



# Jackson County Missouri

## JOURNAL

### County Legislature

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

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

---

Monday, June 19, 2006

2:30 PM

Twenty-Fifth Regular Meeting

---

K.C. Legislative Assembly Area, Kansas City, Missouri

---

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

**1 ROLL CALL**

Present: Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Rhonda L. Shoemaker, Bob Spence and Bob Spence

**2 THE PLEDGE OF ALLEGIANCE**

Recited.

**3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING**

Bob Spence moved to approve the journal of the previous meeting held on 6/12/2006.  
Seconded by Eugene Standifer Jr..

**The motion passed by a voice vote.**

(APPROVED)

**4 HEARINGS**

*Henry C. Rizzo, Chairman, welcomed Woody Cozad and Fred Dreiling, lobbyists for Jackson County.*

*Fred Dreiling said they were successful in the retention of dollars for Bartle Hall and the stadiums. The other items in the budget remained flat which they considered a victory. He said medicaid continues to be a main driver of the budget, despite the cuts. Any extra income went to medicaid and higher education. He said it was a victory to hold the line on most budget items.*

*Woody Cozad said higher education received a 2% increase, which was better than the year prior. He said next year they need to take the \$3 million set aside for the stadiums and extend the commitment to match the term of the new leases. Currently, it is matched to the term of the old leases. Also, next year they will work to increase the per diem for prisoner because it is well below its all time high. Finally, next year they will work on the Jackson County Community Mental Health Fund which was cut.*

*Fred Dreiling said with regards to the prisoner per diem they were successful in increasing the amount for the line item which has been under funded for several years. He said they lessened supplemental appropriation which will allow the county to receive their money faster. One of the priorities for Jackson County is E-government. He said they worked with the County Executive and the Recorder of Deeds and now Jackson County is a model for redaction of information on recorded documents. He thanked Bob Kelley, Recorder of Deeds and Katheryn Shields, County Executive, for their work on this legislation. Senate Bill 932 was passed to accomplish this task and was sponsored by Senator Scott. House Bill 1707 also was a portion of the bill. He said now people can look up deeds on the Internet and their personal information is not available to the public. Another major success was the Kansas and Missouri Regional Investment District Compact. This bill authorizes the local political subdivisions to create a regional transit district. He said hopefully through Mid-America Regional Council (MARC) and other organizations this will come to fruition.*

*Woody Cozad said Kansas has not passed a similar statute but we are hopeful that it will pass. Jackson County was also successful in passing the tax for the Truman Sports Complex. The legislation passed in Jefferson City to prevent the proceeds of the tax from getting Tax Increment Financed for other purposes in the future. The stream of revenue is protected for the purpose of which the voters passed it.*

*Fred Dreiling said this is an election year and there are currently 23 Republican Senators and 11 Democrats. He thinks the Democrat number will inch forward after the election.*

*Henry C. Rizzo asked about legislation that would allow Jackson County to have a 911 surcharge on cell phones. He said it is a priority for the county.*

*Fred Dreiling said phone lobbying is powerful in Jefferson City. He said this year legislation will be introduced regarding 911 surcharge on cell phones.*

*Dan Tarwater, County Legislator, said the lobbyists did a good job and he appreciates the work they did regarding the stadiums.*

*Terry Warner, employee in the Finance Department, received a 25 year service pin.*

*Joe Gray, employee in the Facilities Management Department, received a 15 year service pin.*

**5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE**

*Katheryn Shields, County Executive, said the Parks Department produced their second series of commercials last week on Jackson County parks, the beaches, marinas, golf course, etc. She said last year was the first year and two commercials were done in early June. She reported that revenues last year in the parks increased over \$300,000.00. It was the largest increase over the past 12 years. Initially we were spending \$70,000.00 per year for the insertions in the newspaper that were sent out twice a year with a list of the county park programs. The county spent an additional \$5,000.00 last year on commercials and increased revenue. So it has been a successful program. The new commercials will begin around July 1st and will focus on the summer and fall activities in the parks. She thanked the Legislature for their support for the commercials. She thinks the commercials have been hugely successful not only in terms of money but in terms of a number of people participating in our parks.*

*Dan Tarwater, County Legislator, complimented Katheryn on the brochure in the Kansas City Star with park information because it was very helpful.*

*Katheryn Shields said Saturday, June 24, 2006 is Lake Fest at Lake Jacomo. There will be live music, boat rides, fireworks, contests, prizes, food and drinks.*

