

EX ALDERMAN NEWSLETTER 90



July 08 , 2013

By John Hoffmann

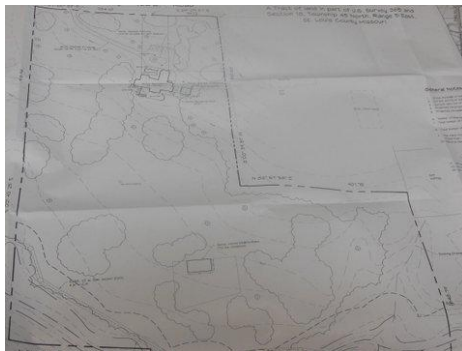
NEIGHBORHOOD NEWS:

GROUP HOME ON CONWAY ROAD: The contemporary house on 18 acres of land designed by William Bernoudy at 13428 Conway Road has been sold. The good news is the alderman Skip Mange didn't find a way to get the city to buy the house and property for a city park. The house has been on Mange's list of things to do while the city's cash reserved just got reduced by 40% with a \$6,000,000 deficit budget in 2013.

The house and land had been purchased by an organization planning to convert the house to a group home for young women with eating disorders. Plans filed with the city propose no changes to the land other than striping an area in front of the house for parking. The group home will be run by Dr. Kimberli McCallum. She currently is on the staff of Washington University as an associate professor. Her eating disorder clinics have facilities in Clayton, Webster Groves and Kirkwood.



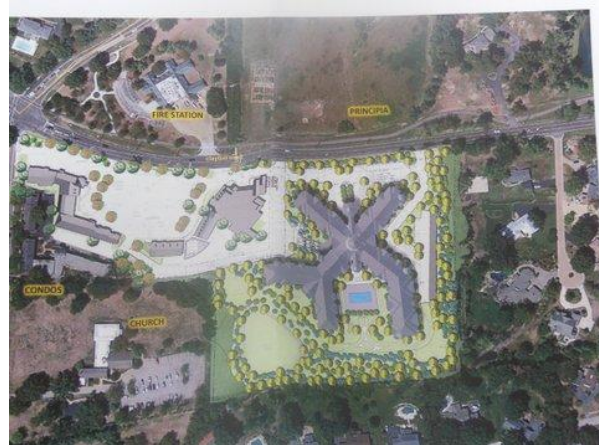
Dr. Kim McCallum



House is located at the top of property map just off Conway Road, There are no plans to build on the land behind the house.

LARGE RETIREMENT CENTER PLANS BEFORE NEXT PLANNING AND ZONING MEETING:

MEETING: At the Wednesday July 24 Planning and Zoning meeting at City Hall at 7pm the proposal for the 200 plus apartment retirement center on the Wirth Property on Clayton Road just east of Mason Road will be on the agenda. This has the making to be a hostile meeting. If this ever got approved the top positive thing about it would be that it is across the street from the fire station where an ambulance and paramedics are stationed.



BJC PLANS FOR OLD HIGHWAY PATROL STATION NOW ON FILE AND IN FRONT

OF P&Z: BJC has finally filed the plans for a pediatric treatment center to be built at Mason Road and I-270 where the Missouri Highway Patrol Troop C headquarters had been located. This proposal will also be in front of the Planning and Zoning Commission on Wednesday July 24.



DEAL FALLS THROUGH AT LAST MINUTE ON EX ALDERWOMAN'S HOUSE: The For Sale sign is back up and the "under contract" sign has vanished. At the last minute the sale of former Alderwoman Patty Wiggins house and two lots on Mason Road fell through. The asking price for 2 lots of almost 3 acres is \$789,000.



THE RETURN OF CHICKEN MAN AND CHICKENS: On Monday night July 1 the Conservation and Historical Preservation Commission met and chickens were back on the top of the agenda. Seven members of the commission showed up which would have been a record turnout for the Green Team Commission which often has to call around to get four at the table.

Dirk Maas, the chicken obsessed member of the Green Team and Principia ultra liberal was in attendance again sitting behind Conservation chairman Skip Mange, a fellow Principia-ite< Maas was constantly working his laptop. Apparently being unconnected for even minutes during his waking hours is a problem for Dirk.



Also at the table was the young woman from St. Louis who raises chickens at a charter school, The City Academy 4175 N. Kingshighway. She has attended three meetings now. At this meeting it appeared as if she was an actual commission member. Instead of answering questions she became an aggressive advocate arguing points and asking questions.

Missing in action: I went to the city's website to look up past commission minutes to find only to find it has been a year since any minutes of this commission have been posted by staff liaison and parks Director Anne Nixon.



Woman with back to camera acts like a member of the commission but instead works at a charter school in St. Louis and raises chickens. In the center is Chairman Skip Mange. To his right is Parks director Anne Nixon taking minutes that might never get posted on the city's website. Directly behind Skip is Dirk Maas. To Skip's left is city gadfly and commission member Mariette Palmer. Directly behind her are two people who think Skip is a Catholic.

Dirk Maas starts the chicken discussion by interrupting. Rather than being a spectator, Maas felt he was a commissioner.

When the topic of chickens was mentioned he immediately demanded to know the percentage of lots in Town and County are one acre or more. Maas wants to have his own chickens like Ralphie wanted an official Red Ryder carbine action, 200 shot range model air rifle, but this commission so far has recommended that chickens only be allowed on lots of one-acre or more. Maas' small home on the grounds of Principia is on a lot well less than an acre.



