

## EX ALDERMAN NEWSLETTER 85



May 24, 2013

By John Hoffmann

**FEMALE POLICE OFFICER HARRASMENT UPDATE:** Checking the case file on former Town and Country Police Officer Shannon Woolsey we found that the court denied the city's attempt to review her current employment records with American Family Insurance where she is employed in the claims department.

The court did order that Woolsey provide private medical records from five years before her employment with Town and Country but not 10-years prior to her employment as requested by Town and Country's lawyer.



Woolsey who for 10 years was Town and Country's only female police officer filed suit against the city claiming she suffered from blatant sexual harassment from supervisors with the command staff failing to stop the actions, other than suspending a sergeant for one day.

While Town and Country continues to have only one female officer, Woolsey's legal team is showing how other agencies have far more female cops. They provided this breakdown:

Creve Coeur 52 officers, 5 female (9.6%)  
Ballwin 50 officers, 4 female (8.0%)  
Manchester 39 officers, 4 women (10.02%)  
Chesterfield 83 officers, 8 women (9.6%)  
Ellisville 21 officers, 3 women (14.3%)  
Maryland Heights 80 officers, 5 female (6.25%)  
Wentzville 63 officers, 8 female (12.7%)  
Town and Country 32 officers 1 female (3.1%)

**HOW MANY STOP SIGNS DO YOU NEED TO TELL YOU TO LOOK BEFORE CROSSING THE STREET?** A newsletter reader asked why Town and Country has spent so much money for all the stop signs on the “trail” (extra wide sidewalk) along Clayton Road. She thought it was stupid and a waste of money.

I joked it was a last attempt to get people who are walking and texting to pay attention before crossing a street.



I did ask Public Works Director Craig Wilde and found that the answer was steep in bureaucratic-ese. While all the annoying spandex bicyclists are on the actual road and it would be a far more dangerous place for them on the “trail” with folks and their dogs on leashes and strollers with texting moms...the “trail” is technically also for the bicyclists who do not use the trail to begin with. The stop signs were required with the grant the city received to build the “extra wide sidewalk”

Her next question dealt with the posts in the middle of the sidewalk. She asked if they were for hitching horses.



No! They are to deter motorists from driving cars on the “extra wide sidewalk.” The way local prosecutors refuse to actually convict drunk drivers, while reducing charges to \$500 Illegal Parking offenses it is a good idea. One Ivy League driver (Jonathan F. Dalton, Jr.) who in 2012 picked up two DWIs in six months and got two Illegal Parking fines, lives just one block from the trail.

## I WONDER IF THIS GUY EVER SAW MIRACLE ON 34<sup>TH</sup> STREET?



Schnuck's supermarket CEO Scott Schnuck may replace former Missouri History Museum president Robert Archibald as the least sincere person in St. Louis. For Archibald it was the purchase of contaminated land owned by former St. Louis mayor and Museum board member Freeman Bosley, Jr. for \$875,000 (when it was valued at 25% of the purchase price) and wanting \$575,000 for unused vacation time when he resigned.

Schnuck's crime was to knowingly let his customer and their banks get fleeced when he knew there was security breach with the credit card transfers within his supermarket chain.

Schnuck finally hit the airwaves in the middle of May telling tens of thousands of longtime customers who had their credit and debit cards hacked that he was sorry.

If Schnuck had only been watching the original movie, A Miracle on 34<sup>th</sup> Street every year like I do, he would have immediately recognized a rare business opportunity.



Mr. Gimbel, Kris Kringle and Mr. Macy.

Here is the script that I would have had CEO Scott Schnuck in ads on March 12, not May 12.

***Somehow some of our customers while shopping at Schnucks store have had their credit and debit cards compromised.***

***We are working hard to find out how this happened and to make sure it never happens again.***

***In the meantime, effective today to protect customers and their banks Schnucks will no longer accept credit and debit cards until we are sure it is safe to use them again.***

***We will gladly accept your personal checks with identification. No special check cashing card will be required.***

***If you have to use a credit or debit card when grocery shopping we ask that you shop at one of our fine competitors' stores, until we are sure it is safe to use them at Schnucks.***

***The financial safety of our valued customers is our utmost concern. If you can't use cash or checks we hope that you will be back to see your friends at Schnucks' stores just as soon as we have this problem corrected.***

This ad would have made Scott Schnuck a retailing hero. Looking out for the little guy before profits! Being a straight shooter with the public! He had that opportunity and either didn't realize it or didn't want to use it. What he ended up doing was driving a large number of formerly loyal customers to Dierbergs, Shop and Save and Wal-Mart. His actions will now affect the Schnucks' bottom line for years to come. He could have been Kris Kringle and ended up Scrooge instead.

**IS THERE A LESSON FOR THE PARKWAY SCHOOL DISTRICT FROM THE WEBSTER GROVES HIGH SCHOOL FIRE:** Last weekend there was a roof fire at Webster Groves High School. The origin of the fire was traced to a recently installed solar panel.

We reported how the Parkway School District in 2012 was giving itself a big pat on the back claiming recently purchased solar systems would save the district \$1.2 million over the next 20 years. However the system will cost \$1.4 million.

After the Webster Groves High School fire it turns out that some solar systems have been responsible for starting fires. The solar program with Parkway will not break even over 20 years and it could end up costing the school district even more.



The northwest section of Webster Groves High School at 100 Selma Ave, near Lockwood ablaze!

## **PLANNING AND ZONING...GATE FOR HUGE HOUSE THAT NO ONE CAN SEE, MARYVILLE GOES DRY AND BERRA AVOIDS EXTRA TAXES.**

On Wednesday May 22 the Planning and Zoning Commission met and handled four items in under an hour.

**Gate:** One the larger new houses in Town and Country, which you cannot see from the street, just got a gate 715 feet down a shared driveway. The house is at 904 Weidman Road. The first house in town on Weidman Road is owned by Alderwoman Gussie Crawford. This house sits behind Crawford's house, shares a portion of her driveway. It is bordered on two sides by Queeny park, one side by Crawford and the other side by another property at 1000 Weidman Road and the Summerhill subdivision. This was approved without any discussion.