*Katheryn Shields and Henry Rizzo participated in the Children Against Violence Art Contest. Reggie Gant, a 5th grader in the Kansas City School District, won first place. She said over 100 children participated and McDonalds on the Plaza generously provided food and drink for the occasion.*

*Katheryn said the Indirect Cost Allocation Plan that Troy Thomas, Chief Financial Officer, has been working on with Maximus, the auditing firm, has been completed and will be submitted to the State of Missouri. The county will receive the appropriation of funds in October at which time we will bill the State of Missouri for costs dating back to January 1, 2005, plus the amounts through September 30, 2006. For 2005, Jackson County should collect indirect costs in the amount of \$260,000.00 from the Prosecutor's Family Child Support Program and \$62,000.00 from the General Fund from the Courts. The money can go back in the General Fund and be used next year for funding. She said Maximus will be present next week to answer any questions and give a direct report.*

*Dan Tarwater said \$24,000.00 for this study was a good expenditure of taxpayers dollars. Katheryn said it was quite beneficial.*

*Katheryn Shields said Jackson County is now live on e-recording. Banks or title companies can now record deeds electronically. It is a savings of time to the institutions, individuals as well as Jackson County staff.*

*Henry C. Rizzo said he knows someone who recorded their deed on Monday and it was posted on the Internet by Thursday. He was very impressed.*

*Katheryn said only two percent of the counties in the nation have electronic filing. Jackson County is a leader in this program. Katheryn thanked the County Legislature for their financial support in the annual budget for this project.*

*Resolutions #15905 and #15906 were adopted at this time. See page 6 for details.*

*Ordinance #3779 was discussed at this time.*

*Scott Burnett, County Legislator, moved to amend Ordinance #3779 to identify the funding source as the Back Tax Fund within the Prosecuting Attorney's budget, so it will not have any impact on the General Fund. Seconded by Eugene Standifer, Jr.*

*Katheryn Shields said she was not opposed to the raises for the Prosecutor's Office as long as they did not come out of the General Fund. The money in the Back Tax Fund is the Prosecutor's money to spend as he wishes. The Back Tax Fund balance is between \$350,000.00 - \$400,000.00 which would be enough to pay for the raises. She said she was perplexed that the Prosecuting Attorney was not present to advocate these raises for his employees.*

*Dan Tarwater said these raises were part of the Memorandums of Understanding that were passed last year. The County Legislature is just trying to satisfy the agreements.*

*Katheryn Shields said with regards to the Back Tax Fund, that the State of Missouri has arrangements with most Prosecuting Attorney's offices to collect back taxes on income tax. Under State law, the fee from collecting back taxes are sent to a fund held by Jackson County but the Prosecuting Attorney is responsible for disbursing the funds. It is not taxpayer dollars, it is made up of fees collected and specifically set aside by state law to be spent at the discretion of the Prosecuting Attorney.*

*Scott Burnett asked the county counselor to assist with the language for the amendment.*

*Jay Haden, Deputy County Counselor, said the money is in the Prosecutor's control. The Prosecuting Attorney will send an Employee Change Authorization (ECA) indicating that the raises should be given from a specific fund. The purpose is authorized for this fund and the money is not subject to appropriation by the County Legislature. The ordinance would not have any legal effect but could suggest what the Prosecuting Attorney should do with the money.*

*Bob Stringfield, County Legislator, said he is for giving this to them. He said he will need something in writing or he will abstain from voting on Ordinance #3779, unless he receives a fiscal note.*

*Katheryn Shields said it does not have a fiscal note because it was initially drafted to take the money from the unappropriated surplus. She explained that once the Legislature appropriates 95% of any fund, which the County Legislature did in the budget process last fall, no more money can be appropriated without the approval of the County Executive. She is not willing to give that agreement because she believes if General Fund money is spent it will have repercussions as to how the money balances next year, requests from the courts and how other employees feel. She will not agree to use unappropriated surplus to pay for this raise for the Prosecutor's office. If the Prosecutor uses the Back Tax Fund, she does not have a problem.*

*Fred Arbanas said Katheryn is giving her blessings as long as we do not use money from the General Fund. He suggested the Legislature proceed with the agenda and wait for Jay to draft an amendment to Ordinance #3779.*

*The Legislature agreed.*

## 6 PERFECTON OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

### 3764

AN ORDINANCE enacting Chapter 94, Jackson County Code, 1984, relating to archaeological and architectural cultural resources.

