

## EX ALDERMAN NEWSLETTER 93



July 28, 2013

By John Hoffmann

### **AFTER THREE HOURS AND 15 MINUTES PLANNING AND ZONING COMMISSION WASTES LITTLE TIME IN SENDING SENIOR LIVING DEVELOPERS ON THEIR WAY:**

Richard Miller the main rep from the Love Companies and Allegro Senior Living put on a 55 minute presentation on Wednesday night before the Planning and Zoning Commission. It didn't do any good. Half of the show was about traffic studies, building heights and setbacks. The other half was more of a sales pitch. I broke a rule and spoke before the commission and mentioned I was disappointed after sitting through a sales pitch that there was no free dinner offered by Miller.

The proposed 175,000 square foot complex would have had 65 apartments, 59 assisted living units and 26 memory-loss living units.

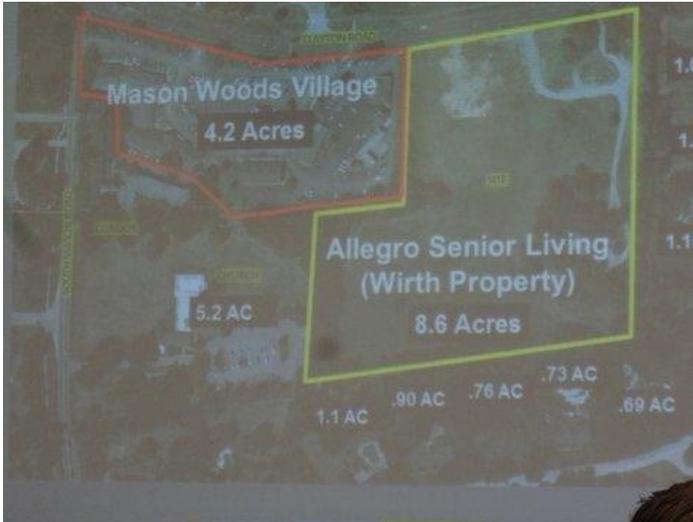


Miller speaking before the commission as Molly James of West Magazine snaps his photo.

**FALSE CLAIM OF NEED** Miller claimed like he did at the public town hall talks he gave a week earlier, that there were 4,517 seniors 75 or more years-old in three mile of Mason and Clayton Roads.

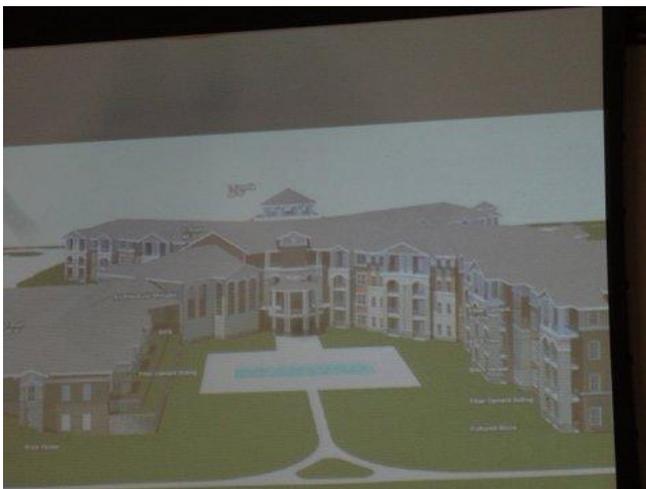
When I spoke I pointed out that 40-to-50-percent of the 4,500 seniors are currently living at Marie DeVille, Delmar Gardens and Cedars of Town and Country, plus the Willows in Chesterfield and Sunrise in Des Peres.

**ATTACK OF ONE-ACRE ZONING:** Miller then used a map during his power point that showed a number of house on Kings Glen located behind the proposed complex aren't even on one-acre lots. It seemed he was attacking the genuineness of Town and Country's One-Acre zoning. However those lots and houses existed before Town and Country annexed the area and one-acre residential zoning went into effect.



Miller sued this map to try and make a big deal that of the four houses behind the proposed project, four were under one-acre in size.

**SELLING HOW FOUR ARE REALLY THREE CAN BE TOUGH:** Miller would show a photo of the proposed main building saying it was a three story structure, when everyone regardless of their age or eyesight was counting four stories.



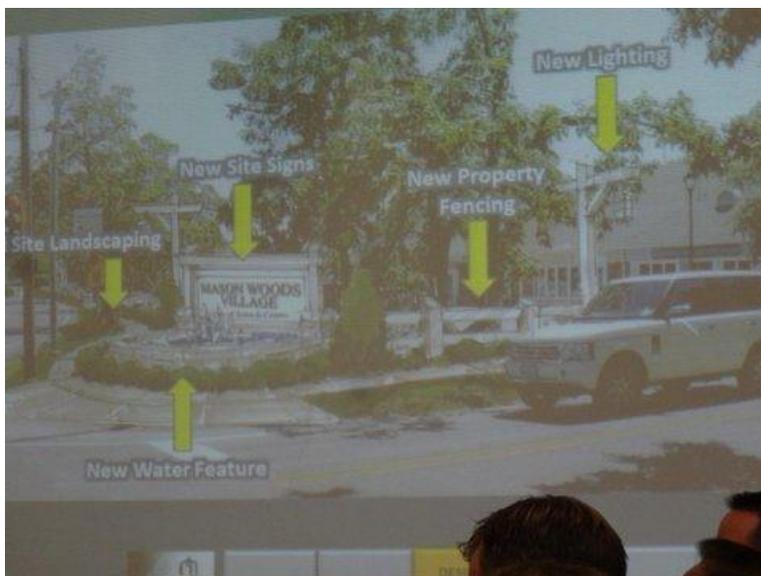
I count four stories, but Miller kept saying it was only three stories.

I believe Miller was claiming the first level apartment was basement apartments, which would mean the rear entrance at the pool is through the “cellar.” To enter through the first floor you need to climb a ladder.