**WET VS DRY: The 13<sup>th</sup> change at Maryville University:** Maryville cited the extensive amount of rock causing them to request permission to change the storm water basin in connection with the new classroom building that is replacing Ste. Duquesne dorms from a wet water basin to a dry basin. George Stock the engineer for the project told commissioners that when they discovered the solid rock the price of the storm water basin was going to go up dramatically. They want to move the storm water basin to a different location and have it dry and instead of having three feet of water all the time, the basin would be dry except when he rained. The water would then be funneled off to a nearby creek.

It passed with commissioner Dennis Bolazina voting against the change.

“I’m voting ‘no’ in honor of the geese and other wildlife that would have been able to use the retention basin’s pond,” said Bolazina.

**Million dollar houses for all, but let’s save some taxes:** The John Berra family compound got approval for another plat. The concrete and sewer construction bigshot who moved to Town and Country from Oakville, only to find out he could not subdivide his large parcel of land on Mason Road to build houses for his children is recording four of the five plats he purchased from John McDonnell (of McDonnell Aircraft) behind the Churckhill school and City Hall.

Berra’s plan is to build a house of himself and his wife and one for each of his four children. The 15 acres of land has been drawn into five sections. This is the fourth section to be platted. Commissioners pointed out that lot 3 is the only one not platted and it sticks out since it is surrounded by platted lots. Why not just go ahead and plat that one to, they asked.

The fourth child is not old enough to have their own multi-million dollar home yet. The man who has created a family compound, build a street off of Municipal Drive to the compound and is building mansions for each of his children was interested keeping the property taxes low on the last lot as long as possible the commissioners were told.

**Pulte Homes...your dream house next to the parking lot of Target Store:** The developers for the 69 house subdivision being built by Pulte Homes next to the target Store on Clayton Road got approved again by P&Z after the Board of Aldermen requested a few minor landscaping changes.

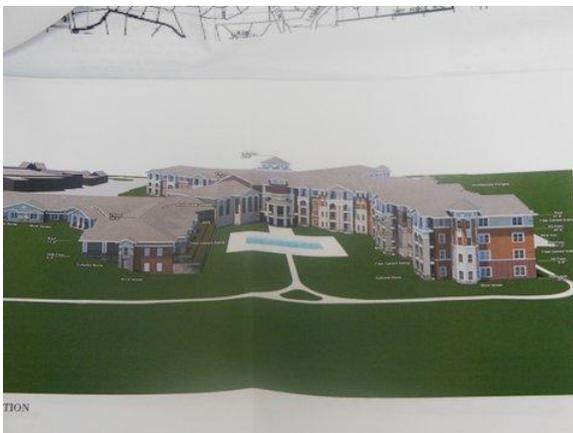
The paper work submitted to the P&Z Commission for this project was so large and weighed so much, Commissioner Rob Cima chided alderman Fred Meyland-Smith accusing Pulte Homes of having to cut down a couple of trees in the Savannah that Meyland-Smith demanded to be protected to produce the documents.

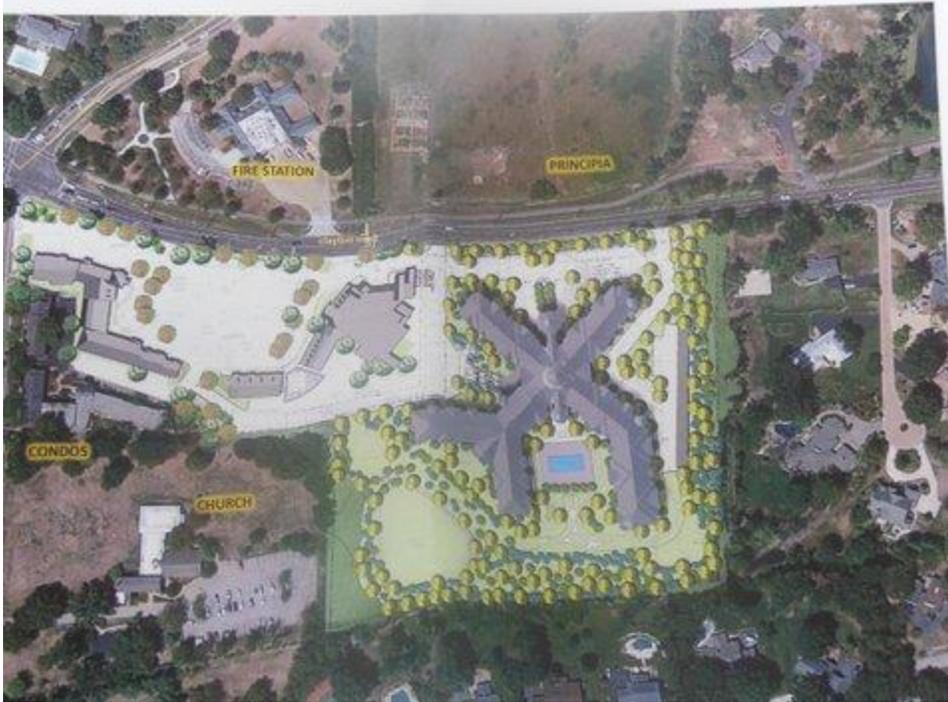


Melanie Rippetoe of the Planning Department sits behind quite a stack of paperwork on the Pulte project.

**WIRTH PROPERTY PLANS HIT CITY HALL:** Plans for the development of the commercial and residential Wirth property located east of Straub's have hit city hall and will be before the Planning and Zoning Commission in either June or July. The plans are for the Allegro retirement community which will abut houses on Rutherford Lane, the Mason Village Shopping Center, the Good Shepard Church on Mason Road and the backyards of houses on Kings Glen Road.

The main buildings of retirement apartments appear to be four stories high. This facility is going to be huge and should generate lots of traffic. As we mentioned before the only positive thing I can see is that it is across the street from a fire station meaning emergency medical responses should be under 90 seconds.





**An overview of the planned retirement center along Clayton Road**

**SOLD!** After more than a year with the “Lot for Sale” sign in front of the property the “under Contract” sign is up along Mason Road in front of former Alderwoman Patty Wiggin’s house.

If I ever get the time, I’d like to write a song to tear-down industry written to the music of Cole Porter’s “Love for Sale,” titled “Lot for Sale.”

