

# No Standing News

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

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## MORGAN's NEW WORLD ORDER

• The Sodomy Connection • St. Robert cleans house • TIF tax windfall disclosed • TDD the next step - more debt, taxes and roads • Bumpouts block Library access – time to get out of Dodge

**The Porn Ordinance:** “All of us in this room want to keep porn out of Rolla...but...”—**John Petersen**

**It's his 'but' that counts.** The morning after the June 16, Rolla City Council meeting the RDN story didn't include the news that the council had the first reading of Petersen's revised porn ordinance. Given the RDN pro-pornography editorials (“let the free market, capitalist system work”) and their adolescent sneering at local Christians and concerned parents who oppose Family Video and pornography, it was not surprising they spiked the ‘news’ that Petersen is now urging the council to reduce the porn quarantine zone to a minimal 500’ from the current 1500’ limit to help sex merchants get within a block of churches, schools, parks, residential areas and other ‘adult’ businesses. Postponing the porn ordinance story till Wednesday was a tactical necessity because just below Tuesday's the incomplete council report was *the chilling story of a little local girl, only 12 years old, who has reportedly been sodomized by a 30-year old man.* This happened right here in Rolla and it happens right here in Rolla far more often than it is reported or prosecuted. Seized from the residence of the man charged with first-degree statutory sodomy, were *pornographic magazines* and computers believed to contain child porn. Will the members of the Council who will vote on Petersen's ordinance on July 7<sup>th</sup>, be able to connect the dots? It is a grisly irony that this crime reportedly happened at the same time Petersen has been urging the council to let down the enforcement barriers to the same so-called ‘adult’ activities that appear have contributed to this contemptible attack on a child. Is this how **Bill Morrison's** “free market, capitalist system” works?

Petersen, who presents his undocumented opinions to the council as if he has suddenly acquired both a law degree and a halo, repeatedly assures the council that if they aren't more liberal with the sleaze merchants “the city might be sued.” New council member **Jim Waterman** isn't afraid to say he isn't swallowing Petersen's unproven opinions or this ordinance. City staff always get what they want if they threaten the city ‘might’ be sued. Lawsuits against the city are no big deal; they invite lawsuits regularly and with far less justification. Being sued for having a tough ordinance to protect children from porn addicts is immeasurably better than being the victim of a pervert whose vile impulses have been given a wink and a nod by city government. Contrary to Petersen's false claims, cities with tough ordinances have few or no legal challenges. Why would the Family Video types bother with an expensive fight against a tough ordinance,

(before a local judge or jury) when there are thousands of cities with weak ordinances to exploit more easily and cheaply? There are a few things in life worth being sued for...this is one of them.

**St. Robert trumps Rolla. A Community Action Team** in St. Robert organized by **Judy Tillet**, is taking action to control the Big Louie's in their community. Their citizens committee includes the **Ministerial Alliance, the School Board President, the Chamber President, two attorneys, a local developer and the Ft. Wood Commandant!** These prominent community leaders finally realized that Big Louie's brand of economic development degrades their community, corrupts their youth and drives out more desirable development and they aren't afraid to risk their social standing to say so. Their counterparts in Rolla on the other hand...

The St. Robert Community Action Team is advocating the same model ordinance provided by the **American Family Association (AFA) Center for Law & Policy**, to force Big Louie and his kind to comply with rigid requirements such as a **1500 ft.** quarantine limit (the one we have had that Petersen wants dropped to 500') and a **10% porn test** for media porn only! The rest have no loophole at all. The Rolla City Council and John Butz were provided with copies of this same strong model ordinance but they either ignored it or no one has the nerve to buck Petersen. On July 7, the council will vote on Petersen's feeble version. There is no doubt about the outcome, Roy Williams wouldn't be under construction if he had any doubts about Petersen's ability to deliver the vote he wants. In a recent article about Judy Tillet and the St. Robert CAT, was this statement from AFA; “*Adult businesses are quickly exiting larger cities, which are passing laws to restrict them, and opening in smaller towns like those in Pulaski County*”. The spokesman added, “*Towns that do not have [strong] laws are at great risk, and should begin the enactment process before a problem arises.*” On July 7, when the council adopts Petersen's porn-friendly ordinance, Rolla becomes one of those ‘at-risk’ towns.

**Chapman runs into the ‘Petersen Fallacy’.** Alfred Chapman wanted to rezone his 10.64-acre property, over by Debbie Castle's multi-family projects from R-1 to R-2 or R-3 so he could build more multi-family dwellings like hers.