Miller also claimed the top of the building was only 44-feet just four feet higher than the restrictions on the tallest houses allowed. Then he added that the copula was actually 22 feet higher making the total height of the building at 66 feet.

**A 20-YEAR ONE-PERCENT SALES TAX FOR THIS?** Miller told the four Town Hall meetings how the Love Companies would ask for a Community Improvement Tax on the businesses at Mason Woods Village Shopping Center. You think prices are high at Straubs’ and John Mineo’s now...let these guys slap a tax on them. I’ll have to quit referring to Starbucks as “Five Bucks” and start calling it “Six Bucks.”

Miller somehow forgot to mention how they had to have a CID tax to the Planning and Zoning commissioners. At the earlier talks he claimed a 20-year sales tax would collect \$800,000 just for the shopping center improvements. I don’t believe that. I’m sure they would use the money not only to build drive through lanes at the Heartland Bank but also the entrance drive, lighting, parking lots and other features to the Allegro project. However Miller did show a slide of what they wanted to do with the shopping center.



**Really?** Tax us for 20 years so you can add a new sign, a fence, a small fountain and some new lights! Actually the drawing that Miller showed does not have what this shopping center desperately needs...a directory sign that tells motorists what stores are in the shopping center. All the improvements shown in this photo are what any

responsible retail landlord would do as regular updates to their property. With these guys they need rezoning and a special tax before they can do this.

### **TRAFFIC PLAN AND STUDY IS QUESTIONABLE FROM THE START:**



As soon as I saw Love companies traffic engineers that right turns from the shopping center onto Mason Road was a good idea, they lost all credibility with me. The curb cut is only 1 ½ car lengths from a stoplight intersection.

We have to give Fred Meyland-Smith some credit (I know that is very unusual...but don't worry there is another section in this newsletter where we will be questioning the ethics of Fred.).

Fred grilled the Love Companies traffic engineer with Crawford, Bunte and Brammeier. Love Companies were claiming that the Allegro Senior Living complex including traffic from residents, their visiting families, employees and trucks servicing the complex would have a "minimal impact on traffic." Love failed to mention one important thing.

Meyland-Smith got the traffic engineer to admit that currently during peak traffic hours the intersection of Clayton and Mason Roads are at capacity or beyond capacity. This of course means any additional new traffic will make a bad situation worse.

To make his point Fred as always used twice as many words as necessary, but he did make a strong point.

**WHERE'S FRED AND ETHEL?** In doing his sale pitch on Allegro senior facility Richard Miller showed a photo of an Allegro theater with stadium seating. What was on the screen? It sure looked like Lucille Ball from a colorized I Love Lucy Show. Boy for

\$5,000 or more a month in rent Allegro has gone out of their way for some quality entertainment for its customers.



**THEY FORGOT SOMETHING!** It was almost amazing that Richard Miller left out one important thing in his presentation to the P&Z Commission that was in his power-point talks at the four public information meetings a week earlier.

He completely forget to mention that the Love Companies expected a CID sales tax at the shops they owned at Clayton Road and Mason Road to help finance this.



Richard Millar of the Love Companies at a public info meeting where he did lay out the plans to use a CID sales tax to help finance this project, something he forget to mention to the P&Z Commission.

**THE ROAR OF THE CROWD:** The room wasn't just packed, the building was packed. The overflow crowd was standing in the entry way outside the doors on watching on closed circuit TV in the conference/community room. They were unbelievably polite and did not boo or groan during Richard Miller's presentation, despite several opportunities to do so.



Full House and more!

The first speaker from the public was Amy Anderson of Rutherford Lane. Anderson lives in one of the big new houses on Rutherford. She and her husband had returned from the summer home on Beaver Island in the middle of Lake Michigan just for this meeting. Anderson was both funny and making good points with the large crowd that would bring on loud applause. Anderson mentioned she grew up in T&C and that her father was a P&Z member in the 70's. She said when he left the Commission he was given an oversized rubber stamp that said "R-1...indicating his strong beliefs in keeping the city mostly residential in a nature. She then pulled out the stamp showing it to the P&Z members and the crowd drawing another big laugh and cheer.



Amy Anderson's and her father's R-! stamp.

When she was done P&Z chairman Ron Sulewski asked everyone to hold off on the applause or the meeting would go until after midnight.

Burglars would have had a field day on Rutherford Lane because I think every homeowner was at the meeting.

In the next two hours 40 people spoke, all in opposition to the rezoning.

**BRINGING TWO GROUPS TOGETHER** This issue did something that no one else has been able to do in the last dozen years. It brought together the deer lovers, who consider deer pets, think we should give them hysterectomies at the taxpayer's expense and the people who realize that an over population of deer can bring serious problems to a community. These two groups who have shouted at each other, called each other names (although honestly it is the deer lovers doing most of shouting and name calling) were side by side in opposition to this.



Political enemies...former alderman Al Gerber and Fred Meyland-Smith...Gerber accused Meyland-Smith of blocking his vehicle, swearing at him and pushing him in a dispute reference the deer harvest in 2011. Gerber and his force of liberal weenies joined with regular folks for quite a turnout on Wednesday before the Planning and Zone Board.

**MOST WORK PUT INTO PRESENTATION:** That award had to go to Peter Switzer of Rutherford Lane. Switzer came in with a drawing of a subdivision of six one-acre plus lots for luxury homes that could be build on the Wirth property resulting in a nice profit for a home builder. Switzer said he wanted to show how the Wirth family could make money with the property without harming the property values and quality of life of their neighbors.



Peter Switzer with the subdivision drawing of the Wirth property.

**DALTON WAS LATE BUT STILL GOT AN EARFUL:** Town and Country Mayor/Cigarette Lobbyist/Snatcher of Widow's Property by Eminent Domain Jon Dalton showed up after the meeting started and was the only member to leave the dais during the public statement section. (We guess to go to the bathroom or make a phone call.)

