull dogs are considered vicious.

The issue appears to be that the police department does not want to enforce the ordinance on a dog with no behavioral issues. Keep in mind that Captain Pat Kranz has owned a number of Pit Bulls.

At the June meeting a local vet spoke against breed specific laws and in favor of Pit Bulls.

One police commissioner said it was unfair to ask the Board of Aldermen to overturn a prior board's ordinance without hearing both sides of the story. Another commissioner brought in internet research that showed the majority of fatal dog bite cases in 2010 involved pit bulls.

The proposal to ask the Board of Aldermen to eliminate the breed specific portion of the vicious dog ordinance was unanimously voted by the commission to be tabled.

Despite being tabled the topic was brought back up and in fact was the only item on the July Police Commission agenda.

Only five of 10 commissioners showed up, with two from the June meeting being no-shows.

The police command staff began the meeting with Capt. Gary Hoelzer telling the commission the vicious dog ordinance was not a result of a debated agenda item by the Board of Aldermen, but came about when the city ordinances were overhauled and the city's code book publisher, Sullivan Publications provided the ordinance verbiage that included pit bulls. Hoelzer said it was basically "boiler plate."

He did admit that the revised and updated ordinances were passed in 2000 and Sullivan Publications model dog ordinance still includes pit bulls as a specific breed of vicious dog.

Present at the meeting was a pit bull who was rescued after being abused and adopted out. The dog sat during the hour and 10 minute meeting without attacking anyone and seemed to be very friendly.

Next Julie Jordan of the St. Louis County Animal Control Division, part of the County Health department spoke for 45 minutes.

Jordan said the County's vicious dog ordinance is not breed specific and the County would not assist a municipality in enforcing a breed specific ordinance.

Jordan attached misinformation and said too many people relied on Wikipedia for information about pit bulls. Instead of using other reliable sources she then used a power point presentation and put up the Wikipedia definition of a pit bull.

She also had a board with 20 photos of dogs and asked people to pick the pit bull. Five incorrect guesses were made before the pit bull was picked. She accused the group of killing five dogs unnecessarily. In fact the T&C ordinance doesn't require that any dog be killed. It just required it be on a leash and wear a mussel when outside.

She did mention that only 1 in 600 pit bulls at shelters are ever adopted out. However she did not give her source for this "fact." She also did not mention that many shelters across the country will not adopt out pit bulls as they consider the breed dangerous.

She did give interesting information that 800 dogs a month are received at the County shelter and only 600 leave alive.



(Julie Jordan with the County Animal Control department addresses the half of the Police Commission that decided to show up for the July meeting.)

She repeatedly said that Animal Control is PRO DOG. She only once mentioned in her talk that as Animal Control is part of the Health Department they are concerned about the public's welfare. She made about six pro dog references to one pro human reference.

She also stated that only 360,000 people are treated at emergency rooms for dog bites while 9,000,000 are treated for falls. She did not give her source for these numbers either. She then snidely suggested people who fall down perhaps should not own dogs. This struck close to home since I just received ER treatment for a broken shoulder and arm. In fact I broke my foot in 1995 while walking another dog we owned in Maryland in the woods. Of the five dogs my wife and I have owned over 31 years, four were rescued dogs.

Jordan also bad mouthed the City of Florissant and its breed specific dangerous dog ordinance. It is a little odd to see a County official in a public talk speak poorly of the legislative process in another city.

Laugh Out Loud: Jordon then made me laugh out loud when she claimed that a breed specific dog ordinance will cost cities a loss of revenue due to a decrease in tourism and a loss of population. Yes, people with pit bulls not visiting Town and Country and worse yet 10,000 square foot new homes will remain unsold because people with pit bulls can't buy because of their dog.

She did have a point when she said people suing cities over breed specific dog ordinance can cost cities money in legal fees.