**SOME GET TO KEEP THEM AND SOME DON’T:** Perhaps you remember about the people in the very cool looking house on Clayton Road east of I-270 who went on vacation. Before going they were assured by contractors and city staff that the attractive trees in front of the house would not be cut down for the Clayton Road “Trial” or what I refer to as the “extra wide sidewalk.” When they returned home the trees were all gone. Public Works Director Craig Wilde said they were in the city right of way or easement but they city will replant new trees.



Then there was Dorothy Rogers' house on Clayton Road where trees near the sidewalk project were cut down before Election Day. Dorothy responded with a sign in her yard in front of the tree stumps.



Image my surprise the other day with trees and shrubs in front of another house on Clayton Road at White Stable Lane in the path of the sidewalk were left standing, but you could see the root balls. How did these plants get a reprieve?

Perhaps it was because they belong to Republican House Floor Majority Leader John Diehl. The other night after leaving the Planning and Zoning meeting I saw Diehl pacing in the street in front of the sidewalk project with a phone to his ear. He didn't look happy. He had just planted much landscaping after major addition to his house. Diehl is the guy who has raised \$1.1 million in campaign contributions since 2008 and has never had an opponent.



It is a spring miracle. These trees belonging to the House Floor Majority Leader were spared.



A fuzzy photo of John Diehl on his cell phone in the street after inspecting his trees.

**RUMOR MILL:** From the rumor mill around city hall look for more retirements and resignations before the end of the year.

**CITY OF TOWN AND COUNTRY NOW APPARENTLY COMPETING WITH LADUE NEWS AND TOWN & STYLE:** I was surprised to see that the City of Town and Country is posting private event photos on the city's website. It is apparently a desperate attempt to show people why they should rent the Longview Farmhouse for weddings and wedding receptions. For four years the facility has cost far more to operate than it generates in revenues.



Even through these events are at a public facility, once the facility is rented they are private functions. The general public cannot mosey over and participate. I always thought the photos on the website should be ones of the general public using a public facility. We are putting these up for free...Ladue News charges for this...no wonder we are losing money renting this place out!

**FIRE CODE VIOLATION:** Also on the city's website is a bride coming down the stairs of the Longview Farmhouse. Unfortunately the second floor of the Longview Farmhouse is off limits to the public and brides for safety and fire code reasons. The stairs themselves violate public building codes and the fire marshal has not given approval for the use of the second floor of the building.



THE FOLLOWING MATERIAL ORIGINALLY APPEARED IN THE UNAPPROVED CHESERFIELD NEWSLETTER #32.



**MORE LAYOFFS AT PATCH.COM:** On Friday four more positions at the St. Louis Region of patch.com were eliminated. In February Forbes and other financial publications were reporting that things were bleak at Patch.com as it continued not to make a profit and was bleeding huge sums from AOL's bottom line. In May a Forbes article quoted an analyst of the cyber industry that patch.com lost another \$100,000,000 in 2012 to match the \$100,000,000 they lost in 2011.

Things don't look good in St. Louis as two management people sent to St. Louis to help the struggling regional editor Kurt Greenbaum right the ship over a year ago were cut loose, including Dan Feldt. It was surprising that Feldt got cut and not Greenbaum, leading some to think that Greenbaum was making the least money.

The other manager cut was Sherry Skalko, who oversaw all Midwest Patch sites.

James Baer the editor of the Ladue and Olivette patch sites was also canned. Baer, an original Patch editor from October of 2010, had featured far more stories about the St. Joseph Academy and MICDS girl's field hockey teams than local politics. While Patch moved further and further away from sports coverage as AOL continued to order more and more layoffs, Baer often had 50% or more rich-kids sports articles on his Patch sites.

Dan Barger, the editor of Fenton-High Ridge site was also canned.

Julie Brown Patton who as editor of the Eureka-Wildwood site covered Rockwood School District news quit in April and was not replaced. Frank Johnson, who is the third Chesterfield Patch editor in three years, was assigned to cover Chesterfield and Eureka-Wildwood plus Rockwood Schools.

The Ballwin-Ellisville site is now on its third editor in less than 10 months. Bryanna Hampton tried to manage Ballwin-Ellisville and Webster Groves. That covers a lot of area. She now does Webster and Kirkwood sites which includes seven different cities. The original Creve Coeur editor, Greg Palermo now also tries to also cover Ballwin and Ellisville. Anyone know a fast way to get from Olive and Spoeede to Manchester and Highway 109?

When launched in St. Louis back in 2010 Patch.com promised total coverage of specifically selected areas. They hired editors for selected coverage communities and

the editors then hired freelancers as reporters and columnists. There were also two regional sports editors. One position was eliminated within three months of the launch and last remaining sports editor was eliminated a year later.

Next the freelance reporters were cut as were the food and lifestyle columnists as patch.com was on the way to losing \$100,000,000 in 2011. The last of the part timers were canned in July of 2012. Editors were instructed to find bloggers who would write for no pay.

By 2013 when editors quit they were not replaced. Existing editors were given more coverage areas. Often only one new article is being posted a day. Often one article would be posted on all local sites, something that was forbidden back in 2010.

Reports out of New York and California claim AOL is trying to turn patch.com into a community bulletin board and a place for unpaid bloggers eliminating journalism.

We predicted the local patch.com sites would be dead by either the end of third quarter (March 31) or the end of the fourth quarter on June 30. We missed on the March 31 guess. With layoffs in May, we now have to admit the end probably won't come until at least the end of the calendar year. But for practical purpose the end of Patch really came in 2012 when they got rid of the reporters and told editors to do everything.

Now instead of reporting all the topics on an agenda of a meeting at city hall Patch will dribble the information out over the next ten days to have something to post.

**A READER FOLLOWING THE COST OF GETTING RECORDS:** A regular newsletter reader was thinking of me having to shell \$315 to get copies of police reports for our article on drunk drivers and thieves getting off without records of convictions in Town and Country and Chesterfield. That is of course unless you consider reduced charges agreed to municipal prosecutors of Illegal parking and Littering as records of convictions.

In Chesterfield they wanted to charge more to simply review records than to obtain copies.

While in Missouri records requests are under the Sunshine law. On the Federal level they fall under the Freedom of Information Act, which allows agencies to waive the fees associated with obtaining records if they are to be disseminated to the general public.