Dalton and to lesser degree Fred Meyland-Smith took some shots from the crowd. At least three residents quoted from Dalton campaign fliers, including one that dated back to 2005. In all the cases they read Dalton quotes how his top priority was to protect the city's strong residential zoning.

At least four others quoted from the city's website's homepage touting the city's large residential lots and how commercial projects are kept along major highways and the city's edges.

Several also warned of bad things to come at the polls if this project came to fruition.



Dalton at the far left took the most barbs from the citizens speaking against the Allegro project.

**WORST THAT COULD HAPPEN:** I spoke late in the meeting. Besides the comments of the questionable traffic survey and number of people in the area within three miles who were 75 and older likely already living at a high-end retirement center I mention two other points.

One was how the other senior living facilities were built and maintained without demanding any special sales tax revenue to help fund the project.

The other point was that the people who bought houses in Wheatfield subdivision, on Rutherford Lane and Kings Glen did not build not next to an existing airport and start complaining about the noise.

The people at Wheatfield knew that they are across the street from land owned by the Principia School, zoned "Major Educational" and some day the campus could expand or Principia could sell off the land to a college of private high school. But the homeowners should never have to worry about a Shop n' Save grocery store going up.

Likewise the neighbors around Clayton Road and Mason Road built or bought homes next to residential property. The worst they should have to deal with is someone building an ugly \$2.5 million French Provincial-English castle McMansion, a not a four-story 175,000 square foot apartment complex with restaurants.

**THE STONE COLD FACES OF DEVELOPERS:** It was interesting that the seven suits at the meeting representing the Love Companies looked straight ahead and never even

cracked a small smile when a resident said something outrageously funny. They had less expression than the presidents on Mount Rushmore.



**\$300,000 ON THIS!** After the public statements Richard Miller for the applicant was again allowed to address the Commission. That is when Miller said Love had spent “several hundreds of thousands of dollars” so far on this project. YIKES! How could they spend this much without getting a feel from the residents if there would be much opposition? We know they contacted some local politicians (see next item) and either the local politicians were supportive or neutral or Love decided to ignore their warnings and predictions.

Love Companies also owns Heartland Bank. If this is the way they waste money, if I had an account at Heartland, I’d be moving it without delay.

While P&Z member Dr. Gary Omell stated he thought there was a need for another high-priced senior living community he added this was the wrong place for it. The two politicians were quick to move or second to motions to defeat all portions of the proposal. It was a unanimous vote.

**FRED MEYLAND-SMITH HAS HISTORY WITH DELVELOPERS:** Oh the power of the newsletter! After Newsletter-92 was out less than 12 hours and on the website less than a couple of hours, I got some interesting information.



A regular reader contacted me with a fascinating story. He had an exact date and time. He said in February he stopped by the Café 6 North coffee shop on Clayton Road in Ballwin, just west of Henry Road. Who should he spy in the coffee shop huddled together appearing to have a business meeting?

It was none other than Town and Country Alderman Fred Meyland-Smith, Rich Miller of The Love Companies and Larry Schiffer of Love Savings and Holdings, which is over Heartland Banks. Love Companies owns Mason Woods Village Shopping Center and is behind the redevelopment proposal to build a 150-unit retirement complex on the seven acres of the Wirth property next to the Mason Woods Village Shopping Center.

This now explains why Meyland-Smith almost seemed to be part of developer's presentation for the public information meeting two weeks ago. Meyland-Smith spent almost as much time yanking as did Rich Miller.

Meyland-Smith likes to take credit for seeing through new commercial projects. He is regularly mentioned in the Town and Country Crossing development. That is fine for most politicians and that is often part of their job dealing with constituents whether they be residents or commercial property owners. However Meyland-Smith is the only member of the Board of Aldermen who is also a sitting and voting member on the Planning and Zoning Commission. He should not be meeting with developers unless he wanted to resign his position on the P&Z.

As a side note here is an interesting item from 2000 that appeared in the Riverfront Times that tied Heartland Bank and Schiffer with very profitable operation tied with porno websites.

<http://www.riverfronttimes.com/2000-11-29/news/porn-in-the-usa>

**GREED: It is still time to worry about this project:** A number of elected officials should have told Love Developers that the area is 1-acre single family housing and for them not to waste their money having architectural plans and paying for bogus traffic studies. Apparently no elected officials have done that. That left me with a fear that some local elected officials are on board with the Love Development plans. However the results of the massive citizen turnout apparently put an end to anyone siding with the Love Companies.

**HOWEVER...** The proposal now goes to the Board of Aldermen at their August 12 meeting forward with a 7-0 vote against it by the P&Z Commission. Citizens need to show up at that meeting also and tell the aldermen what they think.

**AMATUERS AND PROFESSIONALS:** Frankly the opposition to the proposed Principia rezoning from "Major Educational" to a combined mixed use in 2008 was like going up against rank amateurs. Love Companies are hardened professionals that develop and operate shopping centers, hotels and retirement centers, not to mention the Heartland Banks.

They would not be pushing this if they did not think at some point they had a good chance to get this built.

The fact that Fred Meyland-Smith, a voting member of the Planning and Zoning Commission was seen meeting with Love officials five months ago indicates ethics have been thrown out the window.

Just because the Planning and Zoning Commission including Mayor/Cigarette Lobbyist Jon Dalton, who usually misses P&Z meetings voted 7-0 to turn down all rezoning efforts by Love, doesn't mean they will not come back with something else. When Love's Richard Miller claimed Love spent "several hundreds of thousands of dollars" so far, I have a feeling they might be back.

**THE INVISIBLE MAN BEHIND THE WEBSITE:** I complained in Newsletter 92 that the website and facebook page for the opposition to the Wirth Property Re-Zoning were nameless. No one was taking credit for them.

I did find through the return address on a mailer in opposition to the re-zoning received on Monday belongs to Richard Jensen on Starbuck Road in Wheatfield subdivision. Jensen is also named in small print on the bottom of the signs.

