



Jackson County Missouri

JOURNAL

County Legislature

Jackson County Courthouse
415 East 12th Street, 2nd floor
Kansas City, Missouri 64106
(816)881-3242

Scott Burnett (1st), Chairman, Henry C. Rizzo (2nd AL), Vice-Chairman,
Robert A. Stringfield, (1st AL), Fred Arbanas (3rd AL),
Ronald E. Finley (2nd), Dennis Waits (3rd), Dan Tarwater (4th),
Rhonda L. Shoemaker (5th), Bob Spence (6th)

Tuesday, October 12, 2004

2:30 PM

Fortieth Regular Meeting

Independence Courthouse Annex, 308 W. Kansas, Ground Floor, Legislative Chambers

Henry C. Rizzo, Vice-Chairman, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

Present: Robert A. Stringfield, Fred Arbanas, Ronald E. Finley, Dennis Waits, Rhonda L. Shoemaker and Bob Spence
Absent: Scott Burnett and Scott Burnett

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

Dan Tarwater moved to approve the journal of the previous meeting held on 10/4/2004.
Seconded by Bob Spence.

The motion passed by a voice vote.

(APPROVED)

4 HEARINGS

Jeff and Sabrina Jay were present to speak on the issue of residency.

Jeff Jay stated that he and his wife, Sabrina are not affiliated with anyone in the room and they were not coerced by anyone to appear before the Legislature.

He said he is a 9 year ex-county employee. He said the County is a stepping stone for many employees meaning that the County has a high turnover rate. He said he is a good example. He thinks Jackson County should consider trying to retain employees that are making a career within the County which brings up the issue of residency definitions, policy and how they apply.

Sabrina Jay said she believes the residency requirements need to be removed or specifically defined for all employees and all possible scenarios. She said directors and supervisors are interpreting and applying it in different ways.

Fred Arbanas, County Legislator, asked if she thought merit and non-merit employees should be treated the same.

Sabrina replied yes.

Jeff asked, as far as the definition of residency, if they are both applied the same.

Fred Arbanas said requests for waivers of residency for non-merit employees must come before the Legislature for approval.

Sabrina Jay said Chapter 7, Section 30, says it applies to all employees and officers.

Bob Spence, County Legislator, asked for a general example of how the definition of residency is being used differently.

Jeff Jay said the Chairman of the Merit Commission's definition did not apply to the Acting County Counselor's definition as of May 2004. He said he faxed a letter to all legislators with the two definitions verbatim from individuals.

Bob Spence said hopefully they will have another definition.

Robert A. Stringfield, County Legislator, said that he is familiar with the residency definition used by the City of Kansas City, Missouri and the Kansas City, Missouri Police Department. He said he would like to see all employees treated the same as far as residency. He said it needs to be consistent. He suggests a clause which allows an employee 6 months to establish residency in Jackson County but they would be required to provide proof of residency.

Jeff Jay asked if a change is made, how will it affect prior employees and how they were treated.

Henry Rizzo, Vice-Chairman, said it is not for the Legislature to decide at this time. The Legislature is currently reviewing this issue because there is a resolution before them.

Robert A. Stringfield said what Jeff is referring to is called a "grandfather clause" and he is not sure if that will be considered.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Katheryn Shields, County Executive, said Jackson County has made great strides in recent years to work more closely with our intergovernmental partners, ensuring greater understanding and cooperation for the benefit of the citizens we serve. She said Jackson County has been able to distribute tax dollars to each school district more rapidly each year since 2000. For example, by mid-January 2004, Jackson County was distributing the schools tax dollars 11% faster than the year before and 45% faster than the year 2000. However, there is always more that can be done. As part of the continuing effort, Mary Helen Murphy sent letters to each school district yesterday asking for their assistance. Jackson County is providing to the school districts the current personal property tax data for their review to ensure greater accuracy. If the school districts find parcels that they believe belong to another district or visa versa, they should advise the County. Jackson County will work with them to address any changes.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

Fred Arbanas moved to waive the reading of Ordinances #3547, #3548 and #3549. Seconded by Dan Tarwater.