FAIL TO FOLLOW PROCEDE: Since this matter was originally tabled it should not have been put back on the agenda until a commissioner made a motion to take the topic off the table. Police Commission chair Chuck Lenz said he felt it was never officially voted to table the matter. I remember it differently. However the official minutes of the June meeting which were approved said it was unanimously tabled.

However, the common problem of all city commissions, there were only three commissioners and Chuck at the July meeting who were at the June meeting, so there really wasn't a quorum present to vote on the minutes.

It was clear that the police department wanted this ordinance changed in the worst way and wasn't going to take no for an answer.

Loss of local control: Commissioner Charles Etting's motion was for the Board of Aldermen to adopt the County Dog Ordinance. I don't know if that was what he meant, but it was what he said and it passed on a voice vote with no nays.

If the city adopted the County ordinance it would lose its ability to amend the ordinance to address specific and unique local needs that might be ignored in the County ordinance.

ONE OTHER THING MISSING: The other thing that it was an unbalanced presentation. No one spoke on why pit bulls should be a specific banned breed, If you are going to pass resolutions you should hear both sides of the story. The police department clearly did not want that to happen and the police commission didn't think it was important.

Wasting No Time! Chuck Lenz (I'm sure with the help of the police command staff) placed a bill to revise the Dog Ordinance for a first reading on the July 23 Board of Aldermen agenda. The bill guts a large part of the city's current dog ordinance.

<http://www.town-and-country.org/Uploads/Boards%20and%20Commissions/Aldermen/BOA%20Docs%20072312.pdf>

At the work session before the July 23 Board of Aldermen meeting Chuck and Pat Kranz gave a little talk. Pat was fast and loose with the facts, claiming the police commission wanted more information before deciding, when in fact the matter was tabled and never voted back on the agenda. He also did not say that the police commission never heard from anyone supporting breed bans and mentioning he thought breed bans were “political.”).

I predict this change will pass 8-0 at the next BOA meeting.

NEW MEMBER TO THE GANGS OF TOWN AND COUNTRY: THORNHILL ESTATES NOW HAS MORE CRIMINALS THAN ANY OTHER SUBDIVISION: 61-year-old Grahame Rhodes of 13301 Thornhill Drive was indicted by a Federal grand jury for running a \$2.5 million dollar Ponzi Scheme. Among his victims were neighbors.

Out of 21 people on our list of the Gangs of Town and Country five either live in or have lived in the Thornhill Estates subdivision. Nine members are from Ward-2, five are from Ward-1, 5 are from Ward-4 and two are from Ward-3.

UPDATED LIST OF GANGS OF TOWN AND COUNTRY:

S&K Investment Ponzi Scheme Federal and State Fraud Convictions: Richard Neiswonger (Ward 1)
Carl Kossmeyer (Ward 4)

Embezzler of church bulletin payments convicted: John Gehm (Ward 3)

Investment Embezzler convicted: Don Weir (Ward 3)

Embezzled \$25,000 from Homeowners Association convicted: Richard Burbott (Ward 2)

Mortgage Fraud: John Mineo, Jr. general manager of Mineo’s Restaurant, convicted (Ward 2)

Serial Child Molester: Convicted Eric Tolen (Ward 1) Post Oak Drive.

Drug Dealer: Brian Marchant-Calsyn convicted and served time in the federal Prison in Lewisburg, PA. Marchant-Calsyn later joined Neiswonger and Kossmeyer as a salesman for the S&K Investment Ponzi Scheme. He then created numerous internet sales companies that resulted in complaints to the Attorney General by the dozen and lawsuits alleging fraud. Numerous judgments were issued against him and his companies. He moved out of his home on Topping Road in May of 2012. (Ward 2)

Sex assault: No charges filed but T&C police investigation led to the resignation of the president of Maryville University in 2006 (Ward 4)

Bank Fraud, weapons violation, drug dealing assault and spousal abuse and FBI informant that led to the downfall of State Senator Jeff Smith, convicted: Milton Ohslen III, (Ward 1)

Medicaid Fraud: Dr. Abdul Naushad and his wife Wajiha Naushad civil award (Ward 4)

Felony Sexual Assault Second Degree convicted: Stanley Williams, AKA Tommy Williams AKA Stanley Carter. Thornhill Drive Thornhill Hill Estates Subdivision (Ward 2)

Federal Income Evasion: Convicted William Bialczak Ward 1, skimmed \$1,000,000 from his businesses S&H Parking and Metropolitan Towing, at the center of the St. Louis Police Tow Scandal. Feds seized \$874,978 in cash during searches of his businesses.