Super Chicken



Chicken man Dirk Mass sitting behind Skip Mange pounding the picas of his laptop when he wasn't acting like he was a member of the Conservation Commission.

Cooped Up: One of the chicken restrictions brought up was that chickens had to be in a coop unless they were out of the coop under direct supervisor for one hour a day. One person at the table piped up that death row inmates get as much time outside.

The young lady from St. Louis immediately jumped into the discussion and said gardeners should be able to have their chickens out with them while working in the garden as long as they want.

Someone said supervising chickens is like supervising cats.

Mariette Palmer spoke up.

“The term cooped up comes from chicken coops. Any amount of time they are out as long as they are supervised should be fine. Chickens are smart,” said Palmer, who grew up in University City and to my knowledge never raised chickens.

Commission member Jim Havens, a former alderman, who did grow up on a farm, countered Palmer’s claim of smart chickens.

“Not the ones I grew up with,” said Havens, who is against chickens being allowed on any residential area of Town and Country.



Mariette Palmer touting how smart chickens are. Behind Palmer are the two who think hard line Christian Scientist Mange is a Catholic. They left after the chicken portion of the meeting and told Mange, they would see him at Mass



Jim Havens saying chickens he has known. wouldn't score high on the SATs.

Architectural Review Board Approved Coops: Yes, the Commission is recommending no overnight constructed chicken coops. Coops have to be approved by the Architectural Review Board, which only meets once a month.



Would these chicken coops meet ARB approval?

This immediately got Chicken Man (Dirk Maas) to interrupt again and demand to know if chicken coops have to be screened by landscaping (another requirement) why should they have to have ARB approval if no one can see them. Instead of telling him he was out of order, Mange explained that many out buildings out of the public view have to have approval.

After discussing how coops had to be at least 25 feet away from property lines and 10 feet away from house, plus health and sanitation requirements the chicken portion of the meeting was over. The Chicken man, the young lady from St. Louis and the Catholics all left.

THE LOG CABIN VILLAGE: Next up for the Conservation Commission was the report from Mange on how disappointed he was at the turn out at his public forum on the log cabin issue at Drace Park.

Skip gave his vision of the log cabins. He stated that a large older cedar tree next to the current log cabin house needs to be killed without delay as it provides too much shade to the house which is bad for keeping the wood shake shingle roof dry. The Irony of all this is the leader of a group called the Conservation Commission wants to kill a perfectly healthy tree.

Mange then said his vision of remodeling the house and upgrading the plumbing was unpractical since the house was last a guest house on the Drace farm property before it was sold to the city for the park. There was a septic tank on the property which would not be allowed now. He added that putting in a sanitary sewer line from the house to the park's restroom would be too expensive.

He said it would cost \$25,000 to fix up the house with AC/heat and rewire it. He added it would cost about \$25,000 to tear off the rear addition.

The commission voted 5-1 to recommend that the rear addition to the Log Cabin house be torn down. Mariette Palmer voted against the motion stating the public should see what a circa 1950 addition to a log cabin looks like.



The commission wanted the 1954 addition to the log cabin (kitchen) to be removed. Mange wants to kill the cedar tree next to the addition.

The commission also voted to recommend that the newest log cabin be rebuilt next to the other log cabins and not in a pasture area, where the Town and Country Garden Club wants it.

Mange also wants to put up signs directing the public to the Windmoor subdivision at the end of Cedar Valley Drive. Why...there is a lot that is overgrown by honeysuckle and weeds that is a cemetery that is owned by the United Church of Christ on Ballas Road. There are only two headstones that remain.

I'm sure the residents would appreciate their alderman directing the general public through their subdivision looking for something that is partially hidden from view.

HERE TODAY AND WILL BE GONE TOMORROW: The three houses along Mason Road that including two frame houses close to the road are now part of a four new houses on eight acres plan with Renquist builders.



TELLING TIME THE TIME WELBY WAY On Thursday April 18 Alderman Tim Welby told his neighbors at annual Thornhill Estates subdivision meeting that the new Raintree School should be open in August. This surprised me and several others at the meeting since no construction had started in April. In fact the Raintree School needed the Board of Aldermen to approve consolidating the lots on the property before construction could begin. You might think someone on the Board of Aldermen might know this...but it was not the case normally with Welby.



Photo taken on July 1.



Drawing of new school.

The reason I keep bringing this up is that when I was the Ward-2 alderman I tried to drive each street in the ward at least once every two weeks, just so I would be aware of

any changes or problems in neighborhoods. I think the Chuck Lenz probably is pretty good about doing the same thing as he is usually on top of anything happening in the ward. Tim clearly doesn't have a clue what is going on.

UPDATING THE CITY WEBSITE I was beyond a little surprised when I went to the city's website to check for some information by looking at minutes of the city's Conservation and Historic Preservation Commission. No one had posted the minutes for ONE YEAR. Parks Director Anne Nixon is the staff liaison for the Conservation and the Parks Commissions.

I checked Parks Commission and found those minutes had not been posted for eight months. All the other commissions were up to date.