After reading an op-ed piece in the Wall Street Journal he thought about me and getting DWI and theft reports and forwarded the piece that appeared on May 15.

## From the IRS to the EPA?

JASON L. RILEY

Gina McCarthy, President Obama's pick to replace Lisa Jackson as head of the Environmental Protection Agency, is awaiting Senate confirmation. And Republicans have taken heat for asking Ms. McCarthy too many questions about her plans for the EPA. My concern is that they haven't asked her enough questions.

The Washington Examiner reported Tuesday that the EPA under Ms. Jackson has a history of favoring groups that share the agency's political agenda. "Conservative groups seeking information from the Environmental Protection Agency have been routinely hindered by fees normally waived for media and watchdog groups, while fees for more than 90 percent of requests from green groups were waived," according to the report.

Government agencies like the EPA typically waive so-called Freedom of Information Act (FOIA) request fees for groups disseminating information for public benefit, but it's up to the agency to decide whether a fee-waiver is justified. At the EPA, fees were waived for liberal environmental groups like Greenpeace and EarthJustice almost always. Meanwhile, the Competitive Enterprise Institute, a free-market think tank, "had its requests denied 93 percent of the time. One request was denied because CEI failed to express its intent to disseminate the information to the general public. The rest were denied because the agency said CEI 'failed to demonstrate that the release of the information requested significantly increases the public understanding of government operations or activities.'"

This is important because the White House and Democrats have increasingly used regulators at the EPA to advance a green agenda that they can't get through Congress. The Examiner story suggests that the administration is also using agency regulators to tamp down criticism, the kind of activity that's at the heart of the IRS scandal. If the fee waiver is denied, that is usually the end of the FOIA request, since many groups don't have the resources to pay for the documents they are requesting.

"Appointing Ms. Jackson's successor is among the most important personnel moves for President Barack Obama in his second term because the top environmental regulator has broad executive powers in an era of legislative gridlock," wrote The Wall Street Journal in December after Ms. Jackson announced that she was stepping down. "The next EPA leader is likely to write and enforce regulations affecting power plants, factories, and oil and natural-gas drilling rigs across the country. The EPA could look at regulating hydraulic fracturing, or fracking, and is already moving ahead with limits on greenhouse-gas emissions from coal-fired power plants."

Ms. McCarthy worked under Ms. Jackson at the EPA as an assistant administrator, and Republicans have sent her more than 650 questions as part of the confirmation process. Sen. David Vitter of Louisiana, who has led the GOP opposition to her nomination, says that Ms. McCarthy has not been asked specifically about the agency's uneven handling of FOIA requests but that he plans to do so.

"We know the Obama EPA has completely mismanaged FOIA, but granting fee waivers for their friends in the far-left environmental community, while simultaneously blocking conservative-leaning groups from gaining access to information, is really no different than the IRS disaster," Mr. Vitter told me in an email Tuesday.

**WEST COUNTY JOURNAL IS FINALLY BURIED...IT DIED SHORTLY AFTER BEING TAKEN OVER BY LEE ENTERPRISES:** It was good to see that Lee Enterprises finally buried the West County Journal. When the paper was still being delivered occasionally on Wednesdays it had become a joke. It was even a bigger joke when Lee wanted people to subscribe to it. The only bad thing about the closing of the Journals is that Mary Shapiro is out of a job. She was a very good writer who covered West County cities whose articles often appeared at the StLToday website.

Here is a letter I wrote the CEO of Lee concerning The Journals back in 2007. If Mary Junck would have killed the papers then they would have saved a huge amount of money. .

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October 8, 2007

Ms. Mary Junck, Chairman and CEO  
Lee Enterprises  
201 N. Harrison St.  
Davenport, IA 52801

RE: St. Louis Journal Newspapers

Dear Ms. Junck:

I live in Town and Country, a St. Louis suburb of 10,000 people, where the average home has an annual income in the six figures. It is a place where you are likely to find the homes of potential advertisers and certainly a place where people live who your existing advertisers would like to target.

This letter is a recommendation concerning your Journal papers. Please accept this as feedback from an occasional reader. I moved back to the St. Louis area after a 25-year absence. I have had a 30-year career in public safety for municipal and county governments in Missouri and Maryland. I also have had

a 21-year career working in a part time and full time capacity as a magazine news reporter covering the criminal justice issues in the Washington, DC and covering sports for large and small daily newspapers, including papers owned by Capital Cities, Gannett and the Washington Post Company, plus magazines and websites.

My advice to Lee Enterprises is to either sell or shut down the Journal papers without delay and save your company a lot of money. Here is why I offer this advice:

Circulation/Delivery: My copy of the West County Journal sometimes arrives and sometimes doesn't arrive. Sometimes I don't get a paper, but my neighbor does. Some weeks my whole subdivision does not get a paper. This last week a large part of the City of Town and Country did not receive a paper. Some weeks when we do get a paper it arrives on Tuesday night, other weeks it comes on Wednesday morning and other times it comes late on Wednesday evening. People who are not in the habit of getting the paper every week at the same time are not going to be in the habit of reading the paper. Now the people who live in this area and own businesses or have marketing decisions for businesses are not likely to purchase ad space if they know the chances of their ad being delivered to potential customers in a timely manner is "iffy" at best.

Editorial: Your papers list specific coverage areas, but often readers find on the front page, above the fold, news stories or worse...features... from outside the coverage area. Many weeks the only news articles in my edition from my coverage area are written by just one person, the paper's editor. The local coverage is so spotty there is little reason for readers to even check the news section. There are a lot of qualified people you could use to cover specific municipalities as stringers, with no extra employment benefit costs to Lee, to beef up the coverage, but you have not done so. This is especially true since Lee has given buyouts to so many qualified people at the Post-Dispatch.

Also it appears as if none of your papers have an editorial voice concerning local issues. This could be possible because your limited staff does not have a good enough idea as to what is happening in local cities and towns to have an editorial opinion.

Advertising: The times I receive your paper and checked the classified ads, I would have to guess that 50-percent of the classified inches are dedicated to jobs with the Journal, the majority in the advertising department.