Burglar: Graham Redington of the 1600 block of Foxleigh Ct. (Ward 2) was arrested on March 24, 2011 after burglarizing a house on Horton Lane and then carrying a large flat screen TV and computer through the woods to a waiting car on Kent Manor Lane.

Bank Fraud: Doug Morgan, 65, who lived in the Thornhill Estates subdivision (Ward 2), died on the day (Nov 9, 2011) of a scheduled hearing before a Federal judge. Morgan had been charged with Bank Fraud after allegedly making fraudulent loan applications for \$1.5 million. He is alleged to have also solicited close to \$2 million from two persons claiming to be a secret partner for a new casino in North County. Morgan was also the former head of the St. Louis Planning Commission.

Serial Drunk Driver: Dan McLaughlin, residing in Ward 1 off of Ballas Road. McLaughlin refused to take a breath test in August of 2010 after Chesterfield Police responded to calls from motorists on Highway 40 about McLaughlin's SUV weaving. The police report indicates that it appeared that McLaughlin urinated in his pants, was falling down drunk, asked to be let go since he was only a few blocks from home (several miles actually), and offered a bribe to the officer. In September of 2011 McLaughlin had multiple accidents on Baxter Road. He was so drunk that he could not figure out how to open his door, could not dial a phone, was falling down drunk and again refused to take a breath test.

CAMPAIGN FINANCE REPORTING VIOLATIONS: Alderman Tim Welby was fined and placed on two years' probation by the Missouri Ethics Commission for failing to file required campaign contributor and expense reports for over three years. Two years prior to the action, Welby, who lives in Thornhill Estates, had received a written warning from the Commission for the same violations.

Criminal-Illegal Importation of Prescription Drugs...Civil-Medicaid & Medicare Fraud Dr. Abid Nisar of the Thornhill Estates subdivision. (Ward 2) Convicted

POSSESSION OF HEROIN AND DWI PRIOR OFFENDER: Andrew Baird of 11 Bellerive Country Club Grounds Possession of Heroin and DWI by Prior Offender in the Pebble Acres subdivision at 3:40am on 3/25/12.

INVESTMENT FRAUD PONZI SCHEME: On July 19, 2012 61-year-old Grahame Rhodes of 13301 Thornhill Drive (Ward 2) was indicted by a Federal grand Jury for a \$2.5 million investment fraud/Ponzi scheme. Victims included friends and neighbors.

HEADS UP PEOPLE IN WARD-2: The planned Amonte subdivision off of Mason Road near the southern city limits is where architects from Washington University planned to build houses that looked like space ships. Most of the acre lots would be where concrete stilts from a steep hillside overlooking the Laurel Lakes subdivision held up the house. The project went broke and nothing was built.

Now this Wednesday the Planning and Zoning Commission will be reviewing a site plan for a 7,310 square Raintree Learning pre-kindergarten to kindergarten school for 70 students.

Now it is one thing to build a public or even a church school in a residential zone area. It was quite another to build a for profit school in an area originally approved for houses.

The staff review meeting begins at 6:30 and the regular P&Z meeting starts at 7pm on Wednesday.