The motion passed by a voice vote.

(APPROVED)

The Land Use Committee will have a public hearing on the above mentioned ordinances on Thursday, October 14, 2004 at 1:00 P.M. at Fleming Hall.

[3547](#) AN ORDINANCE granting a conditional use permit (CUP) in District A (Agricultural) for a period of twenty (20) years to continue operation of a 125 foot high radio transmission tower as to a certain 0.78 ± acre tract.
(Land Use Committee - 2nd. Perfection)

[3548](#) AN ORDINANCE amending the districts established by the Jackson County Zoning Order changing from District A (Agricultural) to District RR (Residential Ranchette), a certain 10 ± acre tract.
(Land Use Committee - 2nd. Perfection)

[3549](#) AN ORDINANCE amending the districts established by the Jackson County Zoning Order changing from District GB-p (General Business-Planned Development) to District GB (General Business), a certain 3 ± acre tract.
(Land Use Committee - 2nd. Perfection)

[3551](#) Health and Justice Committee moved to perfect. Consent Agenda.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

None.

8 RESOLUTIONS IN COMMITTEE

[15171](#) A RESOLUTION granting a one-year waiver of the residency requirement for non-merit employees for Investigator/Paralegal Pamela Fellin pursuant to §730., Jackson County Code.
(Legislature As A Whole - 2nd. Meeting)

[15179](#) Public Works Committee moved do pass. Consent Agenda.

[15180](#) Health and Justice Committee moved do pass. Consent Agenda.

[15181](#) Finance and Audit Committee moved do pass. Consent Agenda.

[15182](#) A RESOLUTION authorizing the Jackson County Legislature to hold a closed meeting on Monday, October 4, 2004, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor under Section 610.021(1) (2) of the Revised Statutes of Missouri, and closing all records prepared for discussion at said meeting.
(Legislature As A Whole - 1st. Meeting)

9 CONSENT AGENDA

[3551](#) AN ORDINANCE appropriating \$16,845.00 from the unappropriated surplus of the 2004 Grant Fund to cover the Child Protection Center Supplement Grant for the Family Court funded by the Kauffman Foundation.

(PERFECTED)

[15179](#) A RESOLUTION awarding a contract for the furnishing of a subscription for AutoCad software upgrades for use by the Public Works Department to DLT Solutions, Inc., of Herndon, VA, at a cost to the County not to exceed \$5,243.20, as a sole source purchase.

(ADOPTED)

[15180](#) A RESOLUTION awarding a twelve-month term and supply contract under Electronic Solicitation No. BB200466 for furnishing of paper towels and dispensers for use by the Department of Corrections to CEP, Inc. (Controlled Environmental Products) of Kansas City, MO, at an estimated cost to the County of \$7,672.00.

(ADOPTED)

[15181](#) A RESOLUTION awarding a contract on Bid No. 42-04 for the furnishing of shelving for use by the Records Department to WareStar, Inc., of Lenexa, KS, in the amount of \$23,700.00.

(ADOPTED)

To perfect Ordinance 3551. To adopt Resolutions 15179, 15180, 15181.

Dan Tarwater moved the passage of the consent agenda. Seconded by Robert A. Stringfield. The motion passed by a roll call vote:

Yes: 6 - Robert A. Stringfield, Fred Arbanas, Ronald E. Finley, Dennis Waits, Rhonda L. Shoemaker and Bob Spence

Absent: 2 - Scott Burnett and Scott Burnett

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[3552](#) Transferring \$10,000.00 within and appropriating \$20,000.00 from the unappropriated surplus of the 2004 Grant Fund to cover the public workshop grant for the Public Works Department funded by Aquila, Inc., of Kansas City, MO, and the transfer of matching funds.

(Public Works Committee)

[3553](#) Appropriating \$164,818.00 from the unappropriated surplus of the 2004 Grant Fund to cover the Family Court Division's Child Protection Center grant, funded by the Missouri Department of Social Services, Division of Family Services.