*(Finance and Audit Committee - 6th. Perfection)*

*A proposed substitute for Ordinance #3764 was distributed.*

*Fred Arbanas moved to waive the reading of Ordinances #3772, #3773, #3774 and #3775. Seconded by Bob Spence.*

*The motion passed by a voice vote.*

*(APPROVED)*

*There will be a public hearing regarding Ordinances #3772 - #3775 on Wednesday, June 21, 2006 at 1 P.M. at Fleming Hall.*

### 3772

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing from District A (Agricultural) to District RR (Residential Ranchette) a certain 5.5± acre tract.

*(Land Use Committee - 2nd. Perfection)*

- [3773](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing from A (Agricultural) to RR-p (Residential Ranchette - Planned Development) a certain 64.6 ± acre tract and approving the preliminary plat "Llewellyn Acres, 2nd Plat," creating an eleven-lot residential subdivision.  
*(Land Use Committee - 2nd. Perfection)*
- [3774](#) AN ORDINANCE vacating a certain section of right-of-way on Stillhouse Road.  
*(Land Use Committee - 2nd. Perfection)*
- [3775](#) AN ORDINANCE granting a conditional use permit in District A (Agricultural) for a period of 25 years to continue a coal fly-ash landfill on 170 ± acres and expand the landfill boundary by an additional 44 ± acres for a total of 214 ± acres.  
*(Land Use Committee - 2nd. Perfection)*
- [3779](#) Scott Burnett moved to substitute Ordinance #3779, recommending that the Prosecuting Attorney utilize \$302,306.00 from his Delinquent Tax Collection Fund to cover the cost of salary increases within the Prosecuting Attorney's Office. Seconded by Eugene Standifer Jr..  
**The motion passed by a voice vote.** (APPROVED)
- [3779](#) Dan Tarwater moved to perfect the floor substitute of 6/19/2006. Seconded by Eugene Standifer Jr..  
**The motion passed by a voice vote.** (PERFECTED)  
*Bob Spence voted no.*
- [3779](#) Scott Burnett moved to suspend the rules to consider final passage of Ordinance #3779. Seconded by Dan Tarwater.  
**The motion passed by a voice vote.** (APPROVED)  
*Bob Spence voted no.*
- [3779](#) Scott Burnett moved to adopt floor substitute of 6/19/2006, recommending that the Prosecuting Attorney utilize \$302,306.00 from his Delinquent Tax Collection Fund to cover the cost of salary increases within the Prosecuting Attorney's Office. Seconded by Eugene Standifer Jr..  
Yes: 6 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr. and Dennis Waits  
No: 2 - Bob Spence and Bob Spence  
Absent: 1 - Rhonda L. Shoemaker  
(ADOPTED)
- [3780](#) Health and Justice Committee moved to perfect. Consent Agenda.

**7 FINAL PASSAGE OF PROPOSED ORDINANCES**

[3778](#)

Consent Agenda.

**8 RESOLUTIONS IN COMMITTEE**

- [15905](#) Eugene Standifer Jr. moved the passage of Resolution #15905, acknowledging Beverly Pendelton for the many contributions she has made during her thirty-two years of service with the Jackson County Family Court . Seconded by Dan Tarwater.  
Yes: 9 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Rhonda L. Shoemaker, Bob Spence and Bob Spence  
(ADOPTED)
- [15906](#) Dan Tarwater moved the passage of Resolution #15906, acknowledging James B. Merritt for the many contributions he has made during his twenty-six years of service with the Jackson County Family Court . Seconded by Eugene Standifer Jr..  
Yes: 9 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Rhonda L. Shoemaker, Bob Spence and Bob Spence  
(ADOPTED)
- [15914](#) Anti-Drug Committee moved do pass. Consent Agenda.  
*(Pending Compliance)*
- [15918](#) Public Works Committee moved do pass. Consent Agenda.
- [15919](#) A RESOLUTION authorizing the County Executive to execute an agreement with Move Up for its Fighting Back program in the amount of \$66,200.00, as a local match to a federal grant.  
*(Anti-Drug Committee - 1st. Meeting)*
- [15924](#) Health and Justice Committee moved do pass. Consent Agenda.
- [15925](#) Land Use Committee moved do pass. Consent Agenda.
- [15926](#) Public Works Committee moved do pass. Consent Agenda.
- [15927](#) Public Works Committee moved do pass. Consent Agenda.
- [15928](#) Public Works Committee moved do pass. Consent Agenda.
- [15929](#) Public Works Committee moved do pass. Consent Agenda.



[15930](#)

A RESOLUTION expressing the Legislature's support for the attendance of County elected officials and staffs at an upcoming seminar on Missouri's Open Meetings and Records Act (the Sunshine Law).