CITY CREATING A BIG SECRET: On Monday night I tried to find the city PUBLIC NOTICE sign concerning the school proposal for the Amonte subdivision. You would think a public notice sign on Mason Road at the Amonte development would be an excellent place for at least one sign. Of course you and I would be wrong. The only public notice sign I could find was in an overgrown field inside the empty abandoned subdivision that does not have any houses, but has a collapsed street. Clearly no one at city hall wants anyone driving along Mason Road to know about the project and the Public Hearing at the Planning and Zoning meeting.

There were two who might have noticed the sign. They were both six point bucks standing in the field about 10 or 15 feet from the sign.

THE CALENDAR ACCORDING TO PUBLIC WORKS DIRECTOR CRAIG WILDE: I like Craig Wilde and he seems to do a fine job usually. One of his weak points is making project timelines that are close to being accurate.

CLAYTON ROAD: Back in 2010 the second phase of the Clayton Road resurfacing and trail (large sidewalk) project was supposed to have started in the spring of 2012 and finished by the end of the year. The full proposal with right-a- way agreements have not yet been submitted to MoDot yet for review and to be passed along to the feds so the city can receive the grant money. In other words if everything goes smoothly the project could start sometime in November or the start of the winter season. Don't look for this to be completed until the fall of 2013.

FIREHOUSE ANOTHER \$8,000: Remember how the firefighters and paramedics on June 15 were supposed to move out of the firehouse while it is remodeled. That still has not happened. First the trailers for the firefighters to live in were toxic. Safe trailers are now in place at the old Missouri Highway Patrol Troop C building on Mason and I-64. Now we find out that the garage door opening to the building is too short for the fire trucks.

So the city is going to spend \$8,000 to buy two oversized carports in Tennessee and ship them here. The fire district has agreed to chip in up to \$4,000 for the cost. Then when the remodeling of the firehouse is completed the city will have two over sized carports for sale.

THE TRUTH ACCORDING TO DALTON: The Goodcents Sub shop hidden in the middle of the parking lot at the Town and Country crossing has a request in for a variance for new signs. They already have a variance, but now the company headquarters has come out with a new logo that has more colors and has inserted the word “deli.” Here is what Mayor/Cigarette Lobbyist Jon Dalton had to say after the sign changes were approved:

“I haven’t seen a reasonable one (sign request) denied. People are ultimately treated fairly.”

First it was Dalton who voted against a reasonable sign variance request by Vinson Mortgage for their new headquarters along Des Peres Road. Steve Fons had refused to recues himself and voted against Vinson, a business competitor. The vote ended up tied and Dalton broke the tie.

Secondly the statement that “people are ultimately treated fairly” implies that at some point while dealing with the city they are treated unfairly.

TENNIS ANYONE? The next crazy statement by Dalton was after Mariette Palmer spoke. Palmer said how her husband Dickie Palmer, a longtime tennis player, is now walking down to Longview Park to hit tennis balls against the backboard. She stated that Dickie reports that the backboard is so damaged it doesn’t work anymore. Palmer said if the city did not have enough funds to repair the backboard, her husband would contribute money for its repair.

Parks Director Anne Nixon was not at the meeting.

“I’m sure parks director Anne Nixon is aware of it (the damaged backboard),” said Dalton.

Nixon is in charge of three small parks. Last December she accidentally let it be known that she had not set foot in Preservation Park for over a month. The thought that she would not know the tennis court backboard was damaged is a reasonable one, despite what the mayor’s says.

DRACE PARK HIT BY DROUGHT...NOT THE WATER KIND: Two-and-a-half years ago two students at Visitation Academy asked to use some land in Drace Park as a school civics project to create vegetable gardens and give the produce to food pantries. Alderwoman Lynn Wright was so taken by the idea she wanted to immediately give the girls awards. I was still on the Board of Aldermen and suggested perhaps we should wait and issue awards after a successful harvest. It was one of only a few of my suggestions that most Board members agreed with. The girls and their parents worked very hard and in the fall the city issued awards to them.

The project continued the following year, but the attention to the gardens had clearly dropped. They did erect a sign that the gardens were part of a project with Visitation Academy.