If you cannot staff your advertising department, if you cannot provide local news coverage to your target audience and if you cannot deliver your product in a timely manner or at all...why bother to stay in business? It's like owning a boat...the sooner you get rid of it...the sooner you start saving money.

Sincerely,

John Hoffmann

**THE LONG WAIT FOR A BISCUIT:** If they big brown truck pulls up in front of the house, even if the packages go to the house across the street...there is a vigil in the hope of getting a biscuit.



The majority of the article piece appeared in the last issue of the Unapproved Chesterfield Newsletter.



We returned to Ellisville On May 15 to attend the City Council meeting. It is likely to be the last Ellisville City Council I will attend concerning the impeachment of the popular Mayor Adam Paul who was against giving TIFs to developers for Wal Mart.

Special Counsel John Maupin, one of the three attorneys hired to help get rid of the mayor and bill the City of Ellisville hundreds of thousands of dollars for legal services.

**THE BS DETECTOR WAS PEGGED:** When I was a baseball writer on the East Coast, I covered mostly minor league baseball. Dave Collins was a wonderful guy who I thought was a great play by play broadcaster plus Press and PR director. He is still in the minor leagues broadcasting baseball games. Dave's big problem is he never played

the big shot role well and was almost too honest for the job of dealing with the press. .  
But Dave was very smart.

In dealing with me, when I would ask a question about a player move or an upcoming club promotion Dave would often give me a different answer than he would give other writers.

“Your years as a police detective you have a very sensitive bullshit detector. I know if I try to spin something you will find out what is really happening and be sure to tell people how we tried to hide it, so I’m just telling you the complete truth,” Dave once told me. (The team Dave worked for later sold to cable giant Comcast and he left. When I would write negatively about problems with promotions or team actions that were upsetting the staff of Baltimore Orioles, Comcast reacted in a different way than Dave did. They revoked my press pass.)



Dave Collins broadcasting a Lancaster (PA) Barnstormers minor league baseball game.

Well the other night after the big vote at the Ellisville City Council meeting while interviewing new councilwoman Cindy Pool after the controversial vote I thought of Dave because my Bullshit detector went off big time.

On the agenda was a resolution to overturn the resolution to impeach popular young Mayor Adam Paul. On one side was Councilman/Mayor Pro-tem Matt Pirrello, who along with city attorney Paul Martin started working on impeaching Mayor Paul within a month of him being sworn in. Roze Acup was on the old board and also voted to impeach Paul. They represented two sure votes to let the impeachment stand.



Here are the three people who began working within weeks of Mayor Adam Paul being sworn in to get rid of him...City Attorney Paul Martin, Councilman Matt Pirrello and City Manager Kevin Bookout.

Newly elected Gary Voss and Mick Cahill ran on platforms of throwing the bums out and overturning Paul's impeachment. Linda Reel was from the former board and all along thought the impeachment of Paul was stupid and voted against it. That was three votes. You needed a majority with a 4-2 vote to pass anything.



These were the three votes for the resolution to overturn the impeachment of Mayor Adam Paul. Mick Cahill, Gary Voss and Linda Reel.

That left Cindy Pool who was newly elected, barely. She won by 23 votes over a person supporting Paul who ran at the last minute as a write-in candidate. Pool had repeatedly said she just wanted this (the impeachment controversy) to end. If she voted for the resolution the whole thing would have ended. The popularly elected mayor would be back in.

The City Council Chambers were crowded as usual. When they called the roll for the vote, the three votes were recorded to throw out the impeachment. Then Pool voted "No" and a loud audible groan bounced around the room from the crowd.



They don't want you to use camera flashes at the city council meetings. Cindy Pool was so nervous she was moving around all night making it hard to get a clear photo of her.

Instead of ending the impeachment ordeal for the City of Ellisville Pool continued it and kept three outside attorneys on the city's payroll which will likely cost the city well into six figures. With a 3-3 tie the resolution did not pass.

Immediately after the vote the meeting ended. Andy Banker from KTVI, Stephen Deere of the Post-Dispatch and I began peppering Pool with questions.

Pool told me that she attended the entire three-day impeachment. At first she said she did not think Paul should have been impeached and said she just wished the old council would have let the new council decide the impeachment.

She said she was concerned of setting a precedent of overturning over council's votes. I mentioned to her using that logic the country would still have prohibition and woman would not be allowed to vote.

When I mentioned how the impeachment appeal process was going to cost the city over \$100,000 Pool gave two confusing answers.

"Adam Paul told me he just wanted his seat back and didn't want any money from the City of Ellisville," said Pool. I then pointed out that the real costs to the taxpayers would be the trio of lawyers billing the city for preparation and court time. That is when Pool came up with another answer trying to deflect the attention from her.

"Well, it wouldn't cost the city anything if he didn't appeal it," she said with a straight face. Andy Banker looked at her and said Paul had promised to appeal the impeachment before it even started.

Banker then asked Pool if she thought Mayor Paul had been treated fairly.

“I think a lot of people have not been treated fairly by the prior council,” she said, but had just voted against trying to correct it.

Earlier Pool told me she did not think Paul should have been impeached. Five minutes later Andy Banker asked, “What is your opinion of the impeachment?”

“I chose not to answer that,” replied Pool.

**BS METER WENT OFF:** Pool said she had three reasons for voting not to overturn the impeachment. Her first reason was because her constituents wanted Ellisville to stop being the laughing stock and for this to end. (Of course as mentioned her vote merely ensure it would continue.)

Next she said she got a lot of emails after an interview appeared in the Ballwin-Ellisville Patch two days earlier.

I piped up, “You mean you decided your vote on an article in the Patch. Don’t you realize nobody reads the Patch anymore?”

Of course this comment immediately brought a howl of protest from the Patch editor present who just had his coverage area more than doubled as the Patch continues to reduce staff before the inevitable end.

Pool continued that she had received a large number of emails from residents urging her to uphold the impeachment. I found this very hard to believe. First I had attended three days of the impeachment hearings, plus four city council meetings and have heard almost no one in favor of the impeachment and as many as 20 on any given night lambasting the council over the impeachment.

Secondly Patch articles about the impeachment often have as many as 20-to-30 reader comments. However all those comments are normally between three or four people arguing among themselves and are no evidence of a groundswell of anything.