*(Legislature As A Whole - 1st. Meeting)*

[15931](#)

Land Use Committee moved do pass. Consent Agenda.

**9 CONSENT AGENDA**

- [3780](#) AN ORDINANCE appropriating \$2,650.00 from the unappropriated surplus of the 2006 Grant Fund in acceptance of the Family Court Division's grant awarded by the Office of State Courts Administrator. (PERFECTED)
- [3778](#) AN ORDINANCE appropriating \$287,129.00 from the unappropriated surplus of the 2006 Grant Fund and authorizing the County Executive to execute an Agreement with the Missouri Department of Transportation, Highway Safety Division, in acceptance of the Jackson County Sheriff's Office's Traffic Unit grant. (ADOPTED)
- [15914](#) A RESOLUTION authorizing the County Executive to execute an Agreement with Boulden Consulting, LLC, for the development of the drug treatment logic model and DARE outcomes training, at a cost to the County not to exceed of \$9,000.00. (ADOPTED)
- [15918](#) A RESOLUTION awarding a contract on Bid No. PW 07-2006 for the North-South Liggett Road Improvements, Project No. 3053, to Amino Brothers Co., Inc., of Kansas City, KS, at an actual cost to the County not to exceed \$665,017.50. (ADOPTED)
- [15924](#) A RESOLUTION declaring certain property within the Corrections Department as surplus personal property and authorizing its disposal. (ADOPTED)
- [15925](#) A RESOLUTION authorizing the Director of Parks and Recreation to execute agreements with certain Parks and Recreation Department employees, authorizing the employees to occupy County-owned property. (ADOPTED)
- [15926](#) A RESOLUTION awarding a twelve (12) month term and supply contract and approving two twelve-month options for extension for the furnishing of steel products for use by the Parks and Recreation and Public Works Departments to Residential Steel LLC of Grain Valley, MO, under the terms and conditions of the City of Kansas City, Missouri's Contract No. EV00000115, an existing government contract. (ADOPTED)
- [15927](#) A RESOLUTION authorizing a twelve-month extension to the term and supply contract with Ace Pipe Cleaning, Inc., of Kansas City, MO, for the furnishing of emergency sewer repair service and public and storm sewer and culvert clean-out for use by various County departments. (ADOPTED)

[15928](#) A RESOLUTION authorizing payment to property owners, Kevin S. and Patricia S. Hennrich, in the total amount of \$50,000.00, for the East-West Liggett Road Improvements, Project No. 2449.

(ADOPTED)

[15929](#) A RESOLUTION awarding a twelve-month term and supply contract and authorizing two options to extend for additional twelve-month periods, for the furnishing of hydraulic systems, parts, and service for use by the Public Works and Parks and Recreation Departments, to Force America, Inc., of Riverside, MO, under an existing government contract of the City of Kansas City, MO.

(ADOPTED)

[15931](#) A RESOLUTION awarding a twelve-month term and supply contract, with an option to extend for an additional twelve months, for the furnishing of security services for use by the Parks and Recreation Department to Walker Protective Services of Independence, MO, under the terms and conditions of Electronic Solicitation No. BB200622.

(ADOPTED)

To perfect Ordinance 3780. To adopt Ordinance 3778. To adopt Resolutions 15914, 15918, 15924, 15925, 15926, 15927, 15928, 15929, 15931.

Dan Tarwater moved the passage of the consent agenda. Seconded by Eugene Standifer Jr.. The motion passed by a roll call vote:

Yes: 9 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Rhonda L. Shoemaker, Bob Spence and Bob Spence

## 10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[3781](#) Enacting section 554., Jackson County Code, 1984, relating to county fiscal policy.

*(Finance and Audit Committee)*

[3782](#) Transferring \$71,026.00 within the 2006 Health Fund to provide funding for a deputy medical examiner position.

*(Health and Justice Committee)*

## 11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[15934](#) Authorizing the County Executive to execute a Memorandum of Understanding with KLM Marketing Solutions, for the Jackson County Triathlon to be held at Longview Lake, at no cost to the County.

*(Land Use Committee)*

[15935](#) Awarding a twelve-(12) month term and supply contract and approving two twelve-month options for extensions, for the furnishing of snow removal equipment parts and service for use by the Public Works Department to American Equipment Company of Kansas City, KS, under the terms and conditions of the City of Kansas City, Missouri's Contract No. PA4549-01, an existing government contract.

*(Public Works Committee)*

[15936](#) Awarding a twelve-month term and supply contract, and authorizing an option to extend for one additional twelve-month period, for the furnishing of fuel, diesel, leaded, and unleaded gasoline, and kerosene for use by various County departments, to Maher Oil Company, of Kansas City, MO, under an existing government contract of the City of Kansas City, MO.