Petersen (for the first time) recommended the council deny a request to rezone...surprise all around. Petersen major reason for his opposition was that Chapman's plan only showed one entrance/exit (exactly like the Mayor's subdivision). The council was puzzled. One council member suggested an obvious solution for a second entrance but Petersen still wouldn't budge. Council members offered some other solutions to the traffic and entrance/exit problem but their ideas didn't find favor with Petersen. *"It's irrelevant,"* Petersen, said, *"we would have no way to require he do that, [any of the solutions proposed] unless of course the council wants to require it."* he grudgingly conceded. (The council can't require it, unless they do require it? Typical Petersen circular reasoning.)

Then Councilman Magdits nailed the Petersen Fallacy, *"But you're not providing him a solution though...what you are saying is you're denying him the use of his property..."* Was this a reference to the false arguments Petersen, Beger and Morgan used in the special closed

session just two months earlier to bully the council into *granting* the rezoning request for Family Video? "If you turn down Family Video's rezoning" they lied to the council, "it will be "a taking." "If you deny him the use of his (Roy Williams) property, you'll have to buy it from him," they threatened. With this false premise they got the 9 to 3 vote they needed to pander to Family Video. Now the council was faced with the exact same zoning situation but this time the Rezoning Czar was making the opposite argument to get them to *turn down rezoning* for a local developer. Denying Chapman use of his property was suddenly NOT "a taking." Petersen must have realized that his fallacy was hanging out so he offered this excuse, "I'm not recommending you *deny* him his rezoning, I'm just recommending *that it stay the same.*" With this Petersen gibberish, the council let the first reading proceed. Nine votes will be required to override Petersen's opinion.

## TIF & TDD: the keys to the New World Order

"We will never, never condemn anyone's property." – **Councilman J.D. Williams, June 2, 2002**

After making this emphatic promise, **Councilman J.D. Williams** and the council went into closed session and voted approval of the TIF development proposal from the **Kaplan Real Estate Co.** – the only one they received. Williams surely didn't read the Kaplan proposal because it clearly states that Kaplan intends to use condemnation as one of his very necessary development "tools" and the council (in secret) has now agreed with his plan. We noticed when Williams made his declaration other council members were pointedly silent. Kaplan said that the "development tools" the city must give him included, but may not be limited to, *"TIF, Transportation Development District, granting of eminent domain/condemnation rights as well as others."* A **Transportation Development District (TDD)**, revealed in the Kaplan proposal but never mentioned in open session, is the ugly child that results when a TIF breeds with a Water District. TDD is another "credit-card" statute that development lobbyists and state politicians – the "If-it-feels-good-do-it" crowd unleashed upon unsuspecting rural taxpayers in the self-indulgent '90's, ...but we're getting ahead of the story.

In the last TIF episode, **Jeannie Geers**, attorney for Walgreens developer, **Kevin Guffey, (American Realty and Development Company, Belle, Mo.)** came to the Rolla City Council meeting on June 2, said they wanted out of the TIF district and exposed Rolla's TIF for what we have always said it was, heavy-handed government intervention with flimsy justification designed to rip off other taxing districts to subsidize business development that will happen naturally and more sustainably through private initiative if government butts out. John Petersen has been the TIF "go to guy" and he claimed to be in contact with Walgreens. How did he miss the fact that they didn't want anything to do with TIF? Kaplan claims in the proposal that they have Walgreen's lined up, but

that obviously is not true. Kaplan also claims that they can get Home Depot, Target and Kohl's. Was the idea to hastily form a TIF, have their TIF developer Kaplan get the property from Mrs. Callen and resell it to Walgreens at a profit for their TIF slush fund? The Kaplan proposal, the Walgreens documents and the Walgreen/Callen option for the property filed with the Phelps County Recorder, disclose that Petersen and Kaplan have been secretly working on TIF for three years! That explains why the city solicited proposals with a deadline of only a few weeks when it normally takes months for legitimate development proposals to be prepared. Kaplan also claims that they can get Home Depot, Target and Kohl's.

Guffey, the Walgreens developer, has spent three years preparing the Walgreens project. Without spending public money he has gone through all the due diligence necessary to prepare and close the deal for the Walgreens project. Walgreens will pay for their own building without TIF and they don't want to deprive other taxing districts of their fair share of the Walgreens tax revenues for the next 23 years. Imagine that! Kaplan Co., on the other hand, says they will need about \$14.5 million to do the project which will require city revenue bonds. Kaplan Co. will have their 'private enterprise' subsidized by the taxpayers. The Kaplan Co. emphasized repeatedly they want to be paid "over the shortest possible time period" of time. "But for" the TIF tax slush fund to subsidize Kaplan's expenses, or so their theory goes, Walgreens won't locate in Rolla. But wait, isn't Walgreen's ready to start construction in a month? H-m-m-m, now let's see... what's the better choice, government meddling, subsidies and tax theft; or private enterprise and fair taxation? Gee, that's a tough one.