Pool never did give a third reason for voting “NO.”

Her statement of receiving a large numbers of emails urging her to uphold the impeachment was beyond hard to believe and certainly did not ring true.

The next day I drove out to the Ellisville City Hall with a Missouri Sunshine Open Records request for the emails received by Cindy Pool for the last week.

Who should I run into in the cramped public area of the city hall? It was Cindy Pool. I turned in my request and Cindy asked if there was anything she could do to help me.

“Sure. You could send me all the emails you received in the last week at your city email address,” I said.

“You can’t see those. They are private,” a clearly upset Pool declared.

I told her I believe I certainly could see those.

She replied she has gotten emails where one resident is complaining about another and it would not be fair for me to see their name. I told her the city could redact the name...it would be fine with me, but emails received at the city’s email server are public records I said. She continued to argue. The city hall employee stopped our discussion and said she would forward my request to the proper person.

I have to wonder why Cindy Pool doesn’t want me to see her emails. I think it is because she did not receive a large number of emails urging her to vote for the impeachment of Adam Paul and in fact will show just the opposite...almost all emails urging her to overturn the impeachment.

When I turned in a similar request to Chesterfield in June of 2012 wanting emails between staff and councilpersons complaining about the coverage they were getting from Jean Whitney, then editor of the Chesterfield Patch and about my columns, I received the emails in a couple of days.

I’m was anticipating this taking a long time with Ellisville. Here are the email exchanging with the finale arriving on Friday May 24, saying there were no records.



City Clerk Kate Demeter being sworn in at the impeachment hearing.

**First response:** The city is supposed to have 72 hours to respond to records requests. Their first response came 64 hours when I received the following email from city clerk Kate Demeter:

**From:** Kate Demeter [mailto:kate@ellisville.mo.us]  
**Sent:** Monday, May 20, 2013 6:14 AM  
**To:** johnhoffmann@charter.net  
**Subject:** records request

John

I was not in the office Thursday and Friday last week and did not get your records request dated 5/16/13 until this morning.

I will contact Council Member Pool as soon as possible and get back to you.

Kate

**Here was my response:**

**From:** John Hoffmann [mailto:johnhoffmann@charter.net]  
**Sent:** Monday, May 20, 2013 11:20 AM  
**To:** 'Kate Demeter'  
**Subject:** RE: records request

Thanks Kate,

Don't you or Leigh have control and access to emails through the city server? I know the city clerk in Chesterfield does.

John Hoffmann

**And from Demeter:**

**From:** Kate Demeter [mailto:kate@ellisville.mo.us]  
**Sent:** Monday, May 20, 2013 11:54 AM  
**To:** 'John Hoffmann'  
**Subject:** RE: records request

I believe that Chesterfield actually has everything in house. We do not have our own server.

**And back from me:**

**From:** John Hoffmann [mailto:johnhoffmann@charter.net]  
**Sent:** Monday, May 20, 2013 1:33 PM  
**To:** 'Kate Demeter'  
**Subject:** RE: records request

Kate,

I think you are right about Chesterfield

But, whether you have your own server or contract a server's use...someone at city hall should be able to review emails received on that server. I can go directly to the Comcast server and review my email account info from anywhere in the world without using my own computer. I have to think you guys and Leigh have the same ability.

Thanks again,

John Hoffmann

### **AND BACK...ELLISVILLE HIDING BEHIND "NOT TECH SAVY" DEFENSE:**

**From:** Kate Demeter [mailto:kate@ellisville.mo.us]  
**Sent:** Monday, May 20, 2013 1:51 PM  
**To:** 'John Hoffmann'  
**Subject:** records request

My understanding is once our internet mail provider forwards any of us an email, they do not keep a copy on their server.

Council Member Pool is required to copy my office if she sends an email to a quorum of the council; she does not have to provide me with copies of her other emails.

I am still waiting to hear from her. She may decide to provide you with "all" emails, but that is up to her.

### **PROOF ARRIVES:**

**From:** Kate Demeter [mailto:kate@ellisville.mo.us]  
**Sent:** Friday, May 24, 2013 6:31 AM  
**To:** 'John Hoffmann'  
**Cc:** 'Cindy Pool'  
**Subject:** records request

Dear Mr. Hoffmann

I have examined Ellisville public records which are in my possession and in addition have made inquiry of Council Member Pool as to any disclosable documents in her possession. There are no documents responsive to your request for "all emails to and from Councilperson Cindy Pool from May 8, 2013 to May 15 and including May 15, 2013."

Please note that Section 610.025 of the Revised Statutes of Missouri requires a member of the City Council to retain on a city computer or to copy me on e-mail messages "when counting the sender, a majority of the body's members are copied."

In addition, please note that Section 610.010(6) defines a public record as excluding an "internal memorandum or letter received or prepared by or on behalf of a member of a public governmental body consisting of advice, opinions and recommendations in connection with the deliberative decision-making process of said body, unless such records are retained by the public governmental body or presented at a public meetings.

Kate Demeter  
Ellisville City Clerk

**This final email from Kate Demeter pretty much tells me that my detector was correct and Pool was lying about receiving a number of emails urging her to vote to retain the impeachment.**

**POSSIBLE NEW ELLISVILLE CITY HALL:** When I moved back to St. Louis in 2006 after a 26-year absence, I noticed that the motto for Ellisville was "The City of Trails and Parks." This caused me to laugh since everyone in St. Louis knew the motto should be "Ellisville, The City of Car Dealers." There were over a dozen dealerships in Ellisville then. Now after the recession and Sansone Development buying the land that four dealerships sat on for a proposed Wal-Mart store the number is down to around eight.

Tri-Star the Mercedes-Benz dealer has a brand new building, but wants to move closer to the 63108 and 63105 zip codes and those rich people in the Central West End and Clayton. They are building a new complex at the location of the old KTVI Channel 2 building and tower off of Hampton at I-64.

Also on the agenda at the meeting was a \$5.5-million bond issue to buy the Tri-Star Mercedes Benz dealership complex on the west end of Ellisville for \$3.2 million and spend \$2.2 million remodeling it for a new city hall and police facility. The city does desperately need a more spacious and modern City Hall and they would have it moving to a building with 42,000 square feet of space. If they make the move I think when you pull into the new city hall one or two new staff members will walk out to the parking lot and ask if they can help you.