On Tuesday the webmaster of my website emailed me and informed me that the name that registered the domain name of the website (nrtandc.org) is none other than Al Gerber. Al is the former alderman and deer lover, who defeated me after registering all the high school seniors living in dorms at Principia to vote for him. Gerber was then soundly defeated by Chuck Lenz in 2012.

Gerber a lifelong liberal Democrat active in the Democratic Party plus a local deer lover wanting the city to give deer hysterectomies in the field would not make garner much

support. Gerber does have a financial interest in the re-zoning. He owns two condo units in the old apartments behind Mason Woods Village Shopping Center and would likely see a drop in their value if the retirement center is built instead of a subdivision of houses on one-acre lots.

**KEVIN HORIGAN AND THE POST-DISPATCH NOT HAPPY:** While I have worked on the sports desk of one major newspaper and been a sportswriter for several papers on the East Coast I really enjoyed reading the Post-Dispatch sports section back in the 1980s. Kevin Horigan not only had interesting columns, but they were entertaining too. So was baseball writer Rich Hummel, whose style I copied when writing lengthy Sunday columns on minor league baseball from 1998 to 2005. Horigan bolted from the PD in the late 1980s to join the upstart St. Louis Sun which folded in less than two years. It took almost two decades for Kevin to get back to the Post-Dispatch. He now works as an editorial writer. Here is a piece he wrote that appeared last Friday:

## **FOUL: Ageless wonders in Town and County zotz fancy housing for seniors**

**FOUL:** For the second time this summer, a St. Louis County community has risen up in opposition to housing for senior citizens. Oakville doesn't want poor old folks moving in and Town and Country doesn't want rich ones. Apparently the opponents don't plan to grow old themselves.

The St. Louis County Planning and Zoning Commission has punted on a request by some Oakville residents to reconsider its previous approval of a 45-unit, federally financed facility for low-income seniors. The project, at 6050 Telegraph Road in unincorporated St. Louis County, received zoning commission and County Council approval last year. It's already under construction but many residents are [demanding a do-over](#), claiming they weren't properly notified the first time around.

Out in Town and Country, residents got organized before the bulldozers started moving dirt. They packed a meeting of the city's Planning and Zoning Commission on Wednesday evening, making it clear they [wanted no part](#) of an old folks home on Clayton Road east of the Mason Woods Village Shopping Center. Never mind that the private development would have luxury accommodations, a gourmet chef and a theater. Think of what it would do to traffic, they said. Think of what it would do to property values, they said.

This was Town and Country, after all, where even a church that wanted a 5-foot variance in the allowable [height of a flagpole](#) had to face a public showdown. This was Town and Country, which has turned its [deer population](#) into a decade-long controversy. At least the old folks wouldn't eat the azaleas.

Still, the commission heard the voice of the people and killed the rezoning for the senior complex.

We can understand why people would oppose giving tax breaks to the developers. We don't understand why people don't understand that one of these days, if they're lucky, it could be them looking for a place to live out their declining years in dignity. Even if you live in the 63131 ZIP code, you have to die.

— *Kevin Horrigan*

I sent this email to Kevin:

**From:** John Hoffmann [mailto:johnhoffmann@charter.net]  
**Sent:** Friday, July 26, 2013 1:45 PM  
**To:** 'khorrigan@post-dispatch.com'  
**Subject:** town and country retirement living

Kevin...Since about all I do now journalistically is make fun of rich people in Town and Country and Chesterfield in online and free subscription newsletters...I am reluctant to write you about the "foul" in Friday's paper...HOWEVER...

The case isn't that no one wants expensive senior living in Town and Country...Within a mile of Clayton and Mason Roads is Marie Deville that is not cheap and is partially owned by Red Schoendienst. Also nearby is Delmar Gardens West...another high end retirement community. Even closer is the Cedars of Town and Country. All of these are in the city limits of Town and Country. The majority of ambulance calls in Town and Country are to retirement living complexes.

The problem is that homeowners near the site bought or built houses knowing the adjoining empty land was zoned for one-acre residential. The worst that could happen is that someone builds an especially ugly combination French-Provincial/English Castle McMansion, not an 800,000 sq foot commercial business with multiple restaurants and 150 apartments.

Also your contention that nothing but rich people live near that planned site is only partially correct. The three houses closest to the site are very modest one story ranch houses that over the years have been bought by Christian Scientists who move to St. Louis so their kids can go to Principia. These houses are under \$300,000 and about 1,400 sq feet. There are now two new super houses on the same street that are owned by RICH people.

The housing behind the site consists of houses that in 1970 were considered occupied by RICH people...but not anymore. Kings Glen has houses in the \$450,000 to \$750,000 price range.

John Hoffmann

Kevin and I then discussed this in several emails. It came out that Horrigan thought Town and Country had allowed in Mason Woods Village shopping center is a greedy lust for sales tax revenue, so why shouldn't the senior living facility go in.

He was unaware that the shopping center existed long before Town and Country annexed a huge area that almost tripled the size of the city in 1983. After the annexation Town and County's one-acre residential zoning went into effect and the shopping center was grandfathered in.

### **GEEZ ANOTHER NEW MEMBER OF THE GANGS OF TOWN AND**

**COUNTRY:** All of sudden it is one felony charge after another. For the second time a member of a subdivision board of trustees has been arrested for stealing money from his neighbors collected to maintain the subdivision. He is alleged to have stolen more than \$40,000, using the money on home and lawn care and at casinos. This is also the third new member of the "Gangs" in 10-days.

**Anthony William Calandro, 56**, of the gated Hamptons subdivision off the South Forty Outer Road was charged 07/22/2013 with felony theft. The thefts date back to 2010 and involve money from the homeowners' association bank account. Calandro lived at 740 Hamptons Lane. Calandro is currently residing in the Federal Prison in Marion, Illinois after he was convicted of insurance fraud and making false statements in November of 2012.