*(Finance and Audit Committee)*

[15937](#) Authorizing a twelve-month extension to the term and supply contract with Kenton Brothers, Inc., of Kansas City, MO, for the furnishing of locksmith services and security systems equipment and service for use by various County departments.

*(Finance and Audit Committee)*

[15938](#) Authorizing a twelve-month extension to the term and supply contract with Alamar Uniforms, of North Kansas City, MO, and Galls, Inc., of Lexington, KY, for the furnishing of uniforms and alterations for use by the Department of Corrections.

*(Health and Justice Committee)*

[15939](#) Bob Spence moved the passage of Resolution #15939, authorizing payment of \$46,694.56 to the City of Grain Valley from the Grain Valley CURS account to cover costs of the City's road maintenance program. Seconded by Dennis Waits.

Yes: 9 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Rhonda L. Shoemaker, Bob Spence and Bob Spence

(ADOPTED)

[15940](#) Bob Spence moved the passage of Resolution #15940, transferring \$70,000.00 within the 2006 Special Road and Bridge Fund for strip reconstruction to twenty (20)+ miles of roadway. Seconded by Rhonda L. Shoemaker.

Yes: 9 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Rhonda L. Shoemaker, Bob Spence and Bob Spence

(ADOPTED)

15941

Scott Burnett moved the passage of Resolution #15941, congratulating the First Baptist Church Westside upon its 90th anniversary celebration to be held Saturday, June 24, and Sunday, June 25, 2006. Seconded by Dan Tarwater.

Yes: 9 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Rhonda L. Shoemaker, Bob Spence and Bob Spence

(ADOPTED)

*J.D. Williamson, Presiding Judge, said Ordinance #3779 provides raises for the Prosecutor's office but not for circuit court employees or other employees of Jackson County. The County Legislature needs to look at the fundamental fairness in selecting a small group for a raise and excluding the majority of Jackson County employees. He said his employees view this as unfair. He asked the County Legislature to recognize that all employees are entitled to consideration of these raises. He asked them to consider his comments before voting on the ordinance. Judge Williamson thanked them for the opportunity to speak.*

*Henry C. Rizzo explained that money for the raises will come out of the Prosecutor's budget, not the General Fund.*

*Judge Williamson said that was not his understanding. However, if the County Legislature endorses a pay raise for a small number of employees, he thinks the affect is the same.*

*Dennis Waits, County Legislator, said the Prosecutor can do this without the County Legislature's approval. He said the Legislature is concerned about other employees but we must comply with the Memorandum of Understandings (MOU's). We are waiting on revenue reports to see if there are additional revenues so that we can consider raises or bonuses at some time in the near future for other employees.*

*J.D. Williamson said his concern is that when this body acts it makes a public statement. He said last year the courts did not have money in their budget to give raises and there was a morale question. He said he hopes that the Legislature can find a way to extend raises to other employees as it will express good faith and will be a morale builder.*

*Henry C. Rizzo said the message we are trying to send is that we would like to get County employee salaries comparable to those in the private sector. He said this is the Prosecutor's call since he is taking the money out of his budget.*

*Dan Tarwater, County Legislator, said one of Jackson County's greatest assets is the employees. The Legislature would like to find money for raises for all employees.*

*Bob Spence, County Legislator, said this is not fair, the MOU's are not fair. He said after the raises the Prosecutor's office employees received last year plus the raises they are going to get this year, there is no way the Legislature can bring the rest of the employees up to par. He thinks it is unforgivable on the part of the Jackson County Legislature. He said no department should be singled out for these kind of raises and then ignore the rest of the County employees.*

*The Legislature took a 5 minute recess.*

*The Legislature reconvenes.*

*Ordinance #3779 was adopted at this time. See page 5 for details.*

**12 COUNTY EXECUTIVE ORDERS**

*None.*

**13 UNFINISHED BUSINESS**

None.

Dennis Waits said he had copies of the lobbyists' report if anyone was interested.

**14 NEW BUSINESS**

None.

**15 ADJOURNMENT**

Dan Tarwater moved to adjourn the meeting. Seconded by Eugene Standifer Jr..

**The motion passed by a voice vote.**

(APPROVED)

*The next legislative meeting is scheduled to be held on Monday, June 26, 2006 at 2:30 P.M. at the Independence Courthouse Annex, 308 W. Kansas, Ground Floor, Legislative Chambers.*