

# No Standing News

Since we have no standing, we stand with those left standing

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## Bend Over Rolla

"If the TIF proposal along Williams Road falls through, you can kiss future development in Rolla good-by." – John Petersen, RDN "Special report: TIF" 10/26/03

In other words, if Rolla doesn't follow **John Petersen's** orders, we're doomed. This was just one of Petersen's exaggerations quoted in the RDN Sunday four-page special report on TIF. This summer Petersen used similar bombastic tactics and doomsday threats to force through the Family Video rezoning and the revision of the pornography and adult entertainment ordinance to make it easy for pornography and strip bars to locate in Rolla. In 'Petersenville' Cash is King and so is John Petersen.

The most striking thing about the four-page special coverage of TIF was what was missing. Missing were interviews with members of the city council, those elected officials who meekly voted last December for Petersen's TIF resolution, the document that started this but which carefully left out the parts about condemnation of private property, stealing county and school taxes and the city's TIF debt. Petersen, it appears has become the council's mouthpiece; he speaks for our elected officials. The city council voted for a complex process they didn't understand and then stepped back and let **Kaplan Co.** and Petersen go after their own citizens as if the dirty bits of TIF had nothing to do with them. The people whose homes and property are threatened by this welfare-for-developers scheme are being bullied and pushed around as if *they* have committed some offense. How did the victims of TIF become the villains?

### What did the council know and when did they know it?

The council may have heard about TIF for the first time early this year but Petersen began laying his plans two years ago. Petersen baited the TIF trap before May 2001, when he got the council to pass Ordinance #3449 amending the 1996 City Comprehensive Plan to include eight "redevelopment" and "conservation" areas in the city called the "Highway 72 Corridor Development Plan." Did the council understand then that he was greasing the skids for TIF? They didn't ask before they voted why Petersen was bringing up this oddly specific amendment, "an element" of the 1996 Rolla Comprehensive Plan. Petersen didn't explain in the council meetings when they voted that he was laying the groundwork for tax increment financing, was it explained to them in secret? Did the council know that the "redevelopment" and "conservation" areas described in Petersen's new ordinance conveniently fit identical categories defined in the TIF statute and that having these areas designated in the old City Comprehensive Plan (which never addressed anything like this before) was one key checkpoints to complying with the

TIF statute? On the first page of their Proposal to become Rolla's "designated developer" Kaplan Co. let it slip that they started working on this project *three years ago*, just about the same time Petersen slipped in the amendment to the outdated Comprehensive Plan. Was this just a coincidence?

Illinois has been in the TIF business longer than Missouri so they have learned a few things that the TIF Commission and City Council should heed. A study of 235 municipalities in the metro Chicago area (81 had TIF districts, 154 did not) by the University of Illinois Institute of Government and Public Affairs found that the "cities, towns, and villages that had TIF districts actually grew more slowly than municipalities that did not use TIF." In another lesson from Kansas City (KC has been the state's heaviest TIF user) a city audit last month revealed that their TIF Commission "could not adequately document \$7.3 million of the \$31 million it reimbursed developers for expenses in 2002." The auditor reported that, "Despite previous recommendations from this office...the TIF Commission has not established basic internal controls to safeguard, manage and account for the public dollars for which it is responsible." Management and accountability for the TIF funny money (TIF debt notes) is going to be the responsibility of the city council and the six city appointed TIF commissioners for the next 23 years. Are they ready to keep a KC scandal from happening here? The council finds it difficult to handle the complexities of railroad crossings and nasty dogs. Are they really ready to take on the intensive oversight necessary to manage a 'clean' TIF project or will they leave it all up to Petersen, a Johnny-come-lately who has demonstrated his only concerns are money and remaking Rolla in his image.

**A dangerous precedent.** Many things can be said about Tax Increment Financing, and we've already said most of them. There are many reasons to reject any TIF Plan and all of its crude development 'incentives'; it nullifies voters legal orders as to who is entitled to have and spend their tax money, it's a high-stakes gamble on retailing which has a risky record of sustainability, it's welfare for developers and it's obviously unnecessary at Callen's corner because this 'blighted' area is right smack in the middle of the most vigorously developing area in town. Use of such draconian measures just to "clean up" **Warren Dean's** property as part of the project is not an adequate excuse for TIF. The city has permitted his eyesores for years and could have forced him to clean it up at any time; they just didn't care to tangle with

Dean or any of the other property owners and slumlords in Rolla who let weeds grow and buildings deteriorate.