While there has been a drought this summer, it was not a lack of water that kept the tomatoes away. It was a lack of workers. The vegetable garden plots are no more. The sign has been taken down. The plots were taken over by Town and County Garden Club and the city as a holding area for plants

TELEPHONE FUN: For those of us on the Attorney General's "No Call List" there is one exception to the law. If you are already doing business with a company they can call you.

That sounds reasonable when you consider that you might want the company that cuts your lawn to call and see if you want the fall fertilization. However that also allows a large national or multi-national company you have an account with to call you. Here is the fun I have been having with one such company that is calling our house regularly. It is always a young woman, possibly not from around these parts but clearly from a boiler room phone bank operation as they don't speak immediately when you first answer. Here is how the calls have been going:

ME: Hell-o

Kyra: Hi, this is Kyra from AT&T.

ME: Kyra, before we go any further please tell me what the letters AT&T stand for?

Kyra: Huh?

ME: You say you are from AT&T. I'm asking you to prove it. Just tell me that the letters AT&T stand for.

Kyra: Click

At last I can use being old to my advantage.

Here is one of the last columns I had prepared but never ran for Patch.com. For 18 months I had been writing political and humor columns for Patch.com. It was okay with the regional editor to make fun of Sen. McCaskill or Rep. Akin, but when I made fun of a few members of the Chesterfield City Council we had problems. He refused to run a Chesterfield Council column I had on file and I refused to write any more general interest columns.

Neither Rain, Snow, Sleet Gloom of Night or Stupid Rich People Keep the Postman from His Appointed Rounds

Some people in West County do their best to make delivering the mail a challenge

By John Hoffmann

When I was the assistant police chief in Chevy Chase, Maryland I quickly realized that rich people with too much time on their hands could be dangerous. Chevy Chase was developed between 1900 and 1920. Much of Chevy Chase resembles parts of Kirkwood and Webster Groves with large frame and stucco homes. The differences are the lots are smaller in Chevy Chase and the old houses are worth \$2,000,000.

Actually most of the residents were very nice. Many were blue bloods from families that had money for generations. They were often down to earth. There was more money there but fewer grossly expensive cars, than here. In my current neighbor on some days I think I live in Germany passing all the Mercedes, BMWs and Audis leaving the subdivision, clearly evidence of the New Rich.

However there were some people in Chevy Chase whose brains were wired in such a way they amazed me.

We had a constant problem of people trying to hide fire hydrants in front of their houses. Women were usually the main suspects. They would plant bushes or flowers so the hydrants were completely surrounded.

One woman didn't like the color the hydrant was in front of her house and painted light purple color. She was completely unaware that the color of the hydrants in that part of Maryland indicated to firefighters what the size was of the water main.

You might be surprised to the push back we got when we would threaten to cite residents unless they removed the bushes and gardens and repainted hydrants to their original color.

I didn't notice some similar actions taken toward fire hydrants in West County, but what I have really noticed is what people do with their mailboxes.

There is one mailbox that I pass everyday that is completely hidden from sight, swallowed up by eight-foot high hedges.



(Try and spot the mailbox in these hedges.)

Here it is...nothing like making it easy for your mail carrier.



Then there is there is the one covered in roses. Ouch! Not only can the thorns get you so can the bees.



I found another one that has vines wrapped around. If a kid hits it with a baseball bat from a moving car, the vines will likely keep it in place.

I also love to see the people who encase their mailbox in bricks or stones. No mailbox baseball there and if a driver swerves off the road to avoid a deer they will not be knocking over a mailbox, they will be hitting a fixed object, doing thousands of dollars of damage to the car and thousands of dollars of damage to the mailbox.

I do have to wonder if the expense is worth it to have a concrete and stone monument around a mailbox only to have American Water knock it down to get to a water main break or the highway department tear it down doing a road project, since it is in the easement of the roadway.