In the past I have mentioned how Parks Director Anne Nixon hasn't been much in dealing with land management issues of our passive parks and is more of an event person. In the middle of January of 2013 I asked for information about the amount of money generated by renting out the Longview Farmhouse. I could not get that information right away. I was told the reason was that Nixon had not turned in the 2012 information yet.

So besides land management, Nixon is also a little weak in office work and record keeping.

Here is the email I sent about the lack of minutes and the very quick reply from City Administrator Gary Hoelzer.

From: John Hoffmann [mailto:johnhoffmann@charter.net]

Sent: Tuesday, July 02, 2013 7:37 PM

To: 'manges@town-and-country.org'; 'McNamara, Ashley'

Cc: nixona@town-and-country.org; 'hoelzerga@town-and-country.org'; rcl4307@gmail.com

Subject: Conservation Commission

I could not help but notice it has been a year since the minutes of the Conservation and Historic Preservation Commission meetings minutes have been posted on the city's website. It has been eight months since the Parks Commission minutes have been posted.

I guess the simple question is why! Laziness or something to hide? No other commissions or boards are this far behind in posting minutes. Not posting minutes is like slamming a door on open and transparent government.

John Hoffmann

From: Hoelzer, Gary A. [mailto:HoelzerGA@town-and-country.org]
Sent: Wednesday, July 03, 2013 8:28 AM
To: John Hoffmann; Mange, Ald Skip; McNamara, Ashley
Cc: Nixon, Anne; rcl4307@gmail.com
Subject: RE: Conservation Commission

John,

I had discussed the issue with Ashley yesterday afternoon and we are in the process of getting all minutes up-to-date. I apologize for the lack of housekeeping on our end.

Gary

THE FRONT PAGE STORY ON TOWN AND COUNTRY ALDERMEN VIOLATING A CHURCH'S FIRST AMENDMENT RIGHTS: It was fun reading Tim Townsend's front page article in the July 3 edition of the Post-Dispatch on the refusal of the Town and Country Board of Aldermen to approve a 40-foot flagpole for in front of the St. Nicholas Greek Orthodox Church and Community Center on South Outer Forty Road. The story went national when the AP picked up the Post-Dispatch story.

The article was not as direct as what I wrote 10 days ago, but still painted Skip Mange and Tim Welby being behind aldermen refusing to vote on the flagpole request and Chuck Lenz and Phil Behnen being the only aldermen recognizing a church's first amendment rights.

http://www.stltoday.com/lifestyles/faith-and-values/spat-over--foot-flagpole-delays-flying-of-flag-at/article_a6508494-025e-51f3-a2c1-2f6267e55f79.html

**MONDAY JULY 8, 2013 BOARD OF ALDERMEN MEETING
FRED MEYLAND-SMITH ATTACKS THE FIRST AMENDMENT.
VERBOSE ALDERMAN CALLS ME A SELF-APPOINTED**

SENSATIONALIST: Fred Meyland-Smith was on the war path at Monday's Board of Aldermen meeting. At the last Board of Aldermen meeting it was Meyland-Smith who offered the motion not to vote to allow St. Nicholas to have a 40-foot flagpole in front of their building on South Outer Road. Fred apparently along with five other alderpersons were unaware of something called the Bill of Rights and the first amendment of the U.S. Constitution that guarantees freedom of religion.

At Monday's meeting Fred continued to attack the Bill of Rights and the first amendment. However he made a little change. He attacked Freedom of the Press. Saying he doesn't think the press should be allowed to report on things such as public meetings or comments by elected officials.

Fred has been the butt of two Bill McClellan columns. The first column was about the city laying off three female employees at the end of 2009 despite having a \$17 million reserve. Fred didn't like that Bill McClellan wrote how when he contacted Mayor Jon Dalton by phone, Dalton was telling him what great reception he was getting on his cell phone from a Colorado resort's ski lift. Fred told McClellan how "unprofessional" he was writing about Dalton being on a ski lift at a resort while laying off female employees. .

Bill didn't let the nice present from a pompous politician go to waste he used it twice in later columns.

http://www.stltoday.com/news/scrooge-crossroads-in-town-and-country-stl-sunday/article_0aeacc74-0ab1-54d3-8916-fdc85a62d8c4.html

http://www.stltoday.com/news/in-search-of-elusive-christmas-spirit/article_aa0852e4-2753-5f6e-8d0c-0c086eed620c.html

http://www.stltoday.com/news/local/columns/bill-mcclellan/civility-takes-a-hit-in-dignified-suburb/article_f86597b0-74a7-53ef-9af6-f2b336f8637c.html

When I was on the Board of Aldermen and was writing "Alderman's Newsletter." Fred tried to put a stop to that. He introduced a bill at a work session called the "Aldermen Code of Behavior" which forbid alderman writing or saying unkind things about fellow aldermen. Fred was unhappy about the newsletter. (go to <http://johnhoffmann.net> and read Alderman Newsletter 26 for details) city attorney Steve Garrett quashed the idea of Fred having an ordinance to stop people from saying or writing things about him that he didn't like, by saying his bill was unconstitutional.

Of course Fred was happy to talk to the press when then Alderman David Karney was sending him emails from an email account under the name of "J. Storehouse." Fred claimed one of the emails threatened to kill him.

That brings us to Monday night July 8, 2013. Fred was speaking from the dais when about the church flagpole issue.



Fred Meyland-Smith on Monday talking about the awful press.

