

EX ALDERMAN NEWSLETTER 89



June 25, 2013

By John Hoffmann

SIX OF EIGHT ALDERMEN CONTINUE TO IGNORE THE CONSTITUTION AND THE FIRST AMENDMENT AND NUMEROUS APPEALS COURT RULINGS AND SCREW AROUND WITH A CHURCH: TIM WELBY LED THE WAY AS THE TOP TRAITOR:

For the fourth time in recent memory the Board of Aldermen of Town and Country have decided to ignore the first amendment of the United States Constitution and numerous appeals court rulings and decided to try and control what churches can do and say through symbols and signs. They also continue to ignore two landmark court rulings out of West County plus Supreme Court rulings that say churches do not come under cities codes and regulations unless it deals directly with safety.

The first landmark case is the Temple Israel v the City of Creve Coeur case. In 1954 the City of Creve Coeur tried to keep the Jewish synagogue from building at Ladue Road and Spoeede Road claiming the city code only allows off street parking in residential areas for churches and not synagogues. It took five years for this clearly anti-Semitic stance to be struck down by the courts.

http://www.leagle.com/decision-result/?xmlidoc/1959771320SW2d451_1763.xml/docbase/CSLWAR1-1950-1985

The next case was from 1996 and involved the Village Lutheran Church on Clayton Road in Ladue. The city refused to give the church a building permit for a building. The church sued and the ruling against the city was that city ordinances and building codes can only be enforced against churches for clear public safety issues.

http://www.leagle.com/decision-result/?xmlidoc/19961655935SW2d720_11563.xml/docbase/CSLWAR2-1986-2006

THE RECENT TOWN AND COUNTRY RECORD: Here are the four most recent cases of the City of Town and Country ignoring the rights of churches inside the city limits. The first involved the St. Nicholas Greek Orthodox Church.



Some of the neighbors living in the Town and Country estates subdivision fought even the building of this church. At one neighborhood meeting one resident referred to the Greek Orthodox religion as being a “cult.” Alderman Steve Fons muttered in an agenda meeting that he didn’t know why “we had to have two Greek Orthodox Churches in the city limits.” (The Assumption Greek Orthodox Church is on Des Peres Road.)

If the nearby landowners were so upset over a church being built on the property fronting South Forty Drive, they should have bought the land.

In 2010 the church asked to place a sign in front of the church. There was another great outcry from the Town and Country Estates residents. The request was continued and to this date no sign has been put up. The church should have simply put the sign up and let the city sue them if the city didn’t like it. The church has 50 years of court rulings on their side.

Next came Alderman Fred Meyland-Smith’s church. The Trinity Lutheran Church on Clayton Road at Highway 141 had installed a LED electronic sign to replace the old sign where you hung black letters on a white background. According to the first amendment they did not need permission. The LED sign was exactly the same size as the old sign. At the request of some city officials In February of 2012 they made a request to approve the sign, after it had been up for almost a year. Leaders of the church told me they knew they didn’t have to ask for a sign variance, but wanted to be “good neighbors.” Fred Meyland-Smith recused himself but was pissed over the hostile comments made by fellow alderman over the sign.

A number of aldermen were aghast over the sign. Al Gerber, a member of the Christian Science Church, said he didn’t think a sign in front of a church that could change messages was “proper.” Phil Behnan said he feared such signs in front of churches would “ruin the character” of the city.

http://www.johnhoffmann.net/ex_newsletter_46.pdf

Steve Fons was against the sign and only wanted the message to be able to change only once an hour.

Alderwoman Lynn Wright didn't want red and green colors...so much for Christmas!



The sign variance was continued until late April after Gussie Crawford had defeated Steve Fons and Chuck Lenz defeated Al Gerber. The city was given a variance if never needed at the first meeting of the new Board of Aldermen.

Next came the sign for the Destiny Church on Des Peres Road. God forbid the church wanted new signs on their building that would be the same as their letterhead. The signs said "destinychurch.org" A number of alderperson thought the ".org" was inappropriate for a church to use. Finally the city attorney told board members that they could not control what a church wanted to call itself. The sign variances passed, but according to court rulings they were never needed.



http://www.johnhoffmann.net/ex_newsletter_70.pdf

Welby lectured church leaders about why they shouldn't have the sign. Meyland-Smith said having ".org" made the sign a billboard. Gussie Crawford said she thought the name of the church was "stupid."

Now we are back to the St. Nicholas Greek Orthodox Church. They want to put up a 40-foot high flagpole in front of the Church building on South Forty. The current zoning code treats flagpoles as signs and only allows 35-foot high flagpoles without a variance. Their presentation was that there are flagpoles at all of their properties and the flagpole would honor members of the congregation who died fighting wars for the United States. They wanted a 40 foot pole so the flag could be seen from I-64. The flag would be illuminated at night.

Three residents from Town and Country Estates spoke against the 40-foot flagpole

One resident said the church had promised to plant landscaping at the rear of the property and they never have.

Planning Director Sharon Rothmel spoke and said that such an agreement was not part of the city site plan and it was a private agreement that the city has no control over.

“I love God and Country, but living behind the back of that Church is like living behind a Wal Mart,” said Tracy who lives in T&C Estates.

“When we bought our house 20 years ago it was really nice. Now you vote to approve everything anybody wants,” said another resident.

Tim Welby then threw the First Amendment and 50 years of court rulings out the window to look good in front of three kooks.

“I look at things that are necessary and things that people want,” said the pompous Welby. “I look at this as an unnecessary variance. I don’t see a warranted need for five feet more on that flagpole.”

Alderman Jon Benigas pointed out that from the elevation charts of the property the people who live behind the church will not be able to see the flagpole from their property.

NEVER TO BE OUT POMPOSED... Fred Meyland-Smith, the alderman who was pissed at the treatment his church got over a sign announced he was troubled.

“I’m troubled by this matter. This is not critical or time sensitive,” said Fred.

“I urge this matter to be continued,” he said as making a motion to continue it.

Earlier prior to the three residents speaking against the flagpole, Ward-1 Alderman Skip Mange said, "The more flags we fly in this city the better off we are." Within 10 minutes Vietnam Vet Skip Mange, the protector of log cabins did a 180.

Only Chuck Lenz and Phil Behnan voted against the motion to continue. They seemed to want to vote for the flagpole and let the church start putting it up. The motion not to vote on the flagpole but to push it back to July and violate the Church's rights passed 6-2.



Chuck Lenz



Phil Behnan

These two voted not to deny the church their right to put up a 40-foot flagpole on a 10 acre lot.



Lynn Wright



Skip Mange



Tim Welby



Gussie Crawford



Fred Meyland-Smith



Jon Benigas

These six may as well form the Benedict Arnold Society as they have completely forgotten why this country was formed. These people are treating Greeks the same way the City of Creve Coeur was treating Jews in 1954.

THE RETURN OF CHICKEN MAN: On Tuesday June 18, I went to the Town and Country Green Team Commission not knowing what to expect because the meeting's agenda was small and vague. It didn't have anything listed under "Old Business" and news business was "reports" on non issues. So image my surprise when the meeting went an extra 30 minutes thanks to the return of CHICKEN MAN.