**MORE LAWYERS' LETTERS:** Mick Cahill was not impressed with a letter John Hessel, an attorney with Lewis-Rice, who represents the Sansone Group in the Wal Mart development in Ellisville wrote to the city council members. Cahill told Hessel he felt that the letter was a threat.

“In May of 2012 the city entered into a redevelopment agreement,” Hessel said. “The city is obligated to issue TIF notes. Under the law you and the city are obligated to pass the TIF notes. Not doing would and could subject the city and the city council to liability,” said a smiling Hessel.

“It seems to me it (the letter) is threatening. It does not sound like advice,. It sounds like a threat. I don't like threats,” said Cahill. “I'll get my advice some the city attorney and not you,” Cahill added.

It is good to see that Lewis-Rice is still in the business of kicking people out of their businesses or homes. Back in 2006 Lewis-Rice partner, attorney and Town and Country mayor Jon Dalton was behind a group of underfunded investors that wanted to snatch the salvage yard business of widow Opal Henderson and use her property for a parking lot for nightclubs they planned to build, but never did.

Dalton actually got Lewis-Rice to represent the St. Louis land Clearance Authority in the eminent domain case to grab Henderson's property. Dalton's group won at first getting the property at a low price, but lost in the courts and had to come up with just under \$1,000,000, which they delayed paying for several years.

Now instead of kicking widows off their business property, Lewis-Rice is helping developers kick long time apartment dwellers out of their homes.

**MORE LAWYERS ON PAYROLL, YIKES!** The City of Ellisville has a city attorney, Paul Martin, who thanks to all the bad publicity over the impeachment and his involvement was just fired by University City as their city attorney. Martin is also paid as the city prosecutor. They also have hired three attorneys to deal with the impeachment, since Martin had to disqualify himself from that issue since he was such an active participant. This trio has already run up a bill in the area of \$100,000.

Lawyer Donald Anderson is paid to be the municipal judge.

Now they want to hire two more part time lawyers, one lawyer to deal with employment law. Another lawyer may be hired to deal with bond issues and the Sansone (Wal-mart) development agreement. That one is needed because city Attorney Paul Martin has received payment from Sansone for some of his work on the original agreement.

The recession or the lack of getting Wal Mart sales tax revenue flowing isn't going to be what does in Ellisville's budget. It will have to reduce city services after paying bills from seven lawyers.

**RESPONSE FROM ACROSS THE ATLANTIC:** I don't usually post reader comments because I could get tired of posting emails from people calling me names. But there is one retired banker who lives in western Ireland with no connection to St. Louis who reads the newsletters.

Here is an email from him after reading the chesterfield newsletter that featured the latest Ellisville meeting and the reappointment of the Chesterfield prosecuting attorney who instead of convicting drunk drivers was letting them plead guilty to a "no-record" probation offense and an Illegal Parking offense with a \$350 fine.

***Sent: Wednesday, May 22, 2013 11:54 AM***

***To: johnhoffmann@charter.net***

***Subject: hi***

***I was just reading your chesterfield newsletter and I had to read the article about Cindy Pool twice!!!???***

***Wouldn't you be delighted to have voted for this "genius"!!??unbelievable???***

***I loved her reasons (or not) for voting the way she did??Talk about having the "courage of your convictions"???.or some body else's convictions???.or anybody's???????***

***speaking of convictions.....I am delighted to see that City Prosecutor has been relected????????that should make everybody feel safe in their beds?????.....***

***or on the roads with that drunk still driving around, because the police "cant find him"?????***

*i also enjoyed your 2007 letter to Lee enterprises concerning their infrequently delivered paper etc....very good!*

*how do you find the time to visit your favourite food/jazz haunts and fitting in all the council meetings etc?????*

**WHEN THERE IS A SHINE ON YOUR SHOES, THERE'S A MELODY IN YOUR HEART...WHAT A WONDERFUL WAY TO START THE DAY...**Unless there is a #%&@#! tree on your house and you can't open your garage door!



### **MUSIC AND FOOD:**

Trumpet Night in Clayton: What I like about going to Sasha's on DeMun in Clayton on Wednesday nights is that you never know for sure what it will be like at the end of the night. Last Wednesday it was four trumpets and a sax plus keyboard. No for the last number they were not playing Leroy Anderson's Bugler's Holliday or Bugler's Lullaby. See if you can tell which ones are hitting the high notes.



May 15



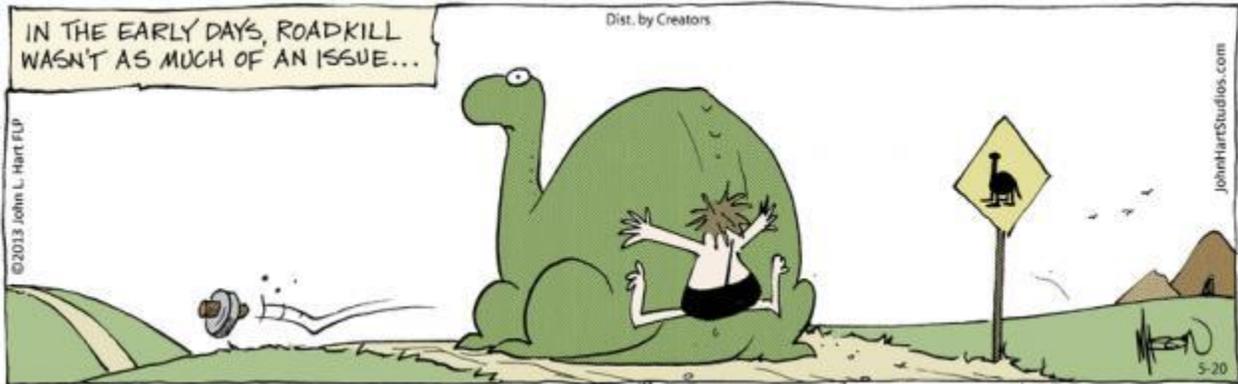
May 22

Lead trumpet Jim Manley sat out the finale and a bass trombone sat in.



From the sketchbook!.

CARTOONS:





"To add additional seats, we have done away with restrooms and now use these streamlined potty bags, ma'am."