If all of the above is not enough there is one final reason why TIF is a bad idea. TIF, the meat axe of civic development, sets a bad public policy precedent and the willingness to use it says something ugly about the civic culture in Rolla that all the OATS plays and art shows can't camouflage. TIF signals that we have a government willing to sell their constitutional power of eminent domain to any huckster who pitches a pie-in-the-sky scheme to generate revenue to feed the city's appetite for spending and building instead of budgeting and cutting expenses. The right to exercise eminent domain is a constitutional power that was intended for 'taking' private property only for legitimate and necessary *public purposes*: roads, utility easements and public buildings. Government seizure of private property to subsidize a private developer is a perversion of that constitutional power. Once city hall sets the precedent no one's property will be safe except of course, those who live in the more affluent parts of town. Would a Git 'n Go give the city more taxes than you're paying on your home? If so, you may be the next to go.

If Petersen gets this one it won't be the last TIF in town. He's already mapped out more TIF districts in his 2001 amendment to the Rolla Comprehensive Plan and they will all require condemnation of private property. Once they set the precedent other developers will line up (unless Kaplan Co. is again the only one in line) to get the city's condemnation gun to hold at the head of other hapless homeowners. Is Rolla's city government capable of resisting the temptation to use the TIF meat axe again and again? Is Petersen?

**Fruit of the Poison Sugar Tree.** The Missouri Attorney General is investigating Sheriff Blankenship and his merry band of men. From about 730 cases examined the auditor says, "*For most of the cases the Sheriff's department could locate neither the property item nor documentation of the property's disposal.*" They 'lost' the evidence from "most of 730" cases? Blankenship claims he conducted an internal investigation and says he demoted the property custodian for 'losing' all these drugs, guns, money and other seized property. Since his first term in office state audits have hammered Blankenship for serious mismanagement in fact, Blankenship was reprimanded for this same failure to secure drugs, guns and money in the 2001 state audit. He keeps getting reelected because voters don't read audit reports they read the Sheriff's self-promoting publicity about his big drug seizures from the Sugar Tree drug trap. He always claims he is protecting Phelps County citizens from all those tons of drugs even though the drug mules he arrest say they were on their way to the lucrative drug markets in large cities. After one big haul we calculated that if that shipment really was intended for sale in Phelps County it was enough to keep every man, woman and squirrel in the county high for two years. While Don's Merry Men were 'volunteering' at Sugar Tree Road stakeouts instead of patrolling county roads our locally owned and operated meth factories have flourished.

The report says our circuit judges finally appointed a special investigator (the AG's office) but they did this only

after 730 cases jammed up their docket with no drugs or guns to use for evidence. They've known about this at least since the 2001 audit. What was their excuse for doing nothing as evidence was 'accidentally' destroyed over 700 times? Those same judges and the Phelps county prosecutor are supposed to supervise and verify the destruction of seized evidence only after the court cases are finished. Weren't any of them curious why these cases were piling up or being dismissed for lack of evidence?

**He couldn't find their address?** On October 21, the RDN printed a letter from a woman who told a pretty awful story about being roughed up by members of the Rolla Police Department and pepper-sprayed as a result of a call for medical assistance. If true, something must be done about it. No one sick or mentally ill who needs help should be treated that way and no one reading (and believing) her account should be left to fear similar treatment if they have an emergency. **Bill Morrison** followed up her letter by interviewing **Chief Pikka** who said, "from everything I've read" (the officers reports) the use of pepper spray was justified because the woman had a knife. The problem with "internal investigations" is that they have been used and abused so often at every level of government (such as Blankenship's internal investigation of the property officer who 'lost' the evidence from 780 drug cases.) that no matter how honest an internal investigation might be it always sounds like a cover-up. Morrison's excuse for interviewing the Chief of Police but not **Mrs. Geren** or any witnesses was that the Geren's address and phone number "was not listed in the 2002 Rolla Regional telephone directory distributed by Sprint." Morrison, newly appointed member of the Police Personnel Board couldn't get this public information from Pikka during the interview? The RDN claims they have a strict policy of not printing letters unless an address is given and verified. Why did they print the Geren letter without an address? She gave her email address, how hard could it be to contact her?

Unless the Geren's file a lawsuit this is where it ends – readers are left to pick which side they prefer to believe which is a disservice to the community and everyone involved in this incident. Morrison's 'news' story only succeeded in providing a demonstration (much sooner than we anticipated) of conflict of interest or bad reporting or both. The community shouldn't have to rely on reporters (whether they're tied into city politics or not) to sift out the facts and resolve the serious questions about public services and the reputation of public employees based upon "he said/she said" newspaper articles.