(Health and Justice Committee)

[3554](#) Enacting chapter 12, Jackson County Code, 1984, relating to open records, consisting of five new sections.
(Finance and Audit Committee)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[15183](#) Authorizing Change Order No. 1 (Final) to the contract with Superior Bowen Asphalt Company of Kansas City, MO, for the 2004 Pavement Maintenance Project (Phase I), No. 3001, reducing the contract amount by \$43,915.98 for a revised total cost to the County not to exceed \$292,284.20.
(Public Works Committee)

[15184](#) Robert A. Stringfield moved the passage of Resolution #15184, authorizing payment of \$5,000.00 to the City of Lone Jack from the Lone Jack CURS account for use in street repairs on Main Street, Carrico Drive, Van Buren, Rosehill Road, and Slim Beeman Road in Lone Jack, MO. Seconded by Dennis Waits.
Yes: 6 - Robert A. Stringfield, Fred Arbanas, Ronald E. Finley, Dennis Waits, Rhonda L. Shoemaker and Bob Spence
Absent: 2 - Scott Burnett and Scott Burnett

(ADOPTED)

[15185](#) Awarding a contract for the furnishing of mobile radio batteries for use by the Department of Corrections and Facilities Management Department to Motorola Communications of Glen Rock, NJ, under a State of Missouri government contract, in the actual amount of \$7,005.36.
(Health and Justice Committee)

[15186](#) Transferring \$10,000.00 within the 2004 Special Road and Bridge Fund and awarding a contract on Bid No. PW 11-2004 for a traffic signal at the intersection of Buckner Tarsney Road and R.D. Mize/Sni-A-Bar Road, Project No. 3022, to Custom Lighting Services, LLC of Kansas City, MO, in the amount of \$63,742.90.
(Public Works Committee)

[15187](#) Authorizing the County Executive to execute a conveyance instrument transferring Hill Park, a 20 acre neighborhood park located at 23rd and Maywood, in Independence, Missouri, to the City of Independence, Missouri, for the purpose of providing additional recreational opportunities for the residents of the neighborhood.
(Land Use Committee)

Dennis Waits withdrew Resolution #15188. Concurred by Fred Arbanas and Dan Tarwater.

Henry Rizzo stated that the motion to withdraw was out of order since the sponsor was not present.

[15188](#)

Authorizing the Jackson County Legislature to hold a closed meeting on Tuesday, October 12, 2004, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor under Section 610.021(1) (2) of the Revised Statutes of Missouri, and closing all records prepared for discussion at said meeting.

(Legislature As A Whole)

Jack Holland with Oppenheimer & Company said that resolution #15189 would extend to counties that approve County question No 1 in November, the Bi-State Proposition, the same privileges that Jackson County taxpayers get now in preferential ticket purchasing for both Kauffman and Arrowhead Stadiums. It is a reflection of the fact that if Bi-State II passes, the other participating counties will be sharing substantially in the support of the facilities.

Dan Tarwater said he believes it is a great move since we are one community, so we don't have exclusionary seating or priority ticket purchasing.

Bob Spence asked what changes were made to the original resolution.

Ed Rucker replied that there were changes in the final paragraph and more sponsors were added.

[15189](#)

Dennis Waits moved to adopt substitute Resolution #15189, authorizing an Addendum to Lease Agreements between the Jackson County Sports Complex Authority and the Kansas City Royals Baseball Corporation and the Kansas City Chiefs Football Club, Inc., revising Article VII Section 7.06 relating to the Jackson County Preference, which will extend priority seating privileges to the residents of those counties that are members of the Bistate Metropolitan District and approve the Bistate II question. Seconded by Rhonda L. Shoemaker.

Yes: 5 - Robert A. Stringfield, Fred Arbanas, Dennis Waits, Rhonda L. Shoemaker and Bob Spence

No: 1 - Ronald E. Finley

Absent: 2 - Scott Burnett and Scott Burnett

(APPROVED)

[15190](#)

Approving a group employee assistance program (EAP) and rates as a County-provided benefit at an increased rate of five percent (5 %) through New Directions Behavioral Health (NDBH).