Calandro is a chiropractor who ran the Chiropractic Accident Center of Crestwood. He was found guilty of submitting bills to insurance companies for work and x-rays not done and patients who never showed up. Calandro was sentenced to six years in prison in April. He is scheduled to remain in Marion until 2018.

A subdivision trustee came to the Town and Country Police Department at 4:30 pm on Monday March 4 telling detectives he suspected an embezzlement of subdivision funds had occurred.

The theft of \$40,000 from a homeowners association of 20 or so homes is like someone stealing \$400,000 from a city.

**CURRENT MEMEBERS OF THE Gangs of Town and Country:** We normally list all the members of the Gangs of Town and Country, but since we did in our last newsletter we direct you to our website and ask that you click on Newsletter #92.

**CAT LOVERS UNITE...and OTHERS SEEM TO BE UPSET WITH ART**

**COMMISSION STATUE:** At the July 22 Board of Alderman meeting there was not much on the agenda, but a sore subject popped up at the end of the pre-meeting “agenda meeting.”

The last 20 minutes of the meeting were set aside for a talk about the Arts Commission and a life like size statute to be commissioned and paid for by donations (\$139,000) to be set on city property next to the fire station.

Lindsey Hodge the “facilitator” for renting the Longview Farmhouse (where we have yet to earn enough rental fees to cover Lindsey’s annual salary) and Parks Department admin aide gave the presentation. The problem for Lindsey was the power point would not work.



Lindsey Hodge carrying on without any slides appearing on the screen.



Here are examples of two blanks, Alderman Tim Welby to the front and a dark screen to the rear.

Lindsey is assigned to the art commission as the staff liaison and does an outstanding job for the city covering for the Parks Director who is out regularly on maternity leave.

Alderwoman Lynn Wright is the chair of the Arts Commission, but as has become a tradition in Town and Country the elected officials feel unqualified to give a presentation to their fellow alderperson about their commission so Lindsey was stuck doing it.

Lindsey told everyone how there was a competition between a number of St. Louis area sculptors who presented drawings of sculptures. There was to be a theme of “home” and wilderness.”

The commission chose (drum roll) the design of Harry Weber which was a horse, with its head bending down to a sitting dog. Harry is good with dogs as he did the Lewis and Clark statue at the St. Louis riverfront that includes their dog, Seaman.



Alderman Chuck Lenz asked why there was not a person included in the sculpture. Mayor/Cigarette Lobbyist Jon Dalton echoed Lenz’s thoughts.

Alderwoman Lynn Wright finally piped up and indicated that the horse and dog was the final decision of the commission.



Lynn Wright finally said something and it was not something that her buddy who snatches widows’ businesses and property under eminent domain for a nightclub parking lot, Mayor Jon Dalton liked.

Dalton responded that ‘there will be further discussion on this at our next meeting.’”

(the following originally appeared in our Chesterfield #40 newsletter)

**MEDIA NOTES:** StLToday the website for the Post-Dispatch ran this photo on Wednesday July 24, 2013 with a story about the sudden resignation of the Charles Pace, the director of the St. Louis County Library. Do you notice anything wrong?



24 OCTOBER 2006--FRONTENAC, MO-- Charles Pace (in blue), the new director of the St. Louis County Library, speaks with Vince Andrzejewski, manager of the Audio-Visual collection, about circulation trends in his department on Tuesday, October, 24, 2006 at the St. Louis County Library in Frontenac, Mo. (Rebekah Raleigh/Special to the Post-dispatch)

In the cutline below the photo the Post-Dispatch, the daily news source of St. Louis, claims the St. Louis County Library headquarters is in Frontenac, Missouri. It is in a super-rich St. Louis suburb, just not Frontenac. The library headquarters is in Ladue. Lindbergh Boulevard in front of the library is in Frontenac. The photo with the incorrect cutline originally ran in 2006, so the Post-Dispatch only had seven years to correct the error. Seven years was apparently not long enough. This is the problem of laying off or buying out senior editors who know stuff about St. Louis and hiring kids just out of college.

### **CONSTRUCTION UPDATE REFERENCE POST-DISPATCH AND PATCH.COM**

**ARTICLES:** below is an email exchange I have had with an editor of the Post-Dispatch about some questionable reporting. On Monday July 16 in an article in the Post-Dispatch it was reported that “construction had begun” at the Raintree School off Mason Road. Patch.com had a similar article claiming construction had started.

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

**Sent:** Wednesday, July 17, 2013 3:35 PM

**To:** Alan Achkar

**Subject:** question

Alan,

As a loyal subscriber, who unfortunately is old enough to claim that my mother dated Bob Broeg in high school, I have a question.

In Monday's paper on page two in the Education Digest there was this titled "**RAINTREE SCHOOL>Private school construction begins**. Construction has begun in Town and Country on a 2.3million kindergarten and preschool..."

Now I'm a former elected official in T&C and still write a newsletter. This proposed and planned school is in my ward and just down Mason Road from my subdivision.

This was followed up with a posting on StLToday on July 17 claiming the same thing.

Here is the photo I took yesterday. I just returned from driving through the property and have seen that nothing in the photo has changed. Other than the clouds.



Perhaps you or your staff could point out the construction to me. Does the staff no longer verify information in press releases?

John Hoffmann

**From:** John Hoffmann [mailto:johnhoffmann@charter.net]  
**Sent:** Thursday, July 25, 2013 12:29 PM  
**To:** 'Alan Achkar'  
**Subject:** up date of activity

Alan, On Monday July 16 the P-D ran the article on Page 2 claiming construction was underway at the Raintree School off Mason Road.

I was at the site on Monday July 22 and there was activity see below



Yes that was a flock of wild turkeys. I think they are non-union and I'm not sure if their presence has anything to do with the construction.

Here is a photo I took today at the new school site.