Now I'm not referring to the syndicated radio Hero who used to appear on KXOX in the mid-1960s fighting crime in most humorous ways. No I'm referring to the Green Team's own Dirk Maas.



Super Chicken



A frustrated Dirk Maas without a chicken to call his own.

At the start of the meeting there were not enough members of the Green Team to hold a meeting. Only three were present. Dirk Maas, who is uber-liberal and lives on the campus of Principia called his wife, Ellen Maas, who is also an appointee of Mayor/Cigarette Lobbyist and Snatchers of Widow's Property Jon Dalton, who likes to keep the local Democrats (close where he can see them) on special committees he created.

18 minutes later Ellen arrived and the meeting started. At the 7:30 it had appeared as if everything that could be said about solar panels and solar energy had been said.



Most commissions have 10 members, plus an alderperson. Here is a recent Green Team Commission meeting where only four showed up and one of them (checking her cell phone) had to be called to show up after the meeting started without a quorum. The Board of Aldermen lowered the quorum requirements from 50% to 40% due to turnouts like this.

Before closing the meeting Alderman Jon Benigas asked if there was anything else. Dirk Maas said he had something.

“I have attended the last two chicken meetings held by the Conservation Commission. I’d like to move that the Green Team recommend to the Board of Aldermen to allow for Chickens in Town and Country.”

Maas’ wife immediately seconded the motion.

Keep in mind Mayor Dalton went out of his way to assign this issue to the Conservation Commission to keep it out of the hands of the Green Team.

Instead of calling for a vote on the issue Benigas spent the next 30 minutes trying to convince Maas why they should not be voting on the issue.

At the last Conservation Commission meeting members voted to allow chickens to lots of one acre or larger. Maas’ house along with his friends on the Principia campus all have smaller than acre lots and I think Dirk really...really wants to have some chickens.

As Benigas spoke about how they should let the other commission do their job by researching the issue and reporting to the BOA, Maas responded that he didn’t care.

“I don’t consider us to be a meddling commission. I think having a second commission to share support is important,” said Maas.

Of course remember that the Green Team doesn’t represent much of Town and Country. Three of the four wards have open slots on the commission and it is a difficult trick to get enough members of the Green Team to show up to a meeting to have a quorum.

Public Works director Craig Wilde, the staff member assigned to the Green Team, tried next and spent five minutes explaining why it would be a bad idea to seem to interfere in the work of another commission.

After 30 minutes Maas lost his resolve. Instead of demanding a vote on his motion, he withdrew it and everyone went home.

LEFTY SPEACHES FOR THIS SUMMER: Prior to the chicken debate, Maas announced the speakers for the Green Team speaker series this summer. They all advocate the liberal position on any issue with no balanced talks planned.

For June Stuart Keating will speak against the Keystone Pipeline.

In July a member of the Sierra Club will speak against the use of coal.

For August it will be the Green Dining Alliance

SOLAR PANELS: For the bulk of the meeting prior to the “**chicken motion**” Alderman Jon Benigas was discussing solar energy and how Sacramento, California has a program where it provides financing to residents who want to purchase solar systems. Instead of monthly payments the payment is added to the annual tax bill. In theory the savings on your electric bill would allow you to pay the higher property tax bill.

My issue with this is that Town and Country is a city of millionaires or at least of city of people who want you to think they are millionaires. After all on the city’s website we announce how we are a “prestigious city.” (If you are really a prestigious city do you need to tell people that...shouldn’t they already know it?) Is this actually a service a small municipality should be offering?

Chris Andrews who is on the Green team and seems to match Benigas’ enthusiasm with actual knowledge on solar panels pointed out that there is already such a program in St. Louis County that offers 3% loans for solar installation.

Benigas also stated that it was important to find businesses and retail outlets in town willing to install solar since they use far more energy than homes. Now after the Webster Groves High School roof fire caused by a defective just installed solar panel, I’d be a little cautious before installing them all over my business.



THE MEETING OF THE TWO COMMISSIONS: Here is what I can see in our future. The Green team Commission will force the Conservation and Historical Preservation Commission to install solar panels on the roof of the log cabin they plan to resemble in Drace Park.



TOWN AND COUNTRY PATCH.COM DOESN'T KNOW THE CITY LIMITS...CLAIMS FRONTENAC RESIDENT INDICTED ON FEDERAL CHARGES IS A TOWN AND COUNTRY

RESIDENT: A simple computer check with the St. Louis Country real estate records would have told either a Post-Dispatch reporter or Gabrielle Biondo of Patch.com that Jack Frison, Sr. lives at 11440 South Forty Drive. That address is in the City of Frontenac.

Frison was indicted for fraud for allowing counterfeit merchandise to be sold from his Frison Flea Market in Pagedale. Frison was charged with three counts of violating counterfeiting laws. The press release by the FBI also claimed Frison, 64, lives in Town and Country.

11440 South Forty is west off Spoede Road past the Frontenac trailer park and before the Town and Country city limits.

While we are always eager to add someone to the Gangs of Town and Country list, we always make sure they live in or run a business in Town and Country first. We believe there are enough crooks living in Town and Country without having to claim those who live in Frontenac. Here is the patch.com headline:

Town and Country Man Indicted on Federal Fraud Charges

Jack Frison Sr. turned himself in to authorities Thursday in connection to what the FBI is calling "one of the largest seizures of counterfeit goods in St. Louis history."

Posted by [Gabrielle Biondo](#) (Editor), June 20, 2013 at 02:50 pm

An internet publication that claims it is a hyperbole of local news...really ought to know where people in their headlines actually live.

As a side note we checked Frison's personal property records from 2012 and found he owns a 2009 Rolls Royce, a 2006 Land Rover and a 1998 Hummer. The flea market business in Pagedale must be pretty good.

NEW FIRE TRUCK NARROWER FOR TOWN AND COUNTRY'S UNUSUAL STREETS? NOT BY MUCH! Alderman Chuck Lenz announced at a recent Board of Alderman meeting that West County EMS & Fire Protection District received a new narrower pumper at will be at the Town and Country firehouse. Chuck explained the narrower fire truck would be easier to drive on residential streets and go around cul-de-sacs.

So I went up to the firehouse and checked them out.



It's a bit of an optical illusion because I was forced to stand closer to one truck than the other. The truck on the right is the old pumper and is actually 3-to-4 inches wider than the new truck on the left. The on-duty engineer (engineer in fire speak is the person who drives the truck and operates the pumps while the rest of the crew fights the fire) said the new truck does have a tighter turning radius. It is also lighter as it only carries 500 gallons of water while the older truck carries 750 gallons.

BUNNY ALERT: For two weeks when walking at Drace Park I have seen a black and white rabbit, that clearly was or is someone's pet. I'm thinking it either got dumped at the park or hopped off from a nearby house.