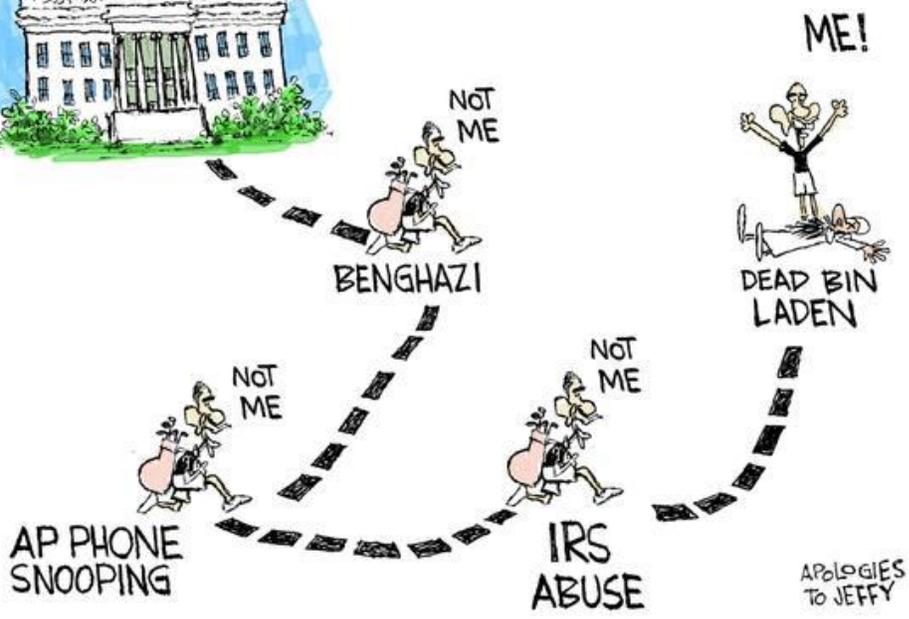


The PRESIDENT DISCOVERS HIS MAGNETIC PERSONALITY IS A MIXED BLESSING:



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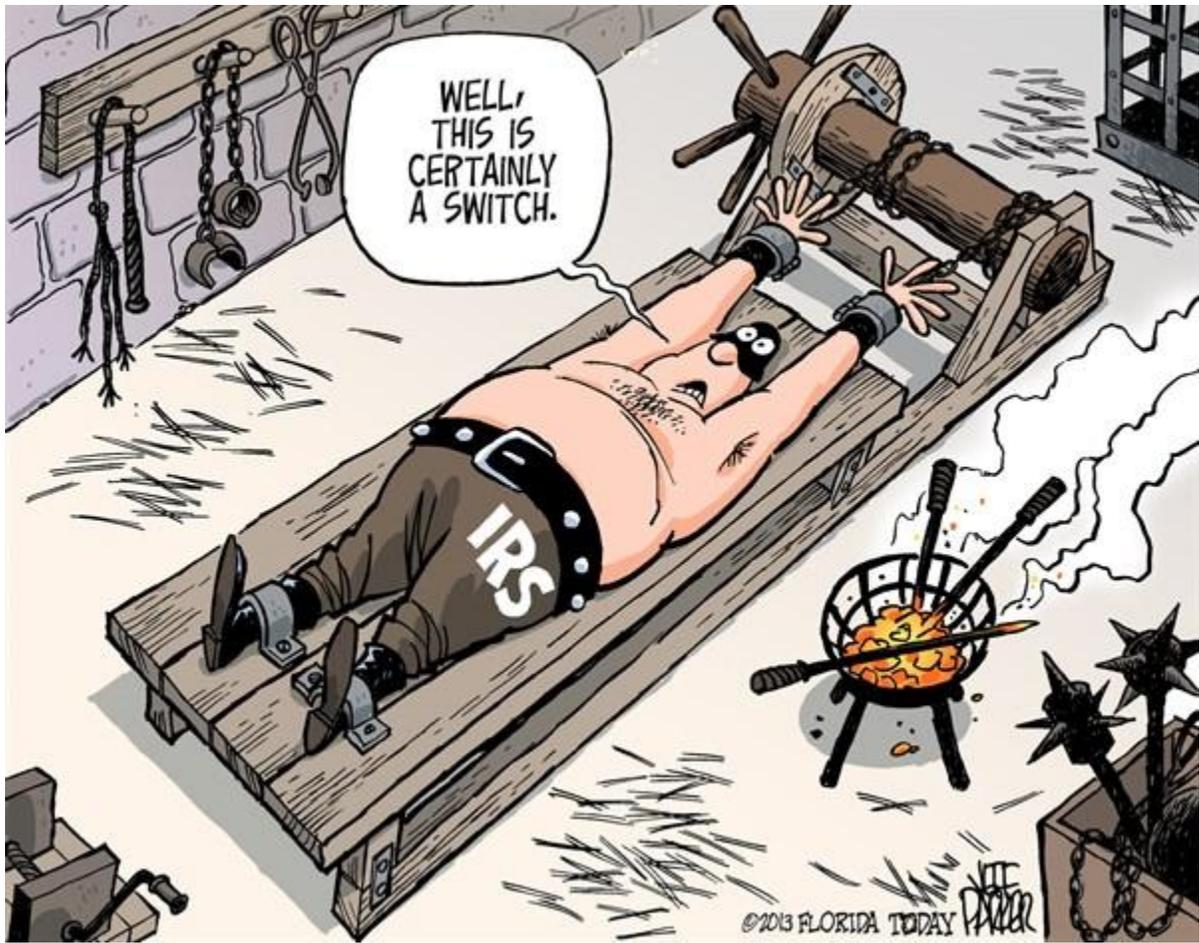
BOKBLUSTER.COM





NEWS ITEM: IRS IS BUILDING A MASSIVE DATABASE TO ENFORCE OBAMACARE





I voted for Obama because he's black.



**LIBTARDS** by Dixon Diaz

I'm so proud that we have a black President.



Having a black President is real progress.



Having a black President is a victory for diversity.



What about the deficit, unemployment....



...Benghazi, gas prices, immigration crisis...



...Solyndra, lowered national credit rating...



You're just a racist.



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