

NOTICE
Meetings are now
on the 3rd Thursday
of each month

THE PORCH REVIEW

A Publication the Benton Park West
 Neighborhood Association

Volume 3 Issue 1, January 2005

A "FIXER-UPPER" NEIGHBORHOOD

A Primer on Nuisance

By Craig Schmid, Alderperson, 20th Ward

Do you wonder why that great house you live in cost you less than if the same house were across Jefferson Avenue in Benton Park? Well, you're in a "fixer-upper" neighborhood (so am I).

That means that, while Benton Park West can offer a lot of great house and a good community for the price, we're still under construction. Oh, I know, some of your more ultra-conservative friends question your sanity. Many of them are saddled with huge mortgage payments and virtually need to take out a loan to fill up the tank to get back and forth to work everyday.

You, on the other hand, have purchased value that requires some "sweat equity." In order to get the job done in a timely manner, we need to rely on each other as we reinvest to create greater quality and value.

Know your neighbors and your tool kit.

It takes time, commitment, and education. There is no substitute for "rolling up your sleeves" (figuratively and literally) and getting to know your neighbors, picking up trash, being vigi-

lant and demanding (respectfully) City services.

Some neighbors have said that they work full time and then come home to a second job. This is not a passive investment.

There are a number of tools at your disposal. Carrying the analogy a bit farther: you could reach into your tool belt a pull out a screwdriver to pound in a nail. But, we recommend a hammer for that. Likewise, it's important to know how to use the "tools" provided for community rebuilding.

Your neighborhood leadership has asked me to address the nuisance property process.

Who Ya Gonna Call?

First of all, once you get the hang of it, "it ain't rocket science." At its basic core there are 3 numbers to remember (forgive me Captain Magnan of the SLMPD-3rd District). You must be observant, you must be willing to communicate, and you some way to patient resolve.

The 3 numbers you need to remember are 911 remember, there is no "11" on your phone (just a feeble attempt at humor). The police department asks that we call 231-1212 (the non-hyphen

emergency number for police service) unless there is a need to tie up 9-1-1 (emergency) lines.

Now, the observant part of this is not really difficult. You already have observed (seen, heard, felt, smelled, etc.) something that is bugging the daylight out of you and harming the quality of life for the neighborhood. We just need to translate the observations into a checklist by your phone (see the end of this article for a checklist).

What Is A Nuisance?

City of St. Louis Ordinance 66181 defines it broadly in Section 3 (A) as "any premises upon which a continuing act or physical condition, which is significantly detrimental to safety, welfare or convenience of the inhabitants of the City or a substantial part thereof...or any act which is so designated as a nuisance by statute or ordinance." Then, Section 3 (B) adds the specific acts of prostitution, illegal gambling, illegal possession or delivery of or trafficking in controlled substances, or any other activity that constitutes a felony, misdemeanor, or ordinance violation under federal, state or municipal law which is significantly detrimental to the safety,

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The Presidents Corner — YOU HAVE CAME A LONG BABY.....

I hope you your had a great holiday and you are looking forward to an exciting year in BPW. The board has been working very hard behind the scenes. And at this time, I would ask all of you to help. The board can't do things if you don't get involved. This neighborhood has come a long and we have a long way to go. We need your help for the neighborhood to move forward. We need to get enough people involved so we can get our committees up and running. If you have the time please take a moment to fill out the Contact Information sheet located in the packet that you received tonight. And you can return to me or any of the Board Officers....I believe in the neighborhood and I hope that you do to.

Also, have you ever paid dues to Benton Park West Neighborhood Association, Just like any other business or association we need the funds to operate. We have been very fortunate to receive some grant money. But when you receive a grant that money must be used for specific project. We have used our grant money in 2004 for Block Clean UP, the Summer Party, the Holiday Party, and the AWESOME signs that advertise our meetings, just to name a few things. We have received a grant to send residents to workshops the will help our neighborhood. We do have membership dues; however you don't have to pay to attend our meetings. EVERYONE IS welcome to attend the meeting. However have you wondered how we pay for postage,

envelopes, and other related office supplies. I would ask each and every one to pay your yearly dues. If you would like to pay your dues, please see Linda Heinng. You don't have to pay dues to attend the meeting, but you will have to be paid member. As we grow there will be decisions to be made and only the members that are paid will be able to vote on those issues. And one of my goals for 2005 is growth. As we grow I want you to be a part of it, I know that some of you have frustrations. But remember I live here too. I want change in our neighborhood as well.