So 11 days after you reported “construction had begun” could someone on your staff please point out the construction?

Thanks,  
John Hoffmann

**From:** Alan Achkar [<mailto:AAchkar@post-dispatch.com>]  
**Sent:** Thursday, July 18, 2013 4:00 PM  
**To:** John Hoffmann  
**Subject:** RE: question

John,  
Thanks for bringing this to our attention. The person who wrote that item and her editor are both off this week. So I don't have all the details. We'll call the school district to try to clarify, and I should know more in a few days. Thanks again.

**THEY HAD BETTER HURRY FOR TIM WELBY'S SAKE:** Remember Alderman Tim Welby made the claim in April that the Raintree School in Town and Country would have kids attending classed in the new building in August. That apparently is going to be a heck of a building schedule.

**NEIGHBORLY LOVE:** That crazy former Ellisville mayor, mayor pro tem and now a councilman Matt Pirrello has a nice send off each morning and welcome home each evening.

Pirrello was instrumental in the ill fated and ill conceived impeachment of the young Ellisville mayor Adam Paul. After the impeachment Pirrello said on the McGraw Millhaven radio show that he would resign if Paul was reinstated as mayor.

When the courts first temporarily reinstated Adam Paul, Pirrello waived and said he would only resign if Paul was reinstated permanently.

Two weeks later when the courts reinstated Paul permanently Pirrello said he would not resign because Paul was reinstated on a technicality. The Courts said Paul was not given due process. This a violation of the United States Constitution, which Pirrello apparently views as a technicality. Now Pirrello's neighbors are sending him a message with yard signs.



(The following story originally appeared in the Unapproved Chesterfield Newsletter #40 of July 26)

**JUST LIKE CLOCK WORK THEODORE FEDERER ARRESTED AGAIN FOR DWI AND DRUGS AND LEAVES COURT WITHOUT A SERIOUS CONVICTION:**

The rich kid from White Robin Court in the west end of Chesterfield continues to stack up more serious arrests and continues to get away with it as long as someone can peel off enough hundred dollar bills to pay off grossly overpriced fines for minor charges, like illegal parking and littering. His latest stroll the criminal justice system was in Ellisville.



Theodore T. Federer

In 2012 Chesterfield Police arrested Federer for three times three months in a row. Chesterfield city prosecutor Tim Englemeyer reduced all the serious charges to littering. In January 2012 Federer attempted a “tilltap” of the Fox and Hound cash drawer on his way out and when he was stopped he fled without paying a bill. He pled guilty to a charge reduced by Engelmeyer of littering.

In February 2012 Federer was arrested when police responded to a suspicious car call and found Federer and two other minors drinking in a parked car. Federer gave police a false name which turned out to be a real person with active arrest warrants. He was eventually charged with Giving False Information to the Police and Minor in Possession.

Engelmeyer reduced the False Information charge to Littering.

In March of 2012 Federer was arrested after he was caught shoplifting liquor from the Wal Mart store in Chesterfield Valley. He fought with the store detective who stopped him and then fled. He was eventually picked up as a fugitive by the Ellisville Police. This should have been a robbery and assault since Federer used force to flee from the store loss prevention officer. In the fight Federer dropped the glass liquor bottle which broke. A charge of Destruction of Property was filed.

The Chesterfield Police reduced the classification from Robbery to Theft-Shoplifting. Prosecutor Engelmeyer then reduced it to the ridiculous charge of littering.

The result of Engelmeyer not doing his job...was evident this May in Ellisville. Had Engelmeyer not reduced all the charges to littering and made Federer plead guilty to one serious charge, receive a 90-day jail sentence and then be placed on either a suspended execution of sentence (meaning there is a public record) or a suspended imposition of sentence (meaning no record if probation is successfully served) Federer would have maybe had a reason not to get arrested again. Of course he was already on probation in a Missouri Court when Engelmeyer reduced the charges.



Tim Engelmeyer after telling the City Council why he should be reappointed.

Instead Engelmeyer was merely a nice guy to the local Chesterfield attorney Chris Graville who keeps plenty busy representing the Federer family. Engelmeyer is also acting instead of a protector of the public as merely a revenue collector with the city getting \$500 for bogus littering guilty pleas. This despite the fact the Federer was currently on a 2-year probation in Camden County for a DWI accident and being a Minor in Possession of Liquor. Engelmeyer did not bother to notify the Camden County Court where Federer was on probation of the guilty pleas to the reduced charges.

Had Federer at least been on a probation through Chesterfield he would be looking at jail time after his recent Ellisville arrest.

**ELLISVILLE CITY COURT CONTINUES THE TRADITION OF COLLECTING MONEY AND NOT PROTECTING THE PUBLIC:** Here what happened in Ellisville and why the public is not any safer after a repeat DWI driver gets arrested in Ellisville.

Federer, who likes to call himself “T-Fed” was clocked speeding 54 MPH in a 40 MPH zone at 1:15am on Friday night/Saturday morning May 18. When the police stopped him they found him to be very intoxicated.

Federer could not show a proof of insurance card, failed all the field sobriety tests and was arrested. In a search of his car incident to his arrest and prior to towing the car police found an open bottle of Bud Light with beer in it. They also found a bag of marijuana. T-Fed refused to take a breath test.

**THE WORK OF ATTORNEY PAUL MARTIN STILL HAUNTS ELLISVILLE:** Paul Martin who brought the recent failed impeachment charges against Mayor Adam Paul was fired as city attorney in June.



Paul Martin

However, unknown to many residents, Martin stayed on as the city’s prosecuting attorney.

Federer has a prior DWI arrest. On September 03, 2011 he was arrested for DWI in connection to an automobile accident he was involved in where a female passenger was injured. In 2012 he pled guilty to the DWI charge but was given a Suspended

Imposition of Sentence for 2-years. He got no points and the conviction is removed if he successfully completes his probation.

Here is what Martin did with the Federer case.