FORMER ALDERWOMAN MOVING TO CHESTERFIELD: Former longtime alderwoman Patty Wiggins who has sold her house on Mason Road is downsizing to a condo/duplex in a subdivision on the northeast corner of Clarkson and Kehrs Mill Road. She expects to be moved in by August.



A REPEAT DRUNKEN DRIVER SCORNED: First came the email, then came me doing a background check, writing the below item, then came the 2:30am phone calls and then came the police report. If you already read the first part of this story in our Unapproved Chesterfield Newsletter 36...don't skim past this one...go and read **THE REST OF THE STORY section.**

A COMPLAINT ARRIVED: I have found that over the years when I point out how justice is not served in many Municipal Courts when dealing with drunk drivers, the people who complain about my criticism either have had DWI arrests or their children

have. The people who complain usually feel that getting a DWI is basically a right of passage.

I recently got such a complaint emailed to me from Katie Huggard. I checked the computer data base for court filings in Missouri and found 24-year-old Kathleen Huggard of Wildwood with at least two prior DWI arrests. In one of the cases she refused to take a breath test. In latest case she was represented by Chesterfield City Prosecutor and Creve Coeur City Judge Tim Engelmeyer, who is a big part of the problem with justice being served in Chesterfield and who was just reappointed to another term by Mayor Bob Nation.



Here is the email I received from "Katie Huggard."

From: Katie Huggard [mailto:katiehuggard@gmail.com]
Sent: Saturday, June 15, 2013 11:12 PM
To: johnhoffmann@charter.net
Subject: Try an unbiased approach...

Dear Mr Hoffmann,

I have read all of your various articles slamming judges for lesser dwi charges and i deem it necessary to ask... Have you ever had a dwi? Have you read the crime statistics as to how the state of Missouri spends 8 billion dollars annually to house prisoners, 60% of which are non violent offenders? I am appalled that someone would have the indecency to fight for harsher punishments and take from the state's education budget, of course having never been in the situation you are unable to offer an unbiased approach, though i do hope in the future you do your research before grand standing for attention and being so negative. The would has more than enough negativity, so be proud that you have added to it.

Katie =

Usually when someone writes a message like this one, they don't actually expect to get a reply, but I did anyway.

Katie:

Well I thank everyone for taking the time to write a note.

I enjoyed yours through the second sentence.

Have I ever had a DWI? No I have not. However I was a cop for 30 years and saw the serious and tragic results of people driving drunk. Do I want more people to go to jail? NO.

Here is what I want...people who are driving drunk being found guilty of driving drunk. That's it.

I think they should pay higher insurance rates. I think other citizens and neighbors should be able to know that a person who might be dangerous lives in the neighborhood. Finally I know that police officers who see that their hard work is not taken seriously by judges and local prosecutors tend to develop a "who gives a crap" attitude and the quality of their work and reports goes downhill.

I don't think local prosecutors should be able to reward local lawyers by handing out special deals only to people who can afford to hire their lawyer friends, while people who cannot afford a lawyer show up in municipal court and get hammered. I think there should be an even playing field for everyone.

Finally my newsletters are a combination of reporting and comment. They originally told people I was elected to serve, what was happening and I what I thought of it. When I added the Chesterfield newsletters, they replaced opinion columns I was writing for AOL's patch.com.

John Hoffmann

On Katie's facebook page she has two items about buying beer and for the background photo she has the party scene at Hollie Golightly's apartment from Breakfast at



Tiffany's.

One more DWI arrest and Katie will likely be looking at some mandatory jail time.

THE REST OF THE STORY...THE 2:30AM PHONE CALLS:

First the easy to find record: Using just Casenet here is what we found about Katie Huggard's recent traffic and DWI record.

05/23/08	Unknown traffic charge	Missouri Highway Patrol
09/20/08	Reduced to Illegal Parking	fined \$140
08/31/08	Unknown traffic charge	Missouri Highway Patrol
	Reduced to Illegal Parking	fined \$200
09/07/08	Unknown traffic charge	St. Charles County Sheriff's Office
12/17/08	Reduced to Illegal Parking	fined \$550

09/07/08	DWI	St. Charles County Sheriff's Office
12/17/08	Pled Guilty Suspended Imposition of Sentence Probation 2 years	
12/02/10	Probation revoked	
12/15/11	Alcohol Interlock device ordered	
07/01/11	DWI	St. Louis County PD
11/30/11	Pled Guilty Six Months Jail stayed 2 year SES probation	
11/30/11	2 nd Alcohol Interlock device ordered	
10/09/12	Unknown traffic charge	St. Louis County PD
	Reduced to Illegal Parking fined \$150	

Katie is also being sued by the Touchette Regional Hospital . That case is pending.

THAT BRINGS US TO THE PHONE CALLS: This is taken directly from a portion of my written statement to the Town and Country Police:

On Wednesday June 19, 2013 at 11:01am I received a telephone call from a person identifying herself as Katie Huggard. She stated:

“Hi John! This is Katie Huggard. Do you know the penalties for slander?”

I told her I did. She replied:

“You need to take down what you wrote about me or I’ll sue you.”

“I don’t have time to talk to you right now Katie,” I said and hung as I was leaving for a doctor’s appointment.

(a side note not in the police statement...when someone accuses you of slander for something you have written...you have to wonder about the quality of education they received from the University of Missouri where she claims on her facebook page to have attended)

On Thursday morning June 20 at 2:21am my wife was asleep and I was at my office desk about to turn off my computer and go to bed when the telephone rang. Due to the lateness of the hour I quickly picked it up and heard:

“Hi John. This is Katie Huggard. I just got off work and I see you haven’t taken that down yet.”

I immediately hung up.

Within a minute the telephone rang again and again I immediately picked up the phone.

“John this is Katie Huggard we were disconnected.”

I stated, “Katie it is 2:20 in the morning if you call again I’m calling the police and filing a telephone harassment report.” I then hung up.

Within a minute the telephone rang again and I answered it.

“John this is Katie Huggard. Why haven’t you taken that down?”

I replied, “Katie I’m calling the police.” I then hung up however I did not call the police.

At 2:45am the telephone rang again and I did not answer it.

At 11:01am on June 19 my telephone caller ID showed the call from the person identifying herself as Katie Huggard was a wireless call from 314-591-4585.

The first three calls on June 20 at 2:20am, I picked up the phone so quickly that the caller ID did not record the call. The call at 2:45am however showed “wireless caller” 314-591-4585.

I called the Town and County Police and requested an officer stop by for a harassing telephone call incident. While waiting for the arrival of an officer, I check Katie Huggard’s facebook page. Apparently she had received emails critical of her comments in her email that was in my newsletter.

Here is what she posted on her facebook site:

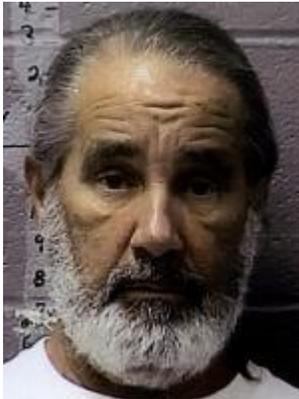
Dear Ellisville, moronic unemployed bloggers from Chesterfield and everyone filling up my inbox... Stop being so interested in my life. Its not that interesting. Find a hobby that doesn't include sadism... Maybe try doing some good for others for a change. XO

Cpl. Chris Moore arrived at about 3:10 and I provided him with the details of this incident.