One thing for sure, we need you and your support to make these changes. And please if you need to talk I am free anytime after 5:00 @ 776.4447.

Chad Johnson — President

Meet your 2005 Board

President- Chad Johnson

My Name is Chad Johnson. We have lives at 2645 Wyoming Street in Benton Park West (BPW)

since March of 2004. I have enjoyed living in BWP as Great things are happening. We had looked all over the city until we found the house that completed my dream list.

I am 33 years old, and the youngest of 7 (6 brothers and 1 sister). I was raised in a small town in Dupo, IL. During the day, I work at St. John's Mercy Medical Center, as a Medicare Auditor. Before joining the BPWNA Board, I served on the Gateway Men's Chorus Board, worked with Human Resources issues while on that board, as well have served on numerous other committees.

I moved from Dupo in 2000, and have lived in McKinley Heights,



Lafayette Square, Bevo Mill area, and now BPW. I have found the greatest satisfaction in BPW. The neighborhood is a great area and I look forward to BPW becoming a better place tomorrow.

While living in BPW, I have attended the board meetings and the neighborhood meetings. Seeing the need, I jumped in to serve as the Board Liaison for the Block Link Program.

I am looking forward to serving as the President of this GREAT neighborhood. We all have worked together and will continue to work together to make Benton Park West the great neighborhood that it once was. Two of my main goals are to get the block link up and going so we have a stronger community and to keep the residents informed. I feel that it is very important that you as residents stay informed of what is going on in and around our neighborhood. Along with these two goals, I would like to get out and meet the residents of BPW.

A Publication of The Benton Park West
Neighborhood Association

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BPWNA 2005 Board Members

Vice President- Bill Byrd

Hi. My Name is Bill Byrd. I live at 2645 Wyoming Street in Benton Park West (BPW). I have lived in BPW since March of 2004. What a terrific place to be.

I am 41 years old and have a 10-year-old daughter. I was born in the Saint Louis area, but did not grow up here. I returned to Saint Louis over eight years ago. My experience in organizations began during college as well as later sitting on the board for the West Central Neighborhood Association in Springfield MO. Much like BPWNA beginnings, that neighbor-



hood had few options to ensure that there was growth and that the City LISTENED.

In the years that I served on that board, the neighborhood saw substantial change in beautification and safety. Street lights that had been neglected were replaced, streets were repaired, grants written for flowers and plantings are only a few of the improvements that the neighborhood association was able to accomplish. One of the best results the neighborhood received was having the payphones at a local 7-Eleven changed so only outgoing calls were allowed...no incoming calls. This, overnight, moved out an issue with prostitution.

Since being in Saint Louis, I have lived in Tower Grove East, Bevo Mill area, and now BPW.

In addition to serving on the board of CHARIS - The St. Louis Women's Chorus, I accepted the opportunity to be the BPW representative to the City Weed and Seed Steering Committee. This committee is so beneficial to our city and orchestrates the governing of the individual Weed and Seed activities in the neighborhoods.

Come to the Weed and Seed meetings the second Thursday of each month and meet the men and women who put their lives on the line for you...daily.

Secretary-Eric Winters

My name is Eric Winters and I moved into 2630 Arsenal this past summer. I work as the production director responsible for graphic design in a small publishing company in the Central West End. I currently am attending University of Missouri - St. Louis, where I am completing his Masters



in Public Policy Administration. I am looking forward to serving as secretary of the board, where I hope to enhance communication throughout the neighborhood by improving the neighborhood website, creating a neighborhood email list serve and providing meaningful communication between the board and the neighborhood residents. In addition, I will be assisting with the further development of the neighborhood community garden.

Treasurer- Linda Hennigh

My name is Linda Hennigh and it is my pleasure to serve as Treasurer for the Benton Park West

Neighborhood Association for the year 2005. I moved to St. Louis in 1984 after embarking on a new career in computers. After living in West County for five years and South County for 15 years, I finally



fulfilled my dream of city living and moved to my home on Oregon in July, 2004 and have spent the ensuing time learning the city ways.....alley cleanup, what is a NSO, don't park in front of the house on first Monday of the month..... I have worked in the computer department for an excess worker's compensation insurance company in the Westport Plaza area for 16 years and am presently the Director of Business Application and Development and am also responsible

for the Help Desk and Operations. I have one son, a Civil Engineer, who lives in St. Charles and one daughter, a processor for a title company, who lives in Denver, Colorado. I am an active member of Peace Lutheran Church in Lemay, member of the choir, publicity chairman for the annual Boar's Head Christmas Festival and the annual Chancel Choir Trivia Night fundraiser. I am excited about the upcoming year and look forward to serving the community to the best of my ability.