I asked at my Chesterfield post office if I could talk to someone that could give examples of problems carriers face. I was given the telephone number of the Delivery Supervisor. He told me that he could not speak on the record. I then contacted the media spokesperson for the St. Louis Region, Valerie Welch. She said the problems carriers face are pretty much the same in a small town as in a big city. She then went on to say there are very few problems. I didn't buy what she was selling.

I then emailed someone I know who recently retired as a regional manager for the Postal Service. He started out as a carrier.

"Curbside mail box too high or low, and box continually blocked (usually by a car) were the ones that caused me as the regular carrier the most grief because I had to dismount the vehicle, and that brings up some safety issues of setting the parking brake and shutting off the engine. Even the non-standard homemade boxes aren't usually that bad because you only have to solve the puzzle one time. The regular carrier gets to know habits of customers and their individual quirks, and then it's pretty easy to plan and to adapt," he wrote, but there were some evidence of stupid, when he continued.

"And then there are those who place a child's wading pool in the street, or who chain their dog to the mailbox post."

"Mailboxes seem to be a magnet for parked cars and landscaping trucks with trailers," another carrier told me while on a break at a local park.

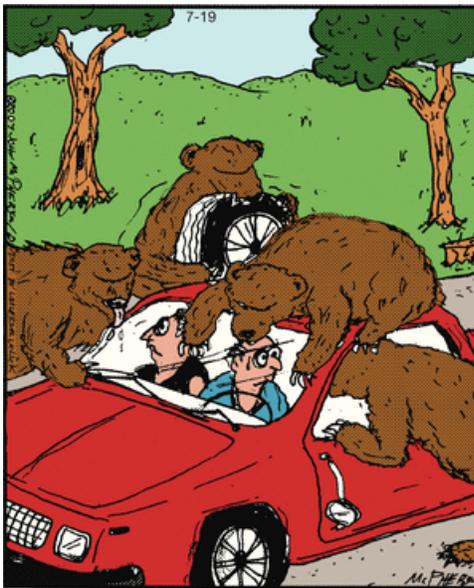
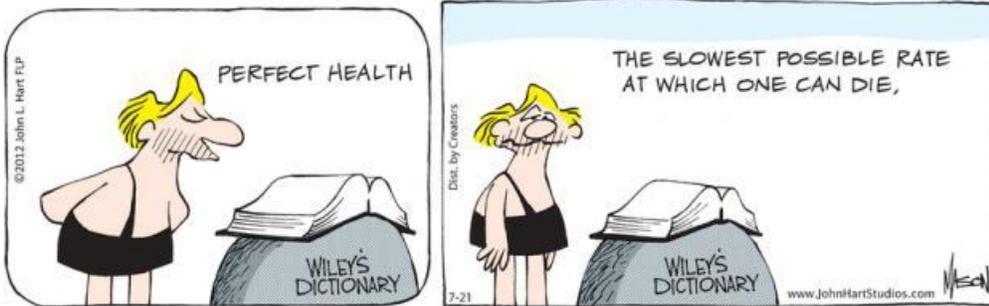
"**ANTS!** They are the worst for me is every spring when people allow ants to take over their mailbox. Sometimes I'll put the mail in the box, pull my arm out and it will be covered with ants," the carrier said.

I asked my carrier. He told me while the flowers on the mailbox that attracted bees was a problem, the people who refused to clean wasp nests out of their mailbox was much worse.