NEW SEX OFFENDER MOVES INTO TOWN: A recent check by zip code of the Missouri sex offender registry shows a new offender in Town and County.

<http://www.mshp.dps.mo.gov/CJ38/OffenderDetails?page=0&column=name&id=88040740&lastName=Shklar&suffix=&firstName=Mark&middleName=Alan>

On October 1, 2007 Mark Alan Shklar was arrested for possession of child pornography. At the time Shklar was living at 959 Quail Meadows Court in Chesterfield. On November 14, 2008 he pled guilty to the charge. He had already been found guilty of a charge in Federal Court. He was sentenced to two years in the Missouri Department of Corrections.



Shklar is currently giving an address of 13332 Clayton Road. If you drove by that address you would swear it is a vacant lot. The address is part of the Wirth property which used to include an Amoco gas station, barn, farmhouse, which have all been torn down. However there is still a ranch house at the far end of the property that is totally obstructed from view by overgrown honeysuckle and other vegetation. While the house at the far back of the property is probably 1000 feet from a school, the property certainly isn't. It is almost across the street from the Principia School tennis courts. Behind the tennis courts is the Principia day care facility, then the grade school and high school. Shklar is forbidden from living within 1000 feet of a school with grades K-12.



Here is the mailbox for 13332 Clayton Road



This would be the main drive to 13332 Clayton Road



Here is a long distance shot of the car and a corner of the house at 13332 Clayton.

Shklar had collected over 24 videos of child porn when he was arrested. At the time of his sentencing in Federal Court Bill McClellan wrote a very interesting column about Shklar, a lawyer, and his sentence. I find it hard to have a lot of sympathy. The guy was a lawyer, so he should have known the risks. He wasn't just viewing child porn. He was downloading it!

<http://www.tmcnet.com/usubmit/2008/11/09/3771842.htm>

St. Louis Post-Dispatch Bill McClellan column: Child pornography cases: Measuring the time for the crime

Nov 09, 2008 (St. Louis Post-Dispatch - McClatchy-Tribune Information Services via COMTEX) --

On the morning of Halloween, Mark Shklar came into federal court in an orange jumpsuit, dressed as a prisoner. At least, it seemed like a costume.

He was, at least officially, still a member in good standing of the Missouri Bar Association. The middle rows in the courtroom were filled with his supporters, including his ex-wife and his 21-year-old son. Both spoke movingly on his behalf. So did a couple of attorneys. This is a good and decent man, they said. Then Shklar spoke. He said he was lucky to have family and friends like these. Then the judge sentenced him to 41 months in prison for possession of child pornography.

Carrie Costantin, the assistant U.S. attorney who handled the case, was almost wistful when I spoke with her later.

"The supporters are almost never there when these guys plead guilty," she said. "That's when we go into what they're really pleading guilty to. Instead, they show up for sentencing. It's like we're talking past each other."

Things were more graphic on the day in October when Shklar pleaded guilty. Costantin made it clear that Shklar had not inadvertently downloaded child pornography. He had sought it out on his computer. He had downloaded 24 such videos. The six mentioned in the indictment involved images of preteens.

Still, even on that day, Shklar did not seem like a monster. We spoke in the hallway outside of the courtroom. He was dressed casually. He carried a little plastic bag with his medications. He was ready to go to jail, where he would await official sentencing.

I had met Shklar some time earlier. He had been busted, but not yet indicted. He told me he was 58 and divorced. He didn't date. In the privacy of his apartment, he watched pornography. Eventually, he found child pornography. He mainly watched the adult stuff, but sometimes he searched out the forbidden images of children. He got everything through a file sharing service, so he rationalized that because he wasn't paying for it, he wasn't really supporting the industry.

One day there was a banging at his door. Armed men wearing helmets and visors pushed their way in. Shklar at first thought it was a mistake. He figured they must be looking for drugs. When they told him they were there to look for child pornography on his computer, he realized that the world as he had known it was about to change.

But he had not expected that he would automatically go to prison. Nor had he imagined that the feds could use the fact that he obtained the child pornography through a file sharing system as an enhancement at sentencing. File sharing translates into distribution.

He hired defense attorney Joel Schwartz. "This is the kind of case I hate," Schwartz said. "There is really nothing I can do for him."

Schwartz did as well as could be expected. Had the feds pushed the enhancement with the file sharing system, Shklar could have gotten 96 months.

After meeting Shklar, I started paying attention to these cases. I was surprised to learn that people generally get more time for possession of child pornography than they do for molesting a child. Costantin, who used to work as a county prosecutor, explained that to me. When a person is charged with molesting a child, the defense knows that the parents of the child generally do not want to subject the child to the trauma of testifying, so the defense has an advantage during plea negotiations. In child pornography cases, the defense does not want the jury to see the images or the videos, so the advantage goes to the government.

Perhaps the oddest sentencing I saw was in August when 77-year-old Roderick McArthur received a sentence of 151 months for possession of child pornography. He hobbled into the courtroom hunched over a walker. He was with his wife and daughter. He was given the severe sentence because of his record. In 1986, he had pleaded guilty to child sodomy after inappropriately touching a child. He was given probation. He came to the attention of authorities again in 2006 when a mall security guard spotted him in his car inappropriately touching himself. He was arrested for public indecency. He had a lewd drawing of a child in his wallet. Shortly thereafter, police searched his computer and found the forbidden images. Before his sentencing, McArthur told me he watched a lot of pornography, but no child pornography. He said he didn't know how those images got on his computer.

I am no expert on the "normal" sexual drive of a 77-year-old, but McArthur struck me as abnormal. But should his abnormality result in a life sentence in prison?

Of course, McArthur was the exception. Many of the defendants were closer to Shklar. He had no record. In fact, he had the opposite of a record. He seemed to be respected by everybody.

I talked to a police officer who investigates these things, and he emphasized the fact that these are not victimless crimes. These are real kids, he said. Imagine that this is happening on a stage in an illicit theater, he said, and the people who watch this stuff are all in the audience.

That puts it in a different light, I suppose, but a lot of these fellows wouldn't seek out the theater. They only watch because they can do it in the supposed privacy of their homes. The computer makes it easy.

In fact, as the marshals led Shklar out of the courtroom, I thought of "2001: A Space Odyssey." The computer, Hal, took over the spacecraft. I wish I had asked Shklar if he had ever seen that movie.

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(The following news & commentaries originally appeared in the Unapproved Chesterfield Newsletter 36 posted on June 18,)

A REMEMERANCE OF A ST. LOUIS COUNTY REPUBLICAN. From an era of no "Legitimate Rape," "Liberals Hate God" statements or legislation to end child labor laws: On Monday June 17 I attended a memorial service for a former Republican state representative from back in the days when there were very few of them in existence. Richard M. Marshall was 88 years old when he died in the first week of June. He served in the Missouri House from 1966 to 1972. Back in those days Webster Groves was the hotbed for Republicans in St. Louis County. Town and

Country and only around 2,800 residents and Chesterfield was still mostly farm fields. West County began at Lindberg and stopped by Woods Mill Road.