**DRIVING WHILE INXTOXICATED** Suspended Imposition of Sentence (no record) with Federer going to alcohol education class and victim impact classes. (Federer already knows the impact of driving drunk, he injured a young girl and later was sued by her, plus he was arrested in connection with the 2011 incident.)

**Open Container of Alcohol:** Martin dismissed this charge all together.

**DRIVING WITH A SUSPENDED LICENSE** Martin reduced this 12-point violation offense to improper parking with a \$200 fine and \$24 in court costs.

**POSSESSION OF MARIJUANA:** This charge was also dismissed altogether. While marijuana charges are not terribly serious, when the marijuana is found in the car in the immediate reach of an impaired driver...that is a different story.

**SPEEDING 54/40:** Martin reduced this to Improper Parking and T-Fed was fined \$400 plus \$24 in court costs. Instead of a 2-point moving violation this becomes a no point parking ticket.

**No Proof of Insurance:** This charge was reduced to Improper Parking with a \$200 fine plus \$24 in court costs.

**ELLISVILLE PUTS SOMEONE ON PROBATION FOR DWI WHO IS ALREADY ON PROBATION FOR DWI:** Normally people who are on probation for an offense and who are arrested again for the same offense are not offered probation. Also the jurisdiction where the second arrest and conviction occurs will notify the court with the outstanding probation of the new violation. **THIS IS NOT THE CASE IN ELLISVILLE.**

Federer was charged in the May arrest with violations that would have resulted in 26 points against his driver's license. He left the court room with ZERO new points against his driver's license. He still does have to deal with his refusal to take a breath test and his lawyer has filed suit against DOR to overturn that. Such suits are common and they are not usually successful.

**NOTIFYING THE COURT ABOUT THE PROBATION VIOLATION** The Ellisville Court Clerk said she usually does a computer check toward the end of someone's probation to see if there was a violation that might revoke the probation. She indicated she

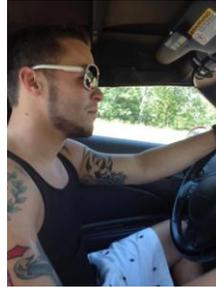
checks the local computer data base but not the statewide data base so she was unaware of the outstanding DWI probation in Camden County. She thought it would be the job of the police or prosecutor to notify the Camden County Court. I have to admit that it is not particularly hard to check to see someone's record statewide. I was able to find the information on Federer from my home using my PC. I'm surprised a court, local prosecutor or police department cannot master this.

**SO WHO DID NOTIFY THE CAMDEN COUNTY COURTS?...**Well, I did. I had obtained a copy of the court file and police report from the Ellisville Court. The next day I day faxed the Camden County Courts a copy of the plea agreement and the police report. I followed that up by mailing the same information to them.

**Here is Ted's arrest and citation record that we could find using internet searches and local in person record searches.**

05/18/13	Driving While Intoxicated	Ellisville PD
05/18/13	Driving on Revoked License	Ellisville PD
05/18/13	Speeding	Ellisville PD
05/18/13	Failure to Show Proof of Insurance	Ellisville PD
05/18/13	Open Container of Alcohol w/driving	Ellisville PD
05/18/13	Possession of Marijuana	Ellisville PD
11-02-12	State of Missouri files Forfeiture Papers	St. Louis County Prosecutor
10-23-12	2001 Audi and \$8,975 in cash seized as profits of illegal activity	St. Louis County Police
08-25-12	Attempt to Purchase Liquor by a Minor	Missouri Highway Patrol Montgomery County Missouri
03-29-12	Stealing	Chesterfield PD
03-29-12	Destruction of Property	Chesterfield PD
02-13-12	Minor in Possession of Liquor	Chesterfield PD
02-13-12	Give false Information to Police	Chesterfield PD
01-11-12	Stealing	Chesterfield PD
01-11-12	Minor in Possession of Liquor	Chesterfield PD
09-03-11	Attempt to Purchase Liq by Minor	Camden County Sheriff's Office
09-03-11	Driving While Intoxicated	Camden County Sheriff's Office
07-04-11	Minor Intoxicated	Missouri Water Patrol
09-03-10	Speeding (20 Over PG 5 days jail)	Livingston Co Sheriff's Office
10-08-08	Impeding Traffic	Town and Country PD

Here are some of Federer's recent photos from his Facebook page. For the most part they are in a bar or with a drink in his hand.



Do you think this guy has an alcohol problem?

In his latest facebook photo Federer does not have a drink in his hand...but some people might say he looks to be intoxicated.



**ALL IN THE FAMILY:** Theodore isn't the only Federer getting the reduced charges in courts. On June 18, 2011 T-Fed's younger brother was cited by the Town and Country Police for speeding 90 MPH in a 60 MPH Zone and Stopping in the Fast lane of an Interstate. Both charges were reduced to Illegal Parking and he was fined a total of \$450.

Jason currently has charges pending in St. Charles. On December 13, 2012 Jason was arrested and charged for using False Identification to Attempt to Gain Entry to a Casino in St. Louis. The charge is being continued to August 26.



Here is a Facebook photo of Jason.

## **MUSIC AND FOOD:**

### **The Great Dean Christopher at Mineo's AND NO ONE APPEARED TO CARE:**

Dean Christopher one of the top old-school night club entertainers in St. Louis filled the place up a week earlier at Lindenwood University in Belleville. Early this year he had a big crowd at the Scottish Rite auditorium. Mineo's had him as the main entertainer for their 40<sup>th</sup> anniversary party earlier this year.

Last Friday he was booked with the talented Carolbeth True on piano and Jeremy Pfeffer on bass. He was supposed to be back in the rear dining room. I went up to Mineo's at about 9:45 hoping to get in and see the last set.