“I was out of town over the holiday, but I was quite disturbed to learn there was an article about this in the newspaper. That is no place to carry on our business.”

Fred also said the idea of the flagpole in front of the church was not about patriotism. Patriotism is not about 5-feet more on a flagpole,” he said.

Returning his anger to the Post-Dispatch to write about an issue before an elected body he let loose one last time.

“I take exception to what was written in the newspaper!”

Fred also took time to move his aim from the St. Louis Post-Dispatch to me.

“Then there is a resident who as a self-appointed reporter made a shameful attempt to sensationalize this,” he said.

I would like to point out to Fred that I have written for PAY for over 40 newspapers, and a number of magazines in the United States and in England, plus a number of websites. So at sometime I was not “self-appointed” but employed. But now I pretty much do this as a hobby.

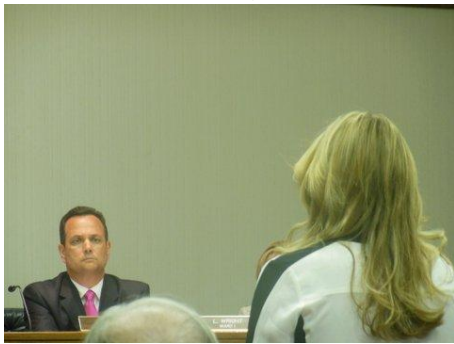
Of course it was very sensational of me to write about all the appeals court rulings that proclaim cities cannot enforce building and signs codes require against churches unless it deals directly with public safety. It was also sensational of me to point out how Fred, Welby, Mange and others chose to ignore them.

Also being a self-appointed reporter puts me in good company...Thomas Paine was working for himself. So were Joseph Pulitzer, W.R. Hearst and Matt Drudge. .

WELBY CONTINUES STRONG STANCE AGAINST THE BILL OF RIGHTS: I have to wonder if while everyone else is saying the Pledge of Allegiance if Tim Welby isn't saying a pray for the soul of King George III. I say this because the whole concept of the U.S. Constitution trumping state and local laws is apparently beyond him.

It appears as if Welby thinks Town and Country ordinances about signs and flagpoles have more authority than the U.S. Bill of Rights.

“This applicant (St. Nicholas) brought this matter before us. A variance should be tied to some kind of hardship or obstacle. It doesn’t make sense to pass a variance without a hardship and I urge you to vote against this,” said Welby.



Avioli speaking the Alderman as Welby listens.

Even former alderwoman Nancy Avioli got into the act. She addressed the board and said they should continue this and make sure this flagpole doesn’t impact any of the six property owners who abut the church property. Of course the church wants the flagpole in front of the building facing I-64 while all the houses abut the church to the rear out of sight of the flagpole. (I used to consider Avioli, a lawyer, the smartest person in the room. I have to change that opinion now if she doesn’t understand basic legal rights provided to churches.)

THE VOTE: Ward-1 Alderwoman Lynn Wright made a motion to continue the matter. It died for lack of a second. The vote was taken and the church was granted a variance that they never actually needed according to reams of case law. The vote was 6 for and 2 against.

Welby and Wright voted against the church and in doing so voted against the American Way. The front page article in the Post-Dispatch apparently got everyone else’s attention. Chuck Lenz and Phil Behnen got it all along and wanted to vote for it in June.

THE DEAL ON THE DIEHL WALL: As work was being done putting in the Clayton Road trails (wide sidewalks) where retaining walls were needed everyone was getting an attractive concrete form wall that looked like it was made of stone but was simply a form.



This is the standard concrete form wall that looks like it is made of cut stones, but really isn't.

As the project reached State Representative and majority floor of the house John Diehl's house there was a change. Instead of the concrete form wall a cut stone wall installed by hand was going up just next to Diehl's property. I wasn't the only one who noticed this. Here is a part of an e-mail I got from a regular reader:

Good morning,

Hope you and Diana are having a good summer. FYI, the last few times I drove down Clayton Road after work (6:00 ish) I see John Diehl out talking to people on the sidewalk. Funny part is he doesn't look happy! Probably meeting with T&C city employees, but not sure due to all the turnover. Anyway there are two things that stick out regarding his house. #1 the wall in front of John's house is different than the other walls along Clayton Road which should not surprise anyone. I just wonder how different in terms of cost? #2 he did an addition to his house recently. We all know he operates under different rules since he hosts Dalton fundraisers, I wonder if he is encroaching on any easements. He has to be right on the easement line if not past it and if anyone was to get a variance from the city he would be the odds on favorite.

Just curious about these items, if you know any good investigative reporters. :)

Here is Diehl's wall:



I also thought this was odd and likely to be more expensive. (Of course this whole project has not been done with keeping the overall costs down.) SO I sent an email to Public Works director Craig Wilde asking about price difference. I was surprised how fast I got a response with a cost break down. Craig wrote that Diehl's specialty wall was actually cheaper than the concrete form walls. That of course begged the question...if it was cheaper, why weren't all the walls made of hand cut stone instead of concrete form?