I was good friends with two of Dick's sons Kent and Rick. I spent more time for several summers at the Marshall's house on Big Bend Road, next to Clark School than I did at my own home.

Back in those days the only Republicans in Missouri politics came from the Webster-Kirkwood area plus Ladue and Frontenac. North County was control by labor unions and South County had a lot of union tradesmen. Both areas voted heavily Democratic. In outstate Missouri Republicans could get elected around Springfield and a few in North Central Missouri.

The Missouri House and Senate were controlled by big city Democrats from St. Louis and Kansas City and Dixiecrats from most outstate areas. The Missouri Legislature was as crooked as any on the East Coast.

Republicans had no power, often could not get bills to the floor for a vote. Tom Curtis, a congressman from Webster Groves, was the top GOP office holder in the state. After Congress (Curtis' district was gerrymander in 1970 to include part of St. Louis and parts of North County leading to the election of Jimmy Symington.) Curtis was appointed as the Chairman of the Corporation of Public Broadcasting by Richard M. Nixon. He then complained of Nixon's attempts to interfere with public broadcasting.



Congressman Tom Curtis at the far left at a Capital event with President John F. Kennedy.

Here is what I remember being different from then and today. Richard Marshall never had a lot of money, despite being a lawyer. He had his own small law firm and took cases from neighbors and friends. His wife, Florene was a nurse and later a professor at the SIUE School of Nursing.

The family moved from a 1,000 square foot home to a much larger house on Big Bend that was constantly in need of repair. The only remodeling at times was continuations of emergency repairs. But it was a great place. Kids, who were not members of the Marshall family, would walk through the backdoor and into the kitchen without knocking to see if any of the three boys were home. The door was never locked.

The family dog was a slobbering female St. Bernard named Connie, short for Constitution. Connie was good at getting along with members of other parties of the animal kingdom, as she got along fine the family's pet goose that wandered the backyard.

In 1969 the family's two cars were a 1961 Ford Falcon Station Wagon and a 1963 Dodge Dart.



I remember being at the Marshall's on a summer night after playing baseball all day. As part of a group of boys we would be watching the old Westinghouse Steve Allen Show when we would scrape enough money together to order a cheese pizza from the new Imo's at Big Bend and Lockwood in an old Shell gas station. We didn't have enough money for a topping but would try and have a 15-cent tip for the delivery guy.

Now-a-days, my local state rep has just gotten rid of his Mercedes Benz and replaced it with an Acura. He writes off dinners at Clayton restaurants as campaign expenses. My state rep just expanded his garage to hold three cars. The Marshall's had a one car garage. The basement to the house should more accurately be described as a "cellar."

For six years Dick Marshall drove up to Jefferson City in his 1961 Ford Falcon and voted no against pork filled Democratic legislation and tried without much success to get reform legislation passed. There was a difference back then. Marshall was civil and pleasant with the Democrats who he was trying to get out of office. Curtis was the same. This may have continued through the Ronald Reagan and Tip O'Neil era before elected officials of opposite parties went on the attack either in Washington or in Jeff City.

Now look at things. The Republicans control most of the outstate vote. A Democrat representing Creve Coeur finds it almost impossible to get her legislation out of committee. In the last two presidential elections, if you lived in West County you had to drive to Kirkwood or Webster to see what an Obama yard sign looked like. The Republicans are passing so much far right wing legislation that the moderate, middle of the road Democratic governor has no choice but to veto it.

"SINCE BEING UNEMPLOYED I HAVE NEVER HAD MORE WORK" We reported a couple of weeks ago how Lee Enterprises killed off the West County Journal. I thought it was about time and actually five years too late. The only thing that bothered me was that Mary Shapiro lost her job.

Mary covered much of West County. She had a gift of turning a boring city council action into an interesting story. While her work never appeared in the print edition of the Post-Dispatch it used to be featured prominently on the Post-Dispatch website StLToday.com.

She was at Chesterfield's city council meeting and mentioned that since she has been



unemployed she never had more work. She is working as a freelancer getting paid per story (and not as an employee) for West Magazine, the Post-Dispatch, the St. Louis Business Journal and the Webster-Kirkwood Times.

WHAT DID MCCASKILL LEARN FROM THE ELECTION? APPARENTLY

NOT MUCH: How soon they forget! Claire McCaskill should be home in her Kirkwood compound. However, thanks to Todd Akin refusing to keep his mouth shut she is back in for her second term as U.S. Senator. Akin was to be the runaway winner for the senate seat until he did the TV interview with Charles Jaco and uttered the famous "legitimate rape" words. McCaskill easily won as Akin lost 15% of his vote in strong Republican areas.

Akin had a history of saying stupid things, so a campaign plan to avoid interviews and debates would have been wise. But it was a route he decided not to follow.

Now Claire, who presented herself as a Missouri moderate with her 50% voting record on the conservative issues, has thrown all that hard work out the window by endorsing Hilary Rodman Clinton for president in 2016. Apparently Claire is not interested in a third term in the Senate.

FINALLY DIEHL HAS AN OPPONENT, BUT THE VOTERS WILL HAVE

NO SAY IN THAT RACE: State Representative John Diehl, who has raised close to \$1.2 million to run in elections with no opponents finally has an opponent. Unfortunately we the voters will not be able to decide who wins.

Diehl, who has accepted big bucks from special interests groups and industries that included cigarettes and gambling, is the House majority floor leader. He announced

weeks ago that he planned to run for the position of speaker of the Missouri House in 2015. The last two Missouri house speakers had no opponents. The speaker is chosen by members of the legislature.

Now State Rep. Caleb Jones (Rep. California) has announced he will challenge Diehl for the speaker's position in 2015. Jones is the brother of current speaker Tim Jones (Rep. Eureka).



Caleb Jones



John Diehl the "Money Man."

I predict in the next election cycle Diehl will likely run unopposed in his Chesterfield-Town and Country district. He will take the money in his war chest collected from everywhere but his district, and start giving it to Republican candidates for their campaigns in an attempt to buy their vote for the speaker's job.

(Diehl has been doing this for some time. Of the \$1.2 million in campaign contributions, he only has \$273,000 on hand. The rest has already gone to Republican candidates, to credit card debts, dinners in Clayton, out of town trips and to pay for political consultants to help him run against no one.)

CHESTERFIELD SINGER JOINS A GROUP OF DISTINGUISHED MUSICIANS NO LONGER PERFORMING AT THE FRONTENAC GRILL:

I have to admit I wasn't surprised when I read a recent posting on facebook from Chesterfield singer Joe Mancuso. Joe promotes heavily so friends and fans always know where he is appearing next. That was the case on Wednesday June 12 when he was scheduled to play at the Frontenac Grill. Next thing you know there were posts from fans there wanting to know where the band was. Here is Joe's reply.