**The relocation secret.** Despite Councilman Williams loud protests, The Kaplan Co. will use the threat of condemnation,

if not the act itself, to get the property they want. The targeted homeowners and businesses *will not be told that the city must provide relocation assistance for all businesses and residents that are being forced out of owned or rented property and there is virtually no limit to the amount of this compensation.* A TIF'd neighborhood in St. Louis got together, hired a law firm and held up the Galleria project in St. Louis for three years until their buy-out price (well above appraised value) was met. They each got big relocation expense packages and other compensation. The renters and small property owners in Rolla's TIF district have no idea of the powerful leverage they have and no one, certainly not the city or the Kaplan agents, are going to tell them about it or help them negotiate to their advantage.

**TIF missionaries and the Out-state tribes.** TIF developers like Kaplan, having worn out their welcome in the metropolitan areas, moved out to Missouri's dark interior to exploit the isolated Woodland Tribes who don't get much news. The rural tribal chieftains never look beyond the shiny beads and tin pots of the "economic development" missionaries. The Kaplan organization has been involved in St. Louis TIF's. St. Louis, having endured years of project delays, lawsuits and public resistance with TIF projects, is now suffering morning-after lawsuits from the greed-ridden TIF projects of the roaring '90's. "TIF shift," the effect of shifting retail sales from one community to the next or from small local business to the TIF-financed "big box" retailers, has left economic damage in its wake. Blue Springs turned down a second TIF project because they found they couldn't keep subsidizing some businesses and not others. Warrensburg voted against a TIF in 1998 and by 2002 they had all the new businesses the TIF developer had promised and a new Staples to boot – all that without stealing any taxes from their schools or county. TIF is being rejected in a lot of places as people look behind the tinsel and see its long-term failings; Rolla is just behind the learning curve.

**The TIF windfall.** These are the Kaplan estimates for the ANNUAL tax windfall the city will get from the project: **Property Tax:** *"The Rolla Retail Development will generate from approximately between \$205,000 to \$233,000 of new real estate property tax revenue to the City of Rolla, plus additional real estate tax revenue to other applicable real estate taxing districts."* (The "additional" property tax revenue referred to is the small amount the other taxing districts are currently getting from the property before TIF freezes them for 23 years.) **Sales Taxes:** *"The Rolla Retail Development will generate from approximately between \$1,020,000 to \$1,554,000 to the City of Rolla and Phelps County plus additional retail sales tax revenue to other applicable sales tax taxing districts and recipients"* (Nope, under TIF, 50% of all those sales taxes also go to the City of Rolla for 23 years.) That's an awful lot of money for our county and school district to give up without so much as a whimper isn't it? While rolling over for this robbery, the school district is cutting classroom teachers and will soon ask voters for more taxes to make the 69¢ "temporary" levy a permanent tax levy. Well, they have to get into our pockets

over and over again don't they, look at all the new revenues they're giving up without a fight.

**TDD – another Next Big Thing.** While they're doing TIF, the city and Kaplan are also planning to form a Transportation Development District (TDD). A TDD is like a water district for roads usually paid for with *more sales taxes* or other forms of taxation. There are no limits on how big a TDD district can be and it can even extend beyond the city limits. These are its main features: TDD, like a water district, starts with a petition to the Circuit Court. Only residents of the TDD district who are registered voters (or in some circumstances only property owners in the TDD) get to vote. Non-resident landowners, in some cases get one vote for every acre they own, a throwback to the pre-Civil War poll tax. TDD transportation projects can be paid for with a sales taxes of up to 1¢ on retail goods and services in the TDD district, or property taxes up to 10¢ on each \$100 assessed valuation, or property assessments, revenue bonds, private borrowing, etc. The TDD becomes an *independent political entity of the state* just like the city, county and school board (yeah, we need more of those) and has *all the powers local governments have including the all-important power to condemn property*, but here's the snag, the TDD is run like a corporate board not like our so-called representative government. It's easy to predict who the elected-at-large corporate board members will be – the charter members of Morgan's New World Order. The purpose of the TDD scheme is to get taxpayers to pay for Joe's \$6 million road, pay to ram the Hy. 72 bypass through the Ridgeview neighborhood, pay to annex the east side (another area they can't afford to service) and extend Joe's Road to BB Highway so they can finally close up the gap between the present city limits and the Country Club. Land speculators out there have been waiting impatiently for Morgan to payoff and TDD is the way he will do it. We pay more taxes so they can make more money - that's the Morgan 'biz-ness' way. You can read about TDD in **RSMo 238.200-275**. TDD will add another level of ungovernable government, debt financing and taxes. During our recent orgy of adding new school taxes, crime taxes and recreation taxes has anyone checked on whether Rolla has taxed itself out of the market? Are we still the highest sales tax town in the state? Will we soon have the highest cost of living among rural towns in Missouri? Is that a desirable distinction?