Here are the email exchanges:

From: John Hoffmann [mailto:johnhoffmann@charter.net]
Sent: Tuesday, July 02, 2013 1:28 PM
To: 'Wilde, Craig'; 'Cotner, Betty K.'; 'mcnamaraan@town-and-country.org'
Subject: records request

John W. Hoffmann
13309 Manor Hill Road
Town and Country, Missouri 63131
(314) 835-0751
E-Mail: johnhoffmann@charter.net

July 2, 2013

Mr. Craig Wilde, Director of Public Works
Mrs. Betty Cotner, Director of Finance
Mrs. Ashley McNamara, City Clerk
City of Town and Country
1011 Municipal Center Drive
Town and County, MO 63131

Re: Missouri Sunshine Law Request

This is an official records request for the following information:

Cost of Concrete-form wall on Clayton Road at Town and Country Lane in connection with the Clayton Road Trail project

Cost of Stone Wall on Clayton Road at White Stable Lane and to the east of White Stable Lane in connection with the Clayton Road Trail project.

Sincerely,

John Hoffmann

From: McNamara, Ashley [mailto:McNamaraAN@town-and-country.org]

Sent: Tuesday, July 02, 2013 2:00 PM

To: johnhoffmann@charter.net

Subject: RE: records request

Good afternoon John,

Please see below for information relative to your request, Craig Wilde has provided the answers in blue.

Have a great day.

Ashley McNamara

City Clerk
City of Town & Country
1011 Municipal Center Drive
Town and Country, MO 63131
(314) 587-2806

From: John Hoffmann [<mailto:johnhoffmann@charter.net>]

Sent: Tuesday, July 02, 2013 1:28 PM

To: Wilde, Craig; Cotner, Betty K.; McNamara, Ashley

Subject: records request

John W. Hoffmann
13309 Manor Hill Road
Town and Country, Missouri 63131
(314) 835-0751
E-Mail: johnhoffmann@charter.net

July 2, 2013

Mr. Craig Wilde, Director of Public Works
Mrs. Betty Cotner, Director of Finance
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Re: Missouri Sunshine Law Request

This is an official records request for the following information:

Cost of Concrete-form wall on Clayton Road at Town and Country Lane in connection with the Clayton Road Trail project – 443 lineal feet at \$165.00 / lineal foot = \$73,095

Cost of Stone Wall on Clayton Road at White Stable Lane and to the east of White Stable Lane in connection with the Clayton Road Trail project. – 380 square feet at \$29.24 / square foot = \$11,111.20

Sincerely,
John Hoffmann

From: John Hoffmann [<mailto:johnhoffmann@charter.net>]

Sent: Tuesday, July 02, 2013 3:26 PM

To: McNamara, Ashley

Cc: Wilde, Craig

Subject: RE: records request

Could you provide this information in an apples to apples method or is that impossible? I realize you provided the final cost which is great...but you provided one in lineal feet and one in square feet. Any chance of putting each in the same measurement?

John Hoffmann

From: Wilde, Craig [<mailto:WildeCJ@town-and-country.org>]
Sent: Wednesday, July 03, 2013 6:12 AM
To: John Hoffmann; McNamara, Ashley
Subject: RE: records request

John,

That's simply the way it was assembled in the bid documents. Here is the breakdown.

Cost of Concrete-form wall on Clayton Road at Town and Country Lane in connection with the Clayton Road Trail project – 443 lineal feet at \$165.00 / lineal foot = \$73,095 (886 square feet = \$82.50 / square foot)

Cost of Stone Wall on Clayton Road at White Stable Lane and to the east of White Stable Lane in connection with the Clayton Road Trail project. – 380 square feet at \$29.24 / square foot = \$11,111.20 (190 lineal feet = \$58.48 / lineal foot)

Craig J. Wilde, P.E.
Director of Public Works
City of Town and Country, MO

From: John Hoffmann [<mailto:johnhoffmann@charter.net>]
Sent: Wednesday, July 03, 2013 7:45 AM
To: Wilde, Craig
Subject: RE: records request

Thanks Craig...Just one last question (I promise). If the stone wall is \$53 cheaper a square foot why didn't you go with that for all the walls?

John

From: Wilde, Craig [<mailto:WildeCJ@town-and-country.org>]
Sent: Wednesday, July 03, 2013 8:27 AM
To: John Hoffmann
Cc: McNamara, Ashley; Hoelzer, Gary A.
Subject: RE: records request

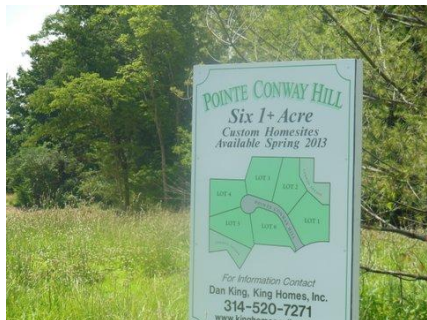
John,

I find it hard to believe that you are out of questions. Lol

There were a number of different factors that went into the selection of the wall materials. Both walls were developed with the input of the adjacent property owners. Factors taken into account were not only cost, but available right of way, intended use and aesthetic. These negotiations steered much of the decision making process. I think you would agree that the permanence provided by the cast in place wall is also fitting to this project. Attempting to balance the needs of all the affected parties as well as the long term goals of the project, each situation was evaluated separately as opposed to forcing all situations into the same solution. I feel both walls provide value. They do this in different ways and accomplishing somewhat different goals. In the end, I am pleased with the application in both cases.