:

- o I will no longer be playing at the Frontenac Grill..... When I showed up to play this gig tonight, I was told as I was carrying in my speakers in that the music was cancelled. Enough is enough.... moving on..... gigs come and go, and this one is gone... But they did offer me a free Pizza as a consolation prize YAY!!!! It's a shame, they gave no notice, My Father was good friends with the founder Mike Talayna..... this would not have happened if Mike was still

here..... He passed away just days before this placed opened a couple years ago. I wish them well.... but I suspect they will not be open for long..... I had a table of 8 people get up and walk out when they heard the music was called off.... some of them traveled 50 miles to see my show.... oh welll....



Here is Joe sitting in with Jim Manley at the One-19 North in Kirkwood.)

The Frontenac Grill at 731 S. Lindbergh has been a strange experience since they opened in the fall of 2011. It is owned by the family of Mike Faille, the founder of Talayna's. The place is decorated with huge photos of the members of the Rat Pack. You might think the place would be ideal of musicians who do Rat Pack Vegas style music.



After they first opened they had **Dean Christopher** two or three times. Dean is the top Rat pack style singer in town. Whether he is accompanied just by a keyboardist, with a

trio or with the big band behind him Dean puts on quite a show singing standards by Frank, Dean and a Sammy and leaves everyone with a smile on their face with some often hilarious banter. Plus he has a regular following that guarantees three or four full tables just because Dean is on the bill. By the summer of 2012 Dean was no longer appearing at the Frontenac Grill.



Dean swinging with a big band.



Dean as part of a trio at the Frontenac Grill.

Next there was the **Charlie B Group**. This is one of the many groups put together by trumpeter Jim Manley featuring Charlie Boehm on vocals. Charlie replaced Walter Scott (The Cheater) with Bob Kuban and the In-Men. While Charlie can blast the pop hits of the 80s and 90s with the band Fantasy, over the years he has developed a presentation that features about 100 of the songs sang by the Rat Pack. For seven years the Charlie B Trio performed on Rat Pack Wednesday at Jimmy's on the Park. That was followed up with a weekly year run at Bartolino's.



Charlie (second on the left) was the lead singer with the Bob Kuban group when they entered the "disco era" from the hippie era.



Charlie B the vocalist for the 60's Vegas revue band Wild, Cool and Swinging.



The Charlie B. Trio with Jim Manley on trumpet and Mark Fredericks on keyboard.



The Charlie B Trio at a 2013 winter gig.



Dean Christopher and Charlie B doing a dueling Sammy Davis bit at Jimmy's on the Park.

It was the Charlie B Group instead of a trio when drummer Joe Weber was added to three gigs at the Frontenac Grill. The last gig was in August of 2012. It was the night of the opening of an art exhibit by my wife at the Art Guild. The art show was over at 9 and the music started at 9. We had at least 20 people guests show up at the Frontenac Grill with the regulars and fans of Charlie B. There were 45 or 50 people still there after 11.

While I liked the Tayalan pizzas and the soups, some the higher end entrees were hit and miss. After that Friday night in August my wife refused to return to the Frontenac Grill. The service was awful. Slow service, mixed up orders and incorrect bills. Despite having a crowd, management to save costs apparently sent most of the wait staff home.

It was also the last night for the Charlie B Group. Frontenac Grill management never booked the popular group back.

Anita Rosamond played there a couple times and then was not booked. Now Joe Mancuso, who is a one-man marketing juggernaut, plus being another Rat pack Singer is no longer performing.

I checked the Frontenac Grill's website and found the entertainment calendar has not been updated since April. A check of the menu showed the seafood chowder is gone as are the more expensive entrees. The six or seven times I was there it never appeared as if the management knew what it was doing whether running a music venue or a restaurant. I doubt if they will be around much longer. It's a shame. They had a cool looking place, used to have some great music with great pizzas.

MUSIC AND FOOD: The Anita Rosamond Show stopped at Smitty's on Saturday from 3-to-6. Once again Anita was pumped up and dancing on the chairs in her last set.



We hear Anita may be announcing some new venues for her act along Clayton Road and Manchester Road in the near future.

ROUTE 66 JAZZ ORCHESTRA REGULAR SEASON ENDS WITH HUGE CROWD AT THE KIRKWOOD BREWERY: The Route 66 Jazz Orchestra under the direction of Bob Boedges gave their final regular season concert at the Kirkwood Brewery on Wednesday night to a full house. The big band will be performing a free concert this August at the Kirkwood Amphitheater on Saturday August 17 from 7-to-9pm. The concert will feature selected charts from the entire season.



Valerie Tichacek on vocal in the first set.



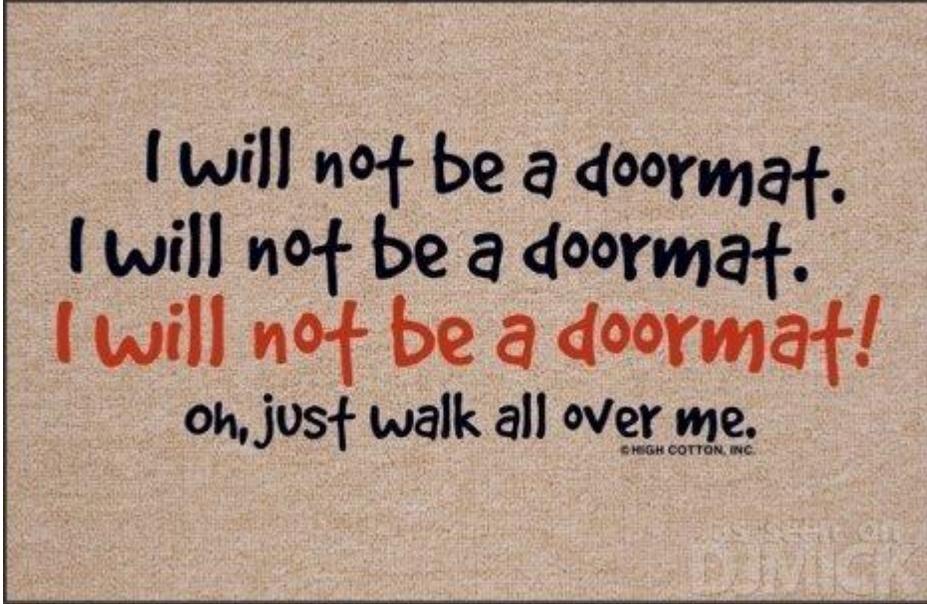
Dean Christopher doing a Sinatra medley.