What a shock...he wasn't in the back dining room, but up in the loft above the bar. Nobody of the phony-baloney 40 set in the bar was paying any attention to him. I went upstairs to the loft and it was empty, except for Dean's sister and two members of his church. The four of us thoroughly enjoyed our private 40 minute enjoy concert. It was interrupted just once when John Mineo, Jr. sashayed upstairs like he was an extra on an episode of the Soprano's and requested a Frank Sinatra song from Dean while Dean was in the middle of singing a song. Mineo, who apparently likes playing the part of an ex-con, then headed back downstairs.



**A NICE SATURDAY NIGHT IN ALTON:** We went to a nice spot on East Broadway about three blocks from the bridge and about two blocks from the Casino on Saturday. It was The Jazz on Broadway Club. The Charlie B Group was playing. There was a \$5 cover at the door, but the total bill at the table was just \$13 for three and they gave us some free food.





(originally appeared in the Chesterfield Newsletter #40)

**JUGGLING LUNCH:** Last Monday I met former Patch.com editor Jean Whitney at the Emperor's Palace, the huge Chinese restaurant with the buffets tables all over the restaurant on Chesterfield Airport Road. I had only eaten there once before several years ago for dinner. I remember then at first I thought it was a great place and I'd be back. After seconds I wasn't in as big of hurry to return.



Four years later I wanted to try it again. Especially for lunch. The lunch prices Monday-Friday are \$9.89. On weekends lunch is \$12.99. Dinners buffet Monday-Thursday is

\$13.99. On weekends they add crab legs to the buffet and the prices jumps to \$16.99.

You get a lot of food especially for the lunch that is under \$10. You also get entertainment. On Monday we saw acrobat Kaka Zhou doing a remarkable balancing and juggling act while balancing on board that sits on a cylinder.

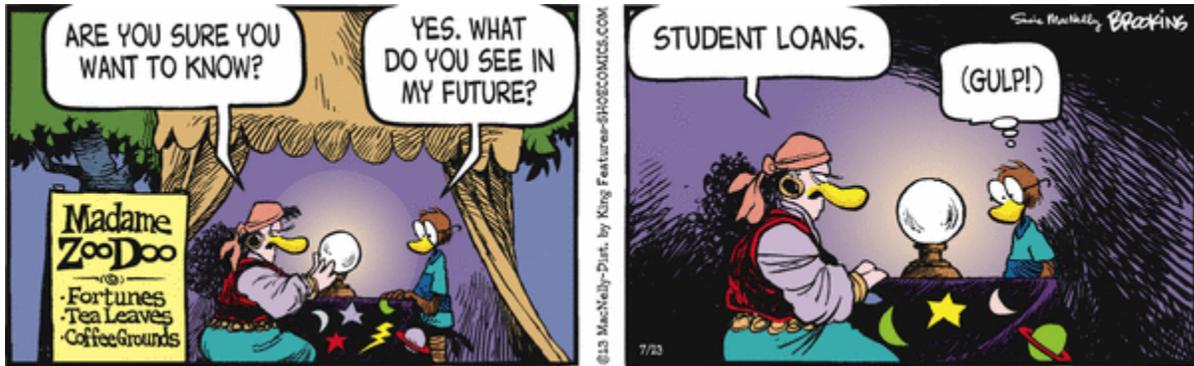


The multiple buffets include Japanese with sushi, American food and Chinese food. I did the Chinese food. The lo mien was okay as were some but not all of the meat and chicken. Avoid the American food. Being a fat guy I went for seconds and found the tempura chicken was uneatable. In fairness I think if you ordered off the menu and avoid the buffet the quality of the food will improve dramatically.

Jean and I both noticed that the grass or weeds in front of the building and long the side had not been cut for weeks. We wondered if they were harvested and used in the spring rolls or the sushi. I tried the spring rolls and they were good.

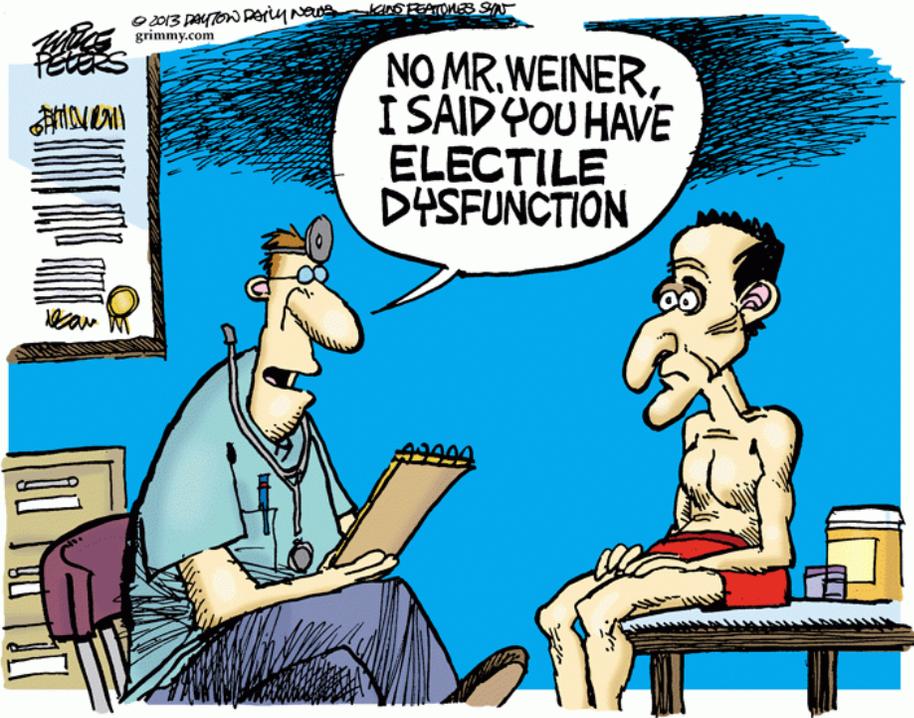


**CARTOONS:**



**Great cartoon minds think alike**

**Mike Peters, CBC grad and Charlotte's son**



Glenn McCoy