Craig J. Wilde, P.E.
Director of Public Works

THE TODD AKIN FAMILY FARM PROPERTY BULLDOZED: The reason former right wing Congressman Todd Akin moved from Town and Country to Wildwood was that his brother was selling the family farm where he (Congressman Akin) lived. There was a lawsuit over zoning and land issues that slowed things down, but the bulldozers are now moving. Here are some photos from the Conway Hill Road land that was formerly the Akin Farm.



BREAKING NEWS FROM ELLISVILLE: For those folks who have been following the soap opera involving the Wal-Mart TIF and the phony-baloney impeachment of the reform mayor, 32-year-old Adam Paul and his court ordered reinstatement...here is some new news. Lawyer John Maupin who was hired to be the hearing officer who was mostly responsible for having the impeachment of Mayor Adam Paul tossed out by a Circuit Court judge simply on the first count filed by Paul's attorney was quietly FIRED last Tuesday in a closed executive session of the City Council.



FIRED

On Friday June 28 in a closed executive session of the council a motion was made to end retention of all lawyers as special counsels in the matter of the impeachment of Mayor Paul. This made some sense after Judge Vincent permanently reinstated Paul, what was the point of having special counsel defending the impeachment that has been struck down, unless the council planned to run up another \$100,000 in legal bills appealing the mayor's reinstatement.

The motion by Councilman Mick Cahill was defeated on a 4-2 vote. Newly elected Cahill and Gary Voss voted for it and Councilpersons Acup, Pool, Perrillo and Reel voted against. Paul had to abstain since the vote was in reference to his impeachment. Linda Reel normally has been voting with Voss and Cahill, but voted with the others at the last regular council meeting and in this matter.

But on July 2 in another special closed session they voted to fire John Maupin the attorney who was hired by the former board, who was the hearing officer for the impeachment and continued as the lead attorney in the unsuccessful defense of the impeachment of Paul.

The vote to fire Maupin was 4-3, with both Mayor Paul and Linda Reel joining Voss and Cahill in voting to dump the attorney who on April 11 hit Ellisville with a \$16,511 bill for services. He then started the clock running on the Circuit Court defense of the impeachment. I believe Paul did not think he had a conflict of interest in voting to fire the guy who had helped prosecute him, because Paul's position has been since Day-1 that the old City Council violated the city code by hiring Maupin without attempting to find or interview at least two other lawyers.

Keith Cheung's first bill to the city for prosecuting the impeachment was \$42,570. His second bill was \$1,250.

Apparently \$42,570 is a good number for the law firm of Curtis, Heinz, Garrett and O'Keefe to sell out ethics and give awful advice which is quickly overturned by the Circuit Court. You would think that the firm would give a client a refund if their advice is so bad that it results in an immediate reversal upon review by a court.

BATTING 66% ON PREDICTIONS: As of July 1 I am now hitting .667 in the predictions department.

After covering the three day impeachment trial of Ellisville mayor Adam Paul I predicted that the sham verdict removing Paul from office, that lacked any evidence other than Paul was trying to do his job, would be overturned on the first judicial review of the case.

That is what happened on July 1. St. Louis County Circuit Judge David Vincent, who earlier had issued a temporary order returning Paul to office, issued a permanent order returning Paul to office to complete his three-year term.



Adam Paul answers reporters' questions at his first meeting after being temporarily reinstated by a circuit court judge. 10 days later he was permanently reinstated and the impeachment proceedings were thrown out. .

Paul who won the mayor's job by a large margin in 2012 after running on an anti-TIF platform, after Wal-Mart and local developer The Sansone Group obtained a TIF tax abatement agreement with the city, after the County TIF Commission voted against the proposal.

Among the charges against Paul were:

That he was drinking at meetings. The evidence was that he poured the contents of a sports drink into a thermos. The charge claimed that surely there was alcohol in the thermos, but offered no other proof. Paul said the thermos contained ice to keep his energy drink cold. This charge was dropped.

Another charge was that Paul used the word “crap” in a closed executive session meeting.

Perhaps the saddest of all charges is one that was the foundation for his impeachment. In an attempt to answer a question for a constituent he called a relocation service provided for residents of the Clarkchester Apartments.

Jennifer Kanniecki an employee of that relocation firm testified at the impeachment trial and said the conversation was very pleasant and last about three minutes. It turned out that thanks to the call other residents at the apartments who were not going to get moving assistance would. So the City Council voted to impeach Paul for helping residents.



Jennifer Kanniecki testifying she had a pleasant 3-minute long telephone conversation with Ellisville Mayor Adam Paul.

The whole impeachment lacked any evidence and failed to follow case law or the city ordinance concerning impeachments. At the start of the impeachment trial John Maupin, an attorney hired to act as both advisor to the city council and hearing officer at the impeachment allowed new charges to be filed without giving Paul and his lawyers the 15-days required by city law to investigate the charges.

Is there any connection between this mess and Town and Country...well there sure is. A partner with Town and Country's law firm, Curtis, Heinz, Garret and O'Keefe, Keith Cheung was the prosecutor for the impeachment. Cheung presented such blatantly unconstitutional evidence and ignored both case law and the Ellisville city code that you have to wonder exactly what the quality of expertise Town and Country receives from the law firm.