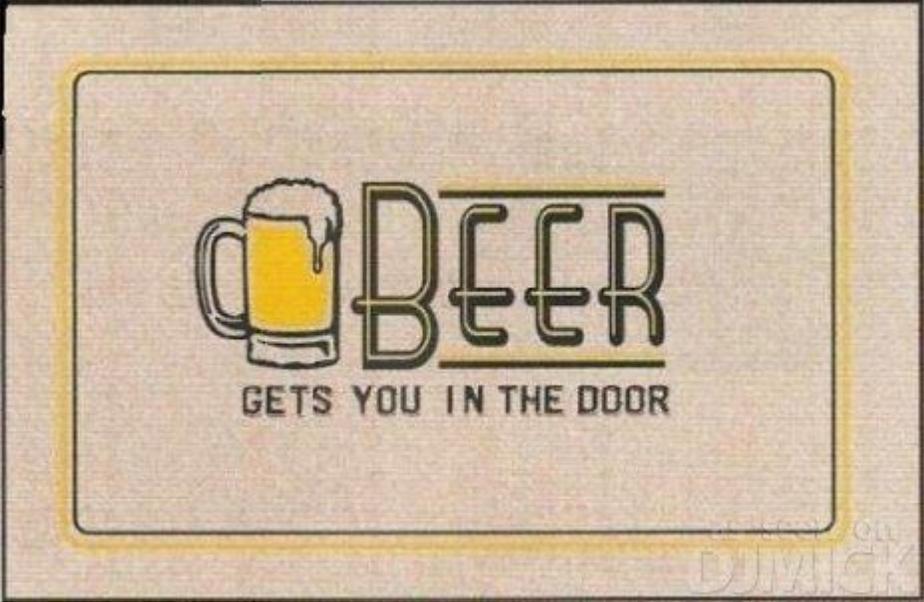
CARTOONS and THIS WEEK ONLY SOME “EMAIL JOKES”

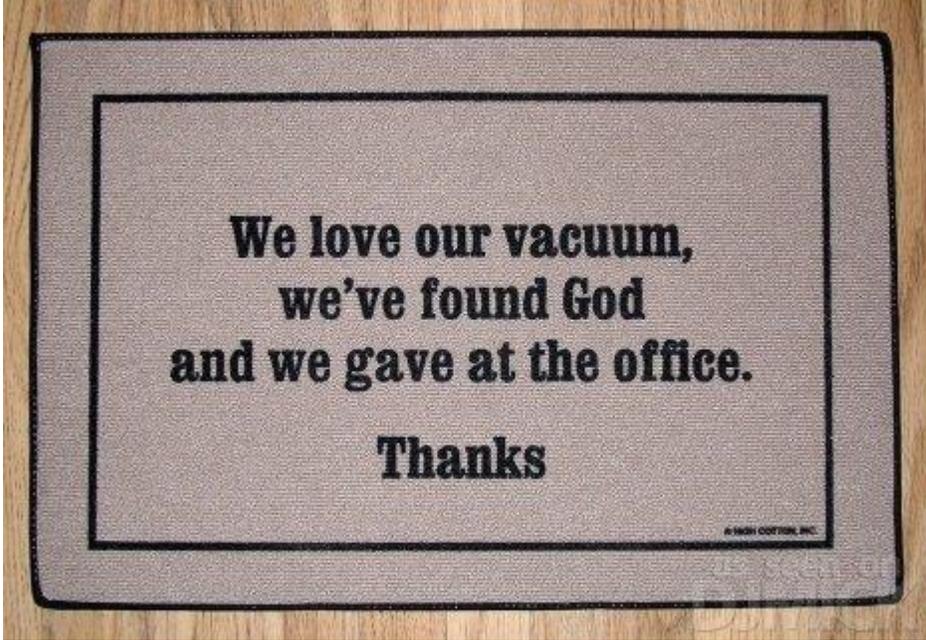
DOORMATS WITH A DIFFERENCE: I would not normally post jokes I receive in emails. Too often many of them are way too politically incorrect for even me...but these sent from a friend in Ireland made me laugh.

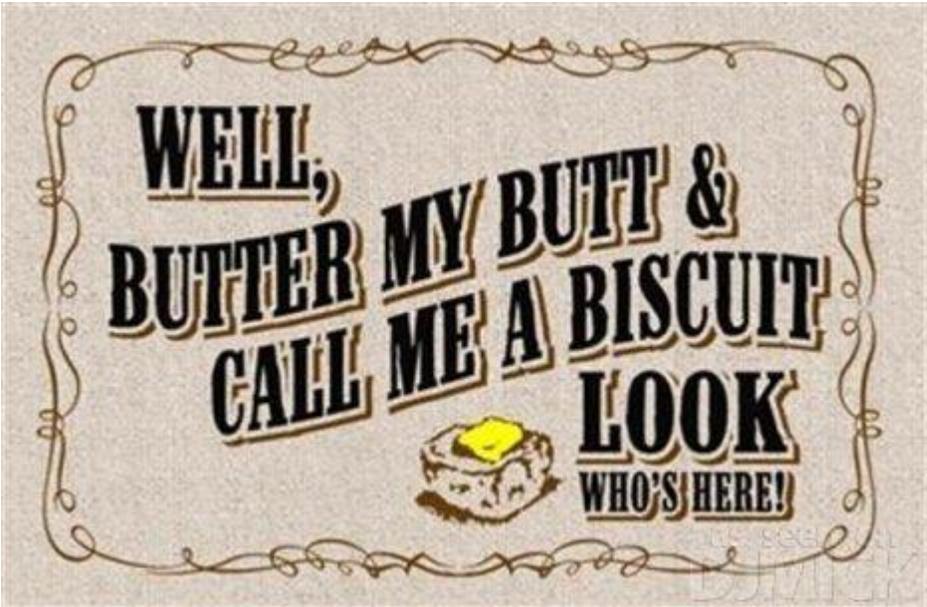
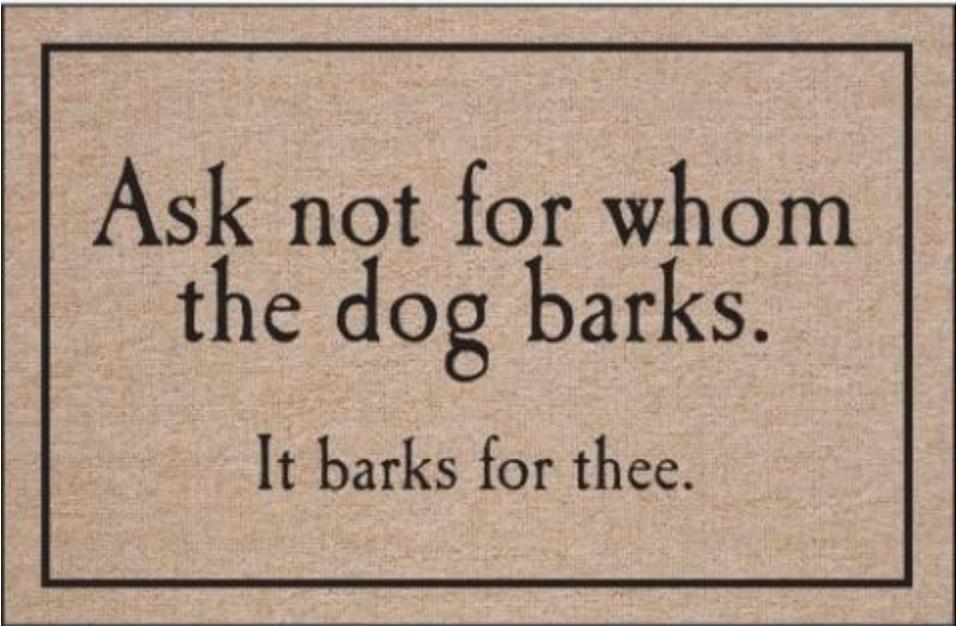