Important Contact Information to Remember



There's good living
in BPW

Benton Park West Neighborhood

P.O. Box 18671
314-771-0803

Board Officers:

Chad Johnson, President 314-776-4447 (h)

BPWNAPres@yahoo.com

Bill Byrd, Vice-President 314-776-4447 (h)

BPWNAVP@yahoo.com

Linda Hennigh, Treasurer 314-771-2161 (h)

Linda_hennigh@yahoo.com

Eric Winters, Secretary 314-776-6022 (h)

Wintere@mac.com

Board Members:

Donna Dorsey, Communications/PR Chair

d_dorsey4@yahoo.com

Alderspersons:

Ken Ortmann 314-622-3287 (w) 314-776-0161 (h)

Craig Schmid 314-589-6816 (w)

Jennifer Florida 314-776-2890 (w)

Barb Potts, NSO 314-773-0532 (w) 314-397-1091 (c)

Crime Prevention/Police:

Emergency/Drug Activity 911

Non-Emergency 314-231-1212

Weed & Seed 241-COPS

Third District Captain 444-0125

Housing Concerns:

Problem Property Officer 314-622-3600

HOTLINE 314-444-0185

Citizen Service Bureau 314-622-4800

"Fixer-Upper"

welfare and convenience of the inhabitants of the City or a substantial part thereof."

There is also a minimal requirement that the property is used for two or more qualifying offenses within any six-month period or the offense is one which is punishable by imprisonment for one year or more.

Now, that's how the law defines nuisance. Practically speaking the hearing officers (more about this later) look for prostitution, illegal gambling, and drug possession or sales tied to the premises. Assaults, flourishing weapons, and murders also count. But, it seems from my experience that you would have to have a whole lot of loud music or parties, public drinking or urination, or disturbances with police reports to get beyond the specific list of nuisances in the ordinance. The requirement of two offenses within a six-month period is just a basic minimal requirement.

What Happens When There Is Nuisance Activity?

(Tree falls in the woods and no one hears it....)

It isn't nuisance activity unless someone is disturbed by it. That is normally tracked through 911 or 231-1212 police call for service, because Citizen Service calls are anonymous and there is less ability to track and confirm them. So are 241-COPS calls, calls to Captain Magnan (444-0125) or to any other police officer, NSO or aldermen, etc.

It may be helpful to call all sorts of people and entities, but they are helpful for other strategies. Those calls will not help us to build a nuisance property case. **It is important to call 9-1-1 or 231-1212** (known as police calls for service), **log your nuisance calls, then call your NSO and your Alderman to let them know you are concerned about the property and committed to calling in the nuisance events.** The NSO and Alderman can request that

the property be considered for nuisance designation for purposes of tracking police calls for service. There was inaccurate information provided in the media that buildings could be shut down for a year under the nuisance law, if there were 3 calls to the Citizens Service Bureau. That is false. There used to be a provision for tracking calls for service on a property if CSB received 3 calls from "unrelated" persons or if requested by an NSO or Alderman. At one time there was even a petition process that theoretically did not require police calls for service (911 and 231-1212). Practically speaking, however, the time requirements were two onerous and many neighbors were unwilling to go on record by signing a petition. So, now it's simple: Call 9-1-1 (emergency) or 231-1212, and then call your Alderman and NSO to make sure that they can begin tracking the address as a nuisance property.

Continued on Page 5.

“Fixer-Upper”

How Are The Owner And Tenants of the Property Notified?

Once there are sufficient calls for service, or "whenever the Director of Public Safety reasonably believes that any premises constitutes a public nuisance", the Director of Public Safety send a certified letter to the person or entity listed as the owner or person who controls the premises. The notice advises that a nuisance exists and identifies reasonable abatement measures that must be taken within 30 days. A copy of the notice is also posted on the premises.

Possible Penalties and Next Steps

Historically 85% to 90% of all nuisance situations are abated within 30 days following the notice. However, some property (and owners/managers of property) are repeat offenders.

Under the current City Ordinance 66181 which amended the previous nuisance law of the City of St. Louis, the tenant (or anyone else) who "engages in, encourages or permits an illegal activity {defined in the ordinance}.... to occur....after the date of posting of the notice" is subject to "a fine of not less than \$200.00 and not more than \$500.00 for each offense." An owner or manager of property can also be fined. It is most likely that this penalty would occur after the 30 day abatement period elapses, unless the owner or manager is actually engaged in the nuisance conduct.