Keith Cheung, a partner with Curtis, Heinz, Garrett and O'Keefe...on the first day of the impeachment charade

There were three people behind the phony impeachment of Adam Paul. They were city attorney Paul Martin who was fired at a special meeting on June 26, City Manager Kevin Bookout, who job is very much in jeopardy now and former mayor and current city councilman Matt Pirrello.



A confident Pirrello during the sham impeachment. A not so confident Pirrello after Paul was reinstated

Now the question is whether Pirrello will stand by his earlier statement made on the McGraw Milhaven radio show in June.

"...I did, in fact, say that I would resign. But I didn't say if he was temporarily reinstated. The comment that I made was that if a judge overrules the city's petition, uh, to have him removed from office...

overrules that and re-seats him permanently that I would, in fact, resign.”

-Matt Perrillo June 11th, 2013 speaking on the McGraw Milhaven Show, KTRS

I guessing he will continue to be the sleazy person he showed himself to be during the ridiculous impeachment hearing not refuse to stand by his promise.

It has been funny covering the Ellisville mess, other members of the media have laughed how Pirrello calls back Elliott Davis wanting to set up interviews, while apparently not having a clue that he has looked like an idiot after his TV and radio appearances. Elliott Davis wanting to talk to you is kind of the equivalent in the 1970s of Mike Wallace showing up at your office.

For several months Pirrello has had his city email address disconnected so he cannot receive emails from the public.

Here is the link to our coverage of the entire 3-Day Ellisville Impeachment hearing.

http://johnhoffmann.net/ellisville_2.pdf

THE SWING AND A FOUL BALL: I was wrong about my prediction that Patch.com



sites in Missouri would fold by July 1. However, Patch.com continues to bleed money for parent company AOL. Patch.com has almost ceased to be a news site and has moved closer to be a place for bloggers to post their views for free. Patch.com in the first half of 2013 has had layoffs and has combined sites. It is unusual to see more than one news story a day and most of the homepage of any sites consists of blogger entries.

AOL has admitted according to Bloomberg, that they need to cut costs of Patch.com by 50% and double ad revenue. That is a pretty good trick...sell advertising as the quality of you product goes rapidly downhill.

See what Patch.com editors and former editors are saying:

<http://jimromenesko.com/2013/07/03/patch-editor-from-what-i-see-on-the-ground-we-are-on-our-last-legs/>

DOORS TO ANOTHER WEST COUNTY EATERY SHUT: On June 25 I wrote that I doubted if the Frontenac Grill at 731 South Lindbergh would be around much

longer after they quit paying musicians booked to perform there. That prediction was Gold! The Frontenac Grill closed five days later on June 30.



Frontenac Grill No More.

THIRD DWI ARREST ON MAY 11, 2013: It turns out when 24-year-old Katie Huggard decided to start writing me and then calling me in the middle of the night it was just one month after she was arrested for a third time for DWI. I did a hand search of court file from her 2011 arrest and found where the Ellisville Police arrested her for DWI on May 11, 2013.

The Ellisville arrest was made at 8:40pm on Saturday May 11. She was stopped on Manchester Road west of Clarkson. She was transported to the police station at 8:40 immediately upon her arrest. At 10:46pm she was transported from the Ellisville Police station to Mercy Hospital in Creve Coeur for “evaluation” according to the dispatch report. The actual police report will not be available until there is a guilty plea or verdict. This case was sent to the St. Louis County Prosecuting Attorney’s Office for filing of felony DWI charges (third time DWI). Normally those charges are not issued for three to six months after the arrest.



The probation keeping her from serving six months in the County Jail from the 2011 arrest was suspended.

It also turns out all the volunteer work Katie writes about doing is a direct result of a court order requiring community service to keep her out of jail in 2010.

Three DWI arrests by the time you are 24 is a pretty impressive record.

MORE FROM OUR FAVORITE 24-YEAR-OLD TWO-TIME CONVICTED DRUNK DRIVER:

Just to recap for new readers...In June I received a charming email from 24-year-old website reader Katie Huggard which I posted. I also guessed that Katie being upset with my reporting on the lack of DWI prosecutions may have had some DWI issues herself. In fact she has had two DWI convictions and a revoked probation term and a recent suspended probation sentence. The 2011 arrest was by the County Police in her hometown of Wildwood. Plus she has a third DWI arrest and a felony charge pending at the prosecuting attorney's office from a May DWI in Ellisville.

In her first email she claimed I was bias, that the pieces on non –prosecution of DWI defendants where I spent over 60 hours doing research, were poorly researched, that I was grandstanding and I'm negative.

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 world has more than enough negativity, so be proud that you have added to it.

Katie =

I sent her back a polite email thanking her for her note and that I didn't want to fill up the jails with drunk drivers. I simply thought drunk drivers should be convicted of drunk driving and not be given no-record probation while paying \$500 parking violation fines.

That resulted in a series of four phone calls between 2:20 and 2:45 in the morning from Katie demanding I remove her email and arrest record from our website. That in turn resulted in a call to the police and a harassing telephone report.

All this resulted in my posting of her complete traffic record that I could easily find which included the four moving violations that she got reduced to very expensive parking fines, the two DWI convictions, the probation revocation, the jail sentence that was

stayed and twice having two interlock breath test devices installed on her car. And of course her comments during the middle of the night telephone calls.