(Finance and Audit Committee)

[15191](#)

approving a group dental plan and rates as a County-provided benefit at an increased rate of three percent (3%) for a Dental Health Maintenance Organization (DHMO) plan and seventeen percent (17 %) for two indemnity plans provided by Assurance Employee Benefits (formerly known as Fortis Benefits).

(Finance and Audit Committee)

[15192](#) Approving a one (1) year renewal and extension with Humana Health Care of the existing group health insurance plans with the addition of an employee health wellness program at an increased rate of nine percent (9%) for the Health Maintenance Organization (HMO) and Preferred Provider Organization (PPO) plans as a County-provided benefit.

(Finance and Audit Committee)

[15193](#) Extending a contract to Metropolitan Life Insurance Company (MetLife Insurance Company) for two years for the furnishing of group life insurance for use countywide with no increase in rates for the 2005 plan year.

(Finance and Audit Committee)

[15194](#) Awarding a term and supply contract on Bid No. 31-04 for the furnishing of lumber and building supplies for use by various County departments to Lowe's Home Improvement of Independence, MO, to provide for county-wide needs for the upcoming one-year period, in the estimated aggregate amount of \$189,000.00.

(Finance and Audit Committee)

[15195](#) Authorizing the Manager of the Division of Finance to execute an agreement with UMB Bank to provide for lockbox processing (not to exceed \$53,000.00 annually) and on-line debit tax payments (not to exceed \$15,100.00), at an estimated annual cost to the County not to exceed \$68,100.00.

(Finance and Audit Committee)

[15196](#) Awarding a term and supply contract for the furnishing of personal computers and miscellaneous computer software and hardware for use by the MIS Department, to Dell Marketing of Round Rock, TX under State of Minnesota/Western States Contracting Alliance contract #A63307, Hewlett Packard/Compaq of Houston, TX under State of Minnesota/Western States Contracting Alliance contract #A63309, Gateway Companies, N. Sioux City, SD, under State of Minnesota/Western States Contracting Alliance contract #A63308, World Wide Technology of St. Louis, MO, under the State of Missouri contract #C203005001, and Software House International of Austin, TX, under the State of Kansas contract #07359, to provide for departmental needs for the upcoming twelve-month period, in the estimated aggregate amount of \$1,490,574.00.

(Finance and Audit Committee)

12 COUNTY EXECUTIVE ORDERS

04-18

I hereby promulgate the following procedure to govern requests for payment on Jackson County contracts with private agencies which the County is not legally obligated to fund. 1

No payment shall be made on any such contract unless the contracting agency shall have submitted to the Budget Director the following:

- a. A written proposal setting out in detail the intended use of the County's funding, including the target population to be served;
- b. The agency's IRS Form 990, from the previous fiscal or calendar year;
- c. A statement of the agency's total budget for its most recent fiscal year; and,
- d. A detailed explanation of actual expenditures of County funds (pertains to final payments and payments on contracts for future years).

If an agency has previously received County funding, to be eligible for future payments, an agency must submit either:

- a. An audited financial statement for the agency's most recent fiscal or calendar year, by March 31 of the following year; or
- b. A certified public accountant's program audit of County funds, by January 31 of the following year.

Any document described above which was submitted to the Budget Director as a part of an application for funding need not be resubmitted to qualify for payment.

No payment shall be made if the contracting agency is out of compliance on any other County contract.

Executive Order 99-14, dated February 22, 1999, Executive Order 99-12, dated February 16, 1999, and Executive Order 98-01, dated January 8, 1998, are hereby rescinded.

13 UNFINISHED BUSINESS

None.

14 NEW BUSINESS

None.

15 **ADJOURNMENT**

Dan Tarwater moved to adjourn the meeting. Seconded by Dennis Waits.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, October 18, 2004, at 2:30 p.m. in the Legislative Assembly Area, Kansas City, Missouri.