

# No Standing News

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

Volume I

Number 67

August 25, 2000

## WHAT WE DID ON OUR SUMMER VACATION

Oh, never mind what we did. It wouldn't hold a candle to the fun the Rolla City Council had this summer. If you've been off on your summer cruise or distracted with pleasant summertime activities, here's the council's summer in brief. In our summer research (that's how much fun we've been having), we have turned up information about important subjects that have been left on the council floor: things they hoped would go unnoticed and unreported and which largely have gone unnoticed and unreported.

**Don't Ask - Don't Tell:** Not a word was said about the boil order at Woodcrest Trailer Park, issued on June 21. Woodcrest is partly outside and partly inside the city limits, NOT merely "near Rolla," but... what's a little fecal coliform bacteria in the drinking water here and there: Rolla had bigger fish to fry this summer.

**Shining Palace on the Hill:** The other AWOL subject was the Recreation Palace. In June, after seeing that the project was still over budget, the council sent the developmental design plans back to whatever dark place it is that these plans fester and grow between meetings. With vague mumblings of "do something" - the council's executive direction to whomever it is who has been "doing something" with the plans since the Recreation Committee was terminated last fall - the plans sunk

beneath the swamp again. The agenda for the Monday, August 21st meeting had six "Rec Center Issues" listed. We have included a couple of highlights of the discussion later in this report.

**June 19, 2000:** The city council tackled the thorny issue of our local "Trash Criminals." The council fell on this burning question with a vengeance and wasted a lot of time fantasizing about how to punish citizens who leave their rollout containers at the curb longer than the council's law allows.

This serious/comic discussion ended in a whimper when the Mayor pointed out that there was no consensus.

**June 28, 2000:** The Missouri Municipal League Workshop for elected officials was held at the Meramec Regional Planning Commission in St. James. Late, but as promised, here are the results of the "**Laziest Public Official of the Year 2000 Awards**". They are (drum roll) EVERY ELECTED and appointed official in Phelps County EXCEPT the following: Councilpersons: **Matt Williams, Don Brown, Don Barklage, Aarne Visnapuu, Ed Rothwell, Charlotte Wiggins, Don Brown and Mayor Joe Morgan**. Also attending from Rolla: **Cheryl Goltz**, Rolla Public Library, and **Jean Ann Matthews**, Chamber of Commerce. Rolla School Board and Phelps County Hospital Board members were notable by their absence. We were interested that Jean Ann Matthews, the new Chamber manager, attended. Good for Jean. Was it just intellectual interest or has she already figured out that certain Chamber board meetings, minutes and records are now

open to the public because the Chamber of Commerce takes tourism tax money?

After goading members of the city council to go to this workshop, we were semi-sorry we did. The Missouri Municipal League sent Richard Sheets to "educate" them on how to comply with important issues of municipal government. His information was about 85% accurate, but among his advice on the Sunshine Law were these gems. **The way to discourage "pesky" citizens from asking for public information is to tell them it will cost them \$150 - that will keep them away.** He also "warned" the public officials in attendance that Jean Maneke, attorney for the Missouri Press Assn., has been conducting Sunshine Law Workshops across the state. From his tone it was obvious that MML resents anyone who provides the public with information on the Sunshine Law that does not follow the MML party line. The Mayor really perked up when Sheets said that, with the exception of zoning hearings, citizens "...don't have a right to speak at council meetings." Now we're talkin' - Morgan style. Sheets has apparently never actually sat through a council meeting where motions are made to sell all the city's assets or where a law is being passed which has not had the required public notice and thus violates constitutional due process. But... what's a little due process lost here and there?

Well, one must consider the source. The Missouri Municipal League salaries are paid by dues from their member cities like Rolla. They are hardly going to take the public's side in an open-government issue, even though it is the public that pays their salaries. We were, however, appalled that MML panders to the

prejudice of its elected members to the point of **giving advice on how to break the law.**

**July 5, 2000:** As reported to you in NSN #66, this council meeting established a new low in legislative comedy when Councilman Lou "The Auctioneer" Magdits put the entire city up for sale - a ploy to leave the backdoor open for a late and illegal bid for Buehler Park. We couldn't have made that one up if we had tried.

**July 17, 2000:** The SplashZone financial report for June was released. In his usual inept management fashion, Kwantes managed to clear only about \$1,000 during what should have been their peak revenue period for the new facility. If this is the financial best the Birdbath can do, the Parks and Recreation deficit is going to hit a record high this year and every year thereafter. The new facility ended their opening month with this low revenue number in spite of the fact that marketing experts Annie Bass and Councilperson Charlotte Wiggins spent nearly \$7,000 of city tax money to give this "non-swimming" swimming pool a big advertising send-off. New enterprises reap their biggest returns from their "newness" in the first three years and decline thereafter. Could the Birdbath flop have anything to do with their brilliant business strategy of reducing the user group to eight-year-olds and by eliminating swimming and diving, an activity enjoyed by all ages? Could it have anything to do with charging Mom and Dad \$3.50 to come inside to sit in their street clothes and supervise their own kids?

**August 7, 2000:** At this meeting, without missing a beat, the city council followed up the sale of the city by making Lowe's Hardware pay \$8,960 because they aren't putting in a playground on their parking lot. The city council made a bad joke of itself again with a combination of an old park/subdivision ordinance and their chronic inability to exercise good judgment. John Petersen, Community

Development Director, misinterpreted the ordinance to give it a meaning that was not intended by the original clumsy writers of the text. Petersen dressed up the rationale for soaking Lowe's with an explanation the council couldn't understand, a sure way to get the council to pass something without thought or question. You may have noticed that Rolla ordinances contain few, if any, definitions of the terms that they casually toss around. When the "neighborhood park or money" ordinance was written many years ago, they used the term "subdivision" as a noun but didn't explain that it meant only **residential** subdivisions because, at the time and for decades since then, everyone knew that's what it meant. Petersen, a newbie, read it as a verb, as in "to subdivide," and by catching Lowe's in a technicality, extorted money out of the business for not putting a children's playground, plunk! in the middle of their parking lot. Only one council member, DeFriese, protested what was clearly an error in judgment, a deficiency in the ordinance and an absence of common sense. But the council refused to waive the charge, and so Rolla wound up looking like a hick town again.

