



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, January 23, 2006

2:30 PM

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

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

None.

4 HEARINGS

Henry C. Rizzo, Chairman, presented a 20 year service pin to Crystal Oates, Secretary in the County Clerk's Office.

Henry C. Rizzo commended Kelly Markham Stegall for the long hours she spent preparing a summary of the leases for the legislators.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Katheryn Shields, County Executive, reminded citizens, particularly seniors and disabled, about the options for property tax relief available to them. The Missouri Circuit Breaker is connected with income tax filing. The Circuit Breaker, also known as the Missouri Property Tax Credit, could mean a refund of up to \$750.00. Jackson County wants to make sure as many people as possible actually get the relief they deserve. This year, the County is sending out an informational letter countywide with the personal property declaration forms - encouraging citizens to tell their family members, friends, and neighbors about these benefits. More importantly, it will tell seniors how to find out if they qualify and how to get help with filling out the proper forms. Each resource provided is either a government agency or a non-profit organization set up to respond to questions about these and other tax benefits.

To qualify for the Missouri Property Tax Credit (Circuit Breaker) you must meet certain age and income guidelines. It applies to seniors and disabled persons, whether they own or rent their home and including those in nursing homes. The credit provides refunds of up to \$750.00 of real estate property taxes paid.

The Homestead Preservation Credit gives qualified seniors and disabled a credit