I thought perhaps that was the end of it. I was wrong. Here is the latest email I received from Katie:

From: Katie Huggard [mailto:katiehuggard@gmail.com]
Sent: Friday, June 28, 2013 12:51 PM
To: johnhoffmann@charter.net
Subject: Please stop

Sir,

You are like a dog with a bone. Your obsession with me quite frankly is creepy. I hate to have to know that some 65+ year old man is sitting at home, hiding behind his computer and googling a 24 year old. I've done what I can to resolve this amicably and your need to skew the situation, through your writing into something much bigger than it is, frankly baffles me.

The more I read the more sadistic I believe you are. I have my entire life believed that human beings are inherently good, though good people sometimes do bad things. I pray that this is the case when it comes to you and that I have not encountered someone who is truly evil. You seem angry with the world and I pray that you seek psychological help, be it medication or psychotherapy. I don't know who hurt you so badly that you need to project onto others the hurt that you feel. I am sorry for whatever it was to make you this way and I hate that anyone has to feel pain.

The fact of the matter is as human beings we make mistakes. All of us do, yourself included. A simple google search of your name reveals the mistakes you have made in your life, though I don't deem it necessary to publicly attack you for these. I have done everything possible to make up for the mistakes of my past, though I have realized that if others want to hold on to old images of me I can't let it bother me. I will continue to live my life, moving forward, making progress and caring for those around me. I have set a personal goal to do something kind for another person everyday, and doing so has made me happier. This has helped me, and I pray that you can find your own way to help others and be happy within yourself. Ask yourself, when was the last time I did something to help someone else?

The majority of the people you have written about I do not know, though the ones I do know are good people. Not only is Tim Engelmeyer a great attorney, he is a great man, with a family and your attacks on him are unwarranted. He has done nothing but his job both as a judge and as a lawyer and has been firm and fair. The same is true of Judge Draper, whom I don't have a personal relationship, though I do know that she has been more than firm in her rulings. I can only imagine the others spread across your web page are also good people with families, who don't deserve this treatment.

Additionally I will speak to my record. You seem to want to make people think I have multiple offenses that are much worse than they are and have been reduced to

parking tickets, though the truth of the matter is the majority of those offenses were speeding tickets. Should I have been speeding? No, though I have more than paid my debt to society and all that I can do is move forward and try to not do it again.

I do pray for your happiness every night, and I hope that you go out in the world today and spread love. I have to forgive you and move forward, and I do forgive you for your hatred, knowing that this is a problem you struggle with internally, and not myself. This earth is a miserable place to be as it is and you can either help make it better or help make it worse. Please keep in mind that every choice you make you may help someone's day. I have, in my volunteer work, encountered many people who sleep on the concrete nightly. These people somehow find a way to smile behind their signs begging for help and routinely asking god to bless others. Let this be a lesson to us all. Please, be happy as you are free and you have all that you need.

I do ask yet again that you remove your internet attacks, though I leave it in your best judgment to know if you are helping or hurting others.

Again I wish you peace and happiness. Have a great day.

Katie

Katie Huggard

I have reread everything I have written about the correspondence and phone calls I have received from Ms. Huggard and I don't believe I have attacked her at all. I have simply posted her emails and her telephone conversations and have given readers some background information obtained through open public records. She is looking for people to follow her on twitter...check it out

<https://twitter.com/katiehuggard>

However, in the dead of summer when there doesn't seem to be much to write about... a 742 word email calling me sadistic, angry, mentally ill and hate filled comes in at a time when it is a welcomed addition to the newsletter.

I have made it a point to alert readers to serial drunk drivers in the West County area for their own safety, regardless if the dangerous drivers are well known sports broadcasters, sons of area politicians, mortgage advisers living in Chesterfield and working in Town and Country or in this case a Wildwood resident.

MUSIC & FOOD: Here are a couple of video/audio clips that put a smile on my face last week. Do you remember the old "Let Hertz Put You in The Driver's Seat" ad campaign? It was featured in the movie Good Neighbor Sam with Jack Lemmon. This clip features the Hi-Lo's singing the jingle while take after take of a TV commercial flopped.

<http://www.youtube.com/watch?v=nqwMz8Hyeao>



The next one is again the Hi-Lo's singing an inspirational song, April in Fairbanks. The lyrics are a hoot!

<http://www.youtube.com/watch?v=GdnH2Sv801c>



June 26 Sasha's on DeMun...a guest drummer sat it:





Here is a sketch of Russ Macklem, an outstanding trumpet player from Canada and Vanessa Fralack, a trombone player who has been with the St. Louis Symphony for the last three or four years. Fralack just accepted a job offer from the Toronto Symphony and will leave St. Louis before July 15. This Wednesday will be her and Macklem's last Wednesday night at Sasha's for a long time.

ANITA AT MARSHALL'S IN MANCHESTER: Marshall's Bistro in the former Chinese restaurant in the National Way Center on Manchester at Hwy 141 had Anita Rosamond on Saturday July 6. I was impressed that the new owners had installed a large stage, meaning there should be music acts in the future. Now if they will only bring bands I like. A \$10 cover at the door could pay for nighttime entertainment. I did order what was advertised on the menu as a "St. Louis Thin-Style Pizza." It was thin, but the first bite had stringy cheese pulling away. This St. Louis style pizza was covered in mozzarella.



Anita all alone on a big stage starting things off last Saturday at Marshall's Bistro.

CARTOONS