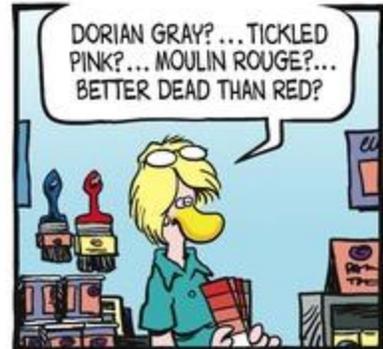


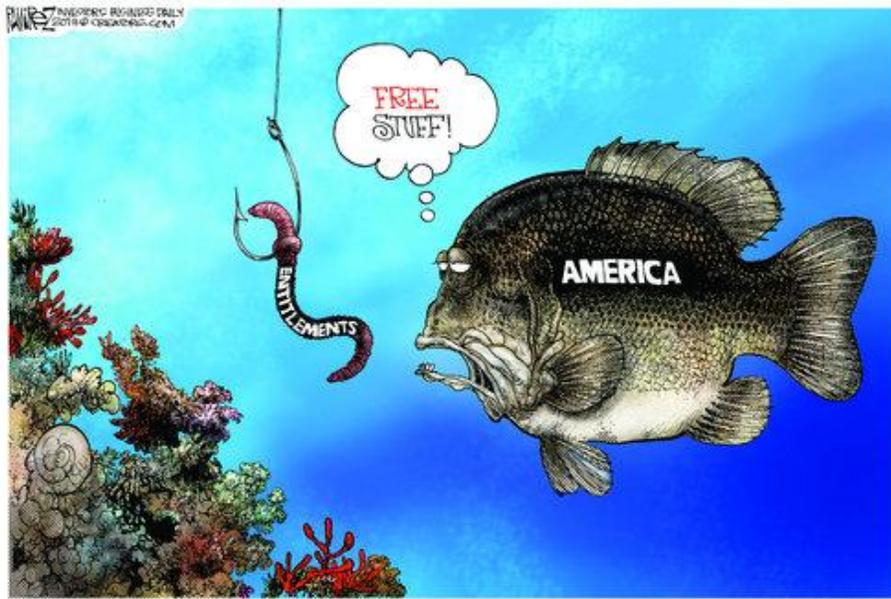
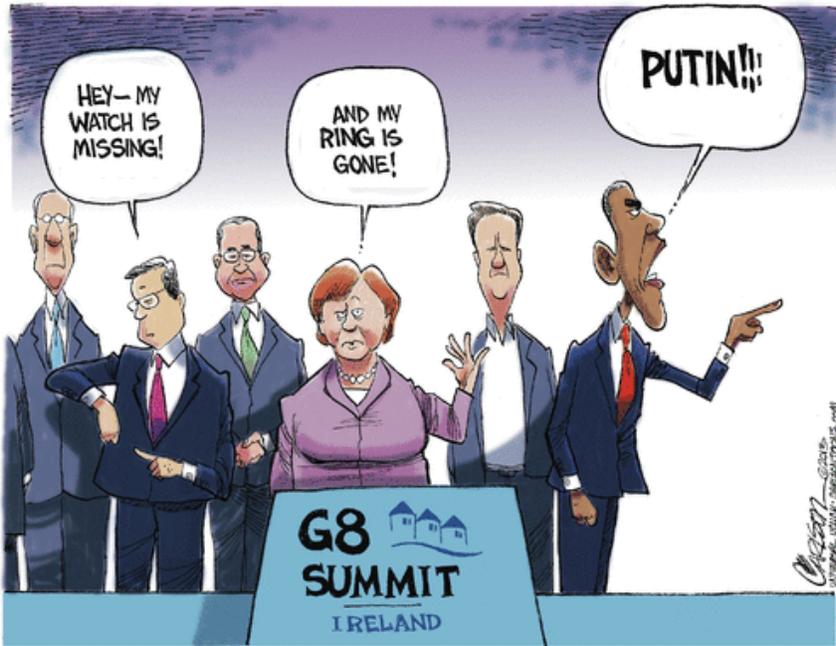
CLOSE TO HOME

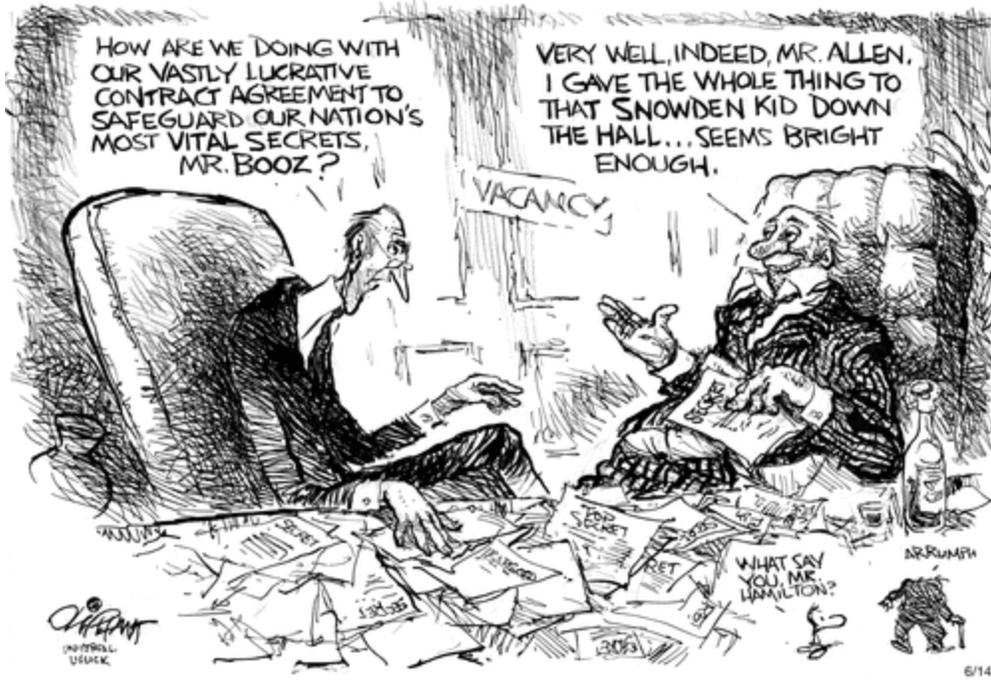
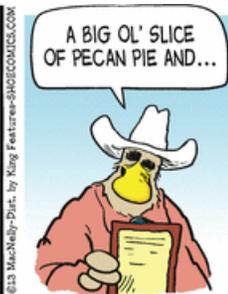
BY JOHN McPHERSON



JEFF MACNELLY'S
Shoe
 By Gary Brookins & Susie MacNelly









Orwell 1984-2013