**When will Morgan share?** The mayor and council have been illegally discussing all these plans and new public policies in closed session for a long time. Even after the vote on Kaplan's deal (now public record but you'll have to pay to see what's in it) they still are unwilling to disclose what their new development schemes are all about. If TIF and TDD and whatever else they're cooking up in secret is so good for us why isn't the official TIF Commission having public meetings to look over these great new plans? Why aren't Morgan and Petersen having public meetings to unveil their grand new plans to us? Why aren't council members having ward meetings to tell their own constituents how many of them won't have homes and businesses next year and how

much more the rest of us will pay in additional sales taxes to help them dispossess our friends and neighbors?

**Wake-up call for School and County TIF Commissioners.**

Now that it's becoming clear that in one year (if Petersen and the council don't blow the Walgreens deal) just one little 1.5 acre corner of the TIF district will be valued in the millions, the whole TIF district could generate annual sales tax revenues in the millions (and the city could also reap additional millions in TDD sales taxes) – all this without the sacrifice of county, school or disabled taxes - will the school board and county still meekly go along with TIF? If they don't demand that TIF be disbanded now it will be a dereliction of duty to the taxpayers they claim represent and all the people who depend on their public services. It's time the Phelps County Commissioners pointed out to the city that there will be plenty of room in the new jail for the whole 911 dispatch operation and its tax revenues, that the county doesn't really need to be part of the landfill board, that the county could quit collecting the city's taxes for them and the county health department could quit being a cheap stand-in for all the state mandated public health duties the city is supposed to do. There are lots of ways the county could cut 'expenses' to make up for lost TIF taxes. The St. Charles County Commission is challenging the constitutionality of TIF to the Missouri Supreme Court. If they make the right Constitutional argument and win, the TIF house of cards will collapse.

**Bumpouts expose Rolla's attitude toward literacy.** The obnoxious bumpouts at the intersections are bad enough but when they got to the library some anti-literacy fools decided to destroy all but two of the few parking spaces in front of the **Rolla Free Public Library** with a GIANT "pedestrian visibility enhancement." It is nothing less than a statement in

concrete and brick of how little value City Hall and the Chamber of Commerce place on this valuable public resource. To the credit of the excellent librarians we have had - and still have, the library operates quietly, efficiently, with courtesy to the public and does so on a shoestring in a cramped, retrofitted old building it has long outgrown. Having received this concrete sign of contempt for intellectual recreation, (yes, reading is recreation too) it is time for the **Rolla Library Board** and **Friends of the Library** to put down their books and start looking for a new location for the library. Since creating new taxing districts is the city's new fad, it may be time to put a library district and district library tax on the ballot. A spacious new library and new revenue to fill it with books will benefit many more people than a new city hall or Joe's Road.

Other cities have been converting strip malls and other commercial buildings into exciting library/community center/coffee shops. In July, the Springfield-Greene County Library will open their new library converted from an old furniture store. It's close enough to visit, or you can see it on-line. The new mall libraries are finding that in their new facilities library readership shoots up especially among teens! Isn't that what we all say we want – children who love to read and love learning?

The closest the city council and administration have come to encouraging literary pursuits is to help Family Video bring porn videos to town. The Mayor, Council and the TIF Commission could cleanse some of their ill-gotten TIF gains if they dedicated the first 15% of the annual tax revenues they are stealing from the county, school system and the disabled, or even better, contribute all of their porn revenues to a library building fund. It won't make up for their pro-pornography city policy but it will at least provide some healthier alternatives for our youth.

**Have a great 4th of July** and don't forget the true meaning of this uniquely American Holiday...we're celebrating the overthrow 227 years ago of oppressive, arrogant government and its excessive taxation! But aren't we backsliding in Rolla?

See the new Springfield library conversion: <http://thelibrary.springfield.missouri.org/about/1st/libstation.cfm>

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