**August 14, 2000:** At last, a special city council meeting was called to discuss the recreation center and the related Ber Juan pond and dam project. The meeting was cancelled without an explanation. How's this for an explanation? The project is over budget, the hospital won't subsidize the project with either construction funds or a \$500,000-a-year rental for use of an office and a bogus "therapy" pool, the building is located in the wrong park, and they can't find a new recreation director who is willing to work for a city that puts all its assets up for sale. Best of all, the long-overdue soil samples indicate there may be one or more SINKHOLES under the site. The only disaster that hasn't yet afflicted this ill-conceived project is crop circles.

One other small problem with the recreation project might be that the projected financial cost of running this

grandiose palace (\$1 million a year in salaries and overhead) will wipe out a very big chunk of the annual street budget if paying customers stay away from it in droves as they have from SplashZone. The only real revenue generator they had in the early stage was a big, deep, six-lane indoor pool where people could swim and dive and where the Rolla Fins and the schools could have swim meets. The interested public (interested, that is, before they figured out that they were fighting a put-up deal) said that's what they wanted. So Moorkamp, Magdits and Morgan, in their superior wisdom, eliminated what people wanted in favor of a skimpy, four-lane, shallow lap pool and an indoor version of SplashZone.

**August 21, 2000.** At this meeting there was still no financial report for SplashZone for the month of July. No figures have been given since the June report. The council said they wanted regular reports from Kwantes on attendance and the financials; Butz promised they would have them. Kwantes, of course, doesn't follow orders from the council or Butz, so there has been no information since June. Butz, the City Administrator who just got a raise, doesn't seem to be capable of making one of his department managers hand in reports on paper.

**The City Fitness Center.** After a whole summer of silence there were some reports on the status of the Recreation Palace project. We thought a most-interesting detail of this version of the plans was the budgeted amount of \$209,000 that will be spent on exercise equipment. Councilman DeFriese tried to discuss it, but got nowhere. He said, **"We told the local businesses that run these fitness centers that we weren't going to be in business with them. Well, we were exactly right. We're not going to be IN business with them: We're going to put them OUT of business!"**

Early in the "dreaming stage" when people thought they actually had

something to say about what would go into the center, Rolla's fitness center business owners hotly protested the proposed plans for an exercise component. They objected to having public taxes used to subsidize their competition. A good point. To quiet their opposition, the council passed a resolution on January 4, 1999, which stated in part "...the projected facilities are to fulfill an unmet need within the area." They lied.

### **The Sinking of the Sinkhole Report.**

The other interesting information at this council meeting was the Furman report. Frank Furman, a registered geologist, has researched the geology of Ber Juan Park and gathered some impressive evidence that there may be sinkholes and other geological problems with the recreation center site. He sent the report to John Butz on July 10th. Butz did not pass Furman's report and his recommendation for further geological examination on to the city council. Instead Butz sent it to Elgin, Sverdrup, Hargis and Kwantes - four reliable "sinkholes" for a subject that Butz hoped would not be discussed in public. When Furman appeared at this council meeting and re-emphasized his concerns, the council members' reaction was . . . nothing. Butz suggested having Elgin Engineering come to the next council meeting to report to the council on this issue. Morgan had a better idea: get a letter from Elgin. If you can lose one letter you can lose two.

The council lost control of all decisions about spending the \$11.7 million from the beginning. They know they are heading for another financial (and possibly a geological) disaster but they don't have the guts to admit they have made big mistakes, stop it now and do it over. If another Krakatoa erupted in the middle of Ber Juan, the council wouldn't know how to stop this mega-million-dollar juggernaut. The "Business" Mayor and his friends are in charge, and the last thing they want to deal with are facts.

Here's a variation on the old Bean Jar Guessing Game: How many gallons of water can you put into an indoor swimming pool built on top of a sinkhole before it collapses?

**NSN Pulse Poll:** On the NSN home page <<http://www.rollanet.org/~rwnash/nsn.html>> you will find, in addition to our newly revised page, a PulsePoll. We asked the question the city is afraid to ask: **"Should the City of Rolla sell Buehler Park for commercial development?"** After 30 days and 158 responses by readers, the answer is just what the city council and Mayor Morgan feared it would be: For selling the park - 42.4%; against selling the park - 53.8%; undecided - 3.8%.

**Polling Questions?** If you have suggestions for questions you would like to have asked, just e-mail your question to: [rwnash@rollanet.org](mailto:rwnash@rollanet.org).

---

Views expressed do not necessarily reflect those of No Standing News, nor of its Editor-in-Chief.

---

To receive " No Standing News " by e-mail, free of charge, send a message to [rwnash@rollanet.org](mailto:rwnash@rollanet.org) with the word SUBSCRIBE in the Subject line.

To unsubscribe this list, send a message to [rwnash@rollanet.org](mailto:rwnash@rollanet.org) with the word UNSUBSCRIBE in the Subject line.

---

Editors note: Copies of No Standing News can be obtained free from the Rolla Public Library who is a subscriber, and from Mail Boxes Etc Of Rolla Also visit our web site at: <http://www.rollanet.org/~rwnash/nsn.html>

---

I encourage distribution of " No Standing News ."Please feel free to copy and distribute any issue.