You might assume that there is some mechanism of city government that will conduct an impartial investigation into these allegations and either clear the cops of the taint of police brutality or discipline them if they are guilty of it, if that's what you assume you must be thinking about some other town. You might also assume that the Police Personnel Board\* Morrison is now serving on would take up such issues on their own initiative or upon a complaint by a citizen, (in this case Mrs. Geren's public letter) and that they would investigate, report the facts and make recommendations for

discipline or improved procedures if needed. Wrong again. The Police Personnel Board isn't authorized to do that. City ordinance #33-36 allows the Police Personnel Board to hold a personnel hearing *only if an officer is disciplined or fired*. If an "internal investigation" excuses the employee(s) and no officer needs to appeal being fired or disciplined for misconduct that's the end of it. Even if there was police brutality or excessive use of force nothing will happen.

Rolla city government has no public process for 'clearing the air' when situations like this arise, no way for citizens to have their "day in court" unless they actually go to court and sue someone. That's a shame because if a reputable group could address problems early there might be less suspicion of the police and fewer lawsuits against the city. It's also a shame that there is no way for the public to form their opinions other than letters to the editor followed by a "news" story by a reporter (who sits on the relevant city board) consisting of only one interview with a department head who "investigated" by reading his employees written version of

their own conduct. Could anything look more politically incestuous than that?

There are those who desperately want to present Rolla to the world as a big, grown-up city ready for big time development. They try to accomplish this by sweeping as much under the rug as possible, by maintaining a high volume of "good news" propaganda and by using every method they can think of to throttle dissent, disagreement and public debate. Their immaturity, the "us" and "them" mentality, is exactly what has stunted Rolla's growth. A little town that can't admit it has the normal share of civic problems and deal with them honestly - even if it hurts a bit, a little town that pretends everyone "speaks with one voice" and allows only the elite to participate is just a little town and will always be just a little town no matter how big its pretensions. Rolla's problem isn't 'negativism,' Rolla's problem is that it's choking to death on secrecy, pretense and an excess of phony 'positivism.'

## The Tattered Blue Ribbon

**The new bedfellows.** The school board's latest achievement is their new 'partnership' with the city. They get a new driveway paved at Mark Twain and in return they give away years of school taxes to the city's TIF. At the October 16<sup>th</sup> school board meeting **Terry Adams** and **Keith Strassner**, the board's representatives on the TIF Commission, expressed reservations about being involved with condemning property and the loss of taxes for the district. They asked for guidance from the board on how they should vote as TIF Commissioners and whether they should try to get the city to give them back a little of the millions in new property taxes TIF will confiscate. They even advocated the whole board going to the city council to protest TIF. This is a policy decision they should have voted on ten months ago as most school districts that are not brain dead file a lawsuit at the first hint of a TIF tax raid. **Annie Bass** quickly shut off this heresy with a stern warning that they should be "very, very careful" about not cooperating with the city. "*This is the first time we have been asked to participate with the city.*" Bass admonished them and **Dana Rapier** agreed. Apparently being invited to the party carries such status in their minds that it is worth whatever sacrifice teachers and students must make while hundreds of thousands of school tax dollars are siphoned off by the city's TIF project. No one wants to see the city and school board at odds, but cooperation when there is an equal benefit for both constituencies is quite different from selling out the school district's best interests - years of property taxes - to get a road paved and be on the city's "A" list. That isn't a "partnership" it's caving in. They weren't elected to the city council; they're supposed to put the school district's interests first.

**In defense of Bill Morrison.** A mother of a child classified by the school system as LD or "learning disabled" upbraided Bill Morrison for disparaging comments she believes he made

in his September 3rd article about LD students bringing down the RHS scores on the new federal academic standards. In all fairness we find it necessary to defend Morrison - in this one case. It is highly improbable the opinions, statistical information and critique of the federal standards (used in the article to explain away the inability of our MAP tests to meet an Annual Yearly Progress requirement of only 1% for President Bush's "No Child Left Behind" initiative) originated with Morrison. Morrison's depth of knowledge about the Rolla educational system doesn't extend much beyond passing along pre-election "for the children" stories about how outstanding the school system says they are. (His brief attempt to editorialize on the MAP curriculum discussion at the October 16<sup>th</sup> school board meeting is a case in point.) The harsh comments disparaging LD students that outraged this mother and other readers didn't originate with Morrison, they came straight from the horses' mouths that were repeatedly quoted in the article, **Superintendent Adams** and **Asst. Superintendent of Curriculum Jerry Giger**.