Possible Penalties and Next Steps

A. New Fine Provision

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B. Meeting to Reach Consent Agreement

Sometimes the activity continues and there is a perceived need to meet with the property owner to help craft some more specific suggestions to abate the nuisance to offer tools such as tenant screening and property management. These meetings are ordinarily held at a police station, and the property owner, a City Counselor, NSO, police officer (usually dealing specifically with nuisance properties), and sometimes a MAP (Management Assistance Program) representative and Alderman attend.

The goal is an agreement about what measures the owner or manager will take (sometimes with assistance from others to abate the nuisance).

Administrative Hearing and Possible Closure

Occasionally there is a need to conduct an administrative hearing to order action by the owner of a nuisance property. The hearing is conducted by a hearing officer, who is appointed by the Director of Public Safety.

Sometimes there is testimony from police officers, neighbors, NSO's. Aldermen and others with information regarding the extent of the nuisance. The owner of the property may also testify and call witnesses.

If the administrative hearing officer concludes that there is proof of a nuisance by a preponderance (more likely than not) of the evidence, then he/she can issue an Order of Abatement "in light of the magnitude of the harm caused by the nuisance, the value of the property, and the extent to which the {owner} has failed to take effective measures to abate the nuisance."

The order can require such measures to prevent the recurrence of the nuisance as installing security lighting, making improvements to the property, hiring security, appointing a receiver, initiating eviction, and closing and securing the premises for up to one year.

Observation Check List

Identify the specific address of the nuisance property. It is recommended that you draw a chart of boxes that represent addresses on your block and on the other side of your alley when no problem is occurring. Then fill in the boxes with the appropriate address. Then, when a situation occurs, you can count down the number of houses and look on your chart to see what address is involved. This very important.

You might also consider having work addresses and home addresses of nearby neighbors, so that you can call 9-1-1 in an emergency and alert your neighbor to problems as well.

- Describe in detail the nuisance behavior. For example, a bunch of people standing around is not considered a nuisance, but if they are noisy, block the sidewalk, wave down cars, etc. then there is a nuisance.
- Describe the persons involved: height; weight; gender; race; age; hair color and style; facial hair; markings, tattoos; earrings, rings, or other unique identifiers; clothing; name or nickname (if known).
- Tell your NSO and Alderman the time when this behavior most frequently occurs, if there is any pattern.
- If there is suspected drug activity, how do the transactions occur (on foot, by car, signals, travel routes, look-outs, drug storage locations, etc.), and where do they occur (in the street, alley, on the porch, in the house, at the car)?

No matter what tool you use, it is helpful to keep a log of what happened with details, including dates and times. Also, include when you called, with whom you spoke, and what was the result.

Thank you for all of your efforts to make the Benton Park West Neighborhood the very best it can be. I encourage you to be active in the Benton Park West Neighborhood Association and on your block.



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Association
P.O. 18671
St. Louis, MO 63118
Phone: 314-771-0803

Reminders

BPWNA Board Meeting: 1st Tuesday of every month at 2716 Pestalozzi

BPWNA Community Meeting: 3rd Thursday of every month 2740 Arsenal, Salvation Army

Bulk Trash Pick-up: 2nd full Monday of each month

Membership dues: \$12 a year per household due in January

\$ 6 a year per household for Seniors
\$ 15 a year as business owner

Weed & Seed Mtg: 2nd Thursday of each month at 2740 Arsenal. 6:00 pm

3rd District Public Affairs Meeting: 2nd Thursday of each month at 2740 Arsenal. 7:30 pm *(Following the Weed & Seed*

January 2005

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5	6	7	8
9 <i>Bulk Trash Pickup Week</i>	10 <i>BPW BOARD MTG</i>	11	12	13 <i>W&S Public Affairs</i>	14	15
16	17 <i>MLK Jr. Day</i>	18	19	20 <i>BPW Neighborhood Meeting</i>	21	22
23	24	25	26	27	28	29
30	31					

February 2005

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1 <i>BPWNA BOARD MTG - 7p</i>	2	3	4	5
6	7	8	9	10 <i>W&S - 6p 8th Dist - 7:30p</i>	11	12
13 <i>Bulk Trash Pickup Week</i>	14 <i>Valentines Day</i>	15	16	17 <i>BPW Neighborhood Meeting - 7p</i>	18	19
20	21	22	23	24	25	26
27	28					

Were on the web:
<http://stlouis.missouri.org/bentonparkwest/>