"Of course when I would deliver the mail to a box with a wasp nest it was a little dicey, but I usually just got the wasps upset when I would shove in the mail and shut the lid. I

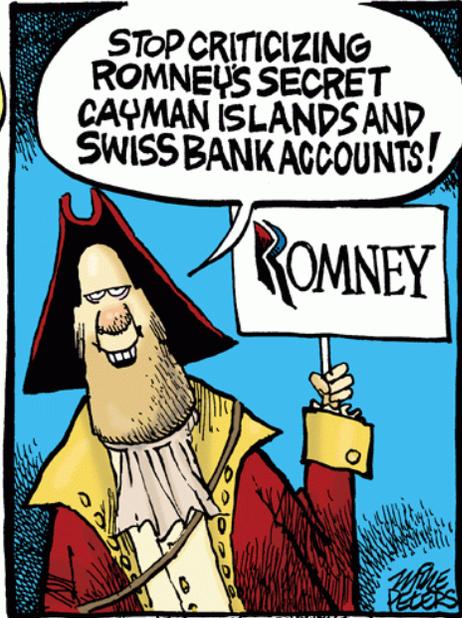
have to think the real problem was when the homeowner came along 10 minutes later and opened a box full of angry wasps,” he said.

CARTOONS:



The Garcias discovered a huge drawback to driving a car that runs on vegetable oil.

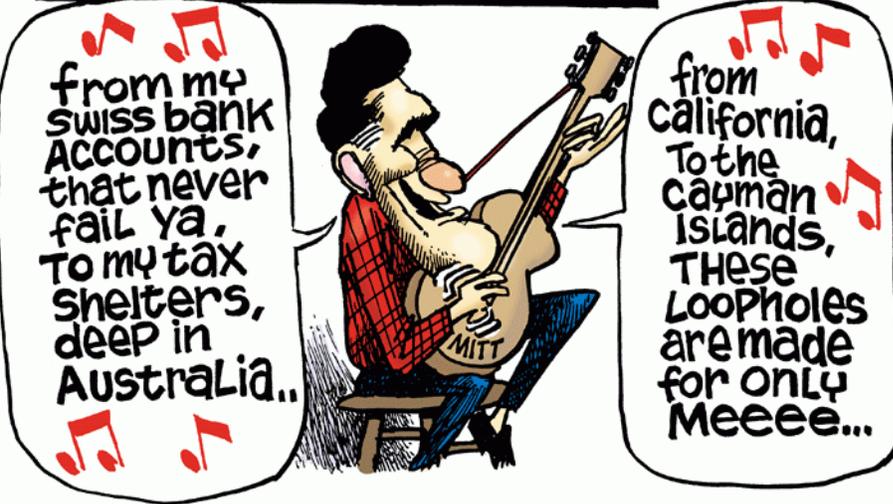


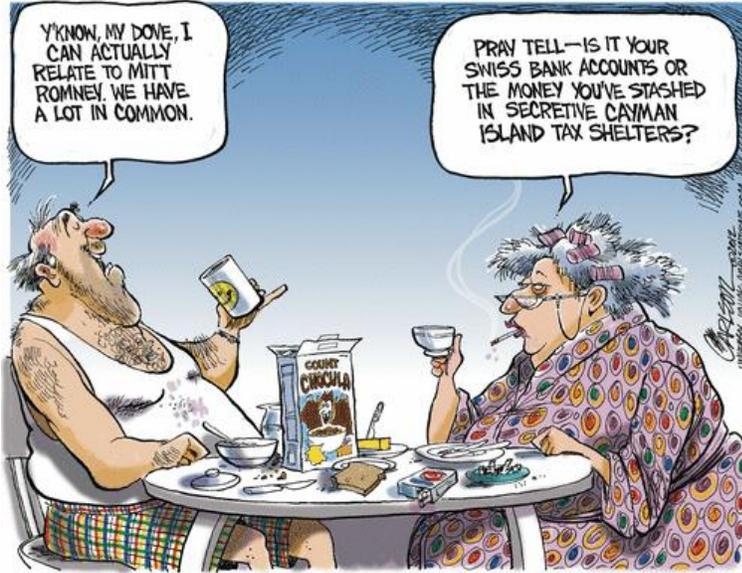


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© 2012 DARTON DAILY NEWS KING FEATURES SYNDICATE grimmy.com
SUNG TO "THIS LAND IS MY LAND"

Mike Peters







"Houston, the good news is we have discovered life on another planet!
The bad news is..."



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