The only "taint" in this situation was in the comments by Adams and Giger, laying blame for the failure of RHS students to meet "adequate yearly progress" at the door of LD students. They know that starting with kindergarten registration they try to identify as many children LD and/or "At Risk" as possible (even premature birth or having divorced parents can qualify a child for the "At Risk" label regardless of I.Q.) because they get more money from the state for them; *LD students are cash cows!* They work the LD angle for money and now use them as scapegoats. The only ones "tearing down" this school district are administrators who blame LD students instead of accepting responsibility for their own work.

**Their Solution? Lower the bar.** Even if you give them that the federal standards may present a ‘skewed picture,’ even if you give them that the last five-years of the much ballyhooed and expensive MAP tests may be a ‘flawed’ measurement; then we have to ask this question: What the hell *is* a good measurement and what have state taxpayers been wasting \$2 billion on all these years? Giger said, “*We’ve kind of set the bar or criterion level a little bit high.*” That was a hint that their solution will be to lower the bar on the state MAP tests to artificially show more improvement when there hasn’t actually been any. The same hint came right from another horses orifice - **Kent King**, former Rolla Superintendent now Director of DESE. On August 26, two weeks before the rest of us were let in on the news that the Rolla schools were among the half of schools in Missouri that had failed to meet the “No Child Left Behind” criteria, DESE had already posted a whole list of “talking points” (excuses) about the poor AYP scores for panicked Superintendents to use and it proposed the same solution. “*The achievement level definitions (nearing proficient, proficient, advanced, etc.) that are now used with the MAP tests will likely be adjusted and realigned when the annual tests are implemented, starting in the 2005-06 school year.*” In edu-speak “adjusted and realigned” means they will water down the definition of “proficient” so more students become “proficient” even if they’re not. It remains to be seen if our state legislators will go along with this wholesale public fraud. If they do, the price will be paid – not by our ‘experts’ in education who move the goalposts – but by unsuspecting students, parents and taxpayers who trusted these ‘professionals’ to design and deliver quality public education and be able to prove that they were doing it.

**The Valedictorian Parade vs. “Subcategory” Students.** The crowning slur in the article was the crack that these “subcategory” ethnic and “reduced lunch” students were “*not*

*expected to perform, nor are they capable of performing at the same levels as students who, for example, are contenders for valedictorian and salutatorian.*” This offensive judgment came from two administrators who just presided over graduation where, in a public demonstration of educational hypocrisy, there were 10 valedictorians and 11 salutatorians! This annual farce is their example of the high standards that “subcategory” children are not expected to contend with? The word “valedictorian” is defined as “the one best.” The reason we have large flocks of “the one best” every year is because a 4.0 GPA in Rolla’s education ‘lite’ counts the same as a 4.0 in advanced chemistry and math. The annual parade across the graduation stage of a baker’s dozen of “one bests” is another public relations stunt like the “Blue Ribbon” and Gold Star” awards; marketing gimmicks that have nothing to do with proof of academic excellence. The Valedictorian Parade is proof of the dumbing down of our educational system and years of capitulation by school boards who have thrown out tough academic standards to cater to the progressive “self-esteem” crowd - educational faddists who believe that everyone deserves an A for effort and that all A’s are equal.

On October 16<sup>th</sup>, caught with his MAP scores and AYP measurements around his ankles, Assistant Superintendent of Curriculum Giger armed with charts and overheads attempted to explain to the board the failure of our math curriculum to meet these standards. What was the conclusion of our highly paid curriculum expert? He has no clue.

For now, Superintendent Adams said in the RDN interview, Rolla Schools will “try to do better.” After the generous raises he recommended for himself and his administrators this year, just “trying” isn’t good enough. This spring they will again hand out awards to a parade of “the one best” in the graduating class of ’04 - evidence that they haven’t really “tried” or that they tried and failed?

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**State Audit of Phelps County** at: <http://www.auditor.state.mo.us/press/2003-98.pdf> (download of the full audit is very slow)  
**Rolla Police Personnel Board members: Bill Morrison, Judy Jepson, Caroleen Farrell, B.B. Turley, Ron White, Dennis Noel.** Terms: 4 years, meets only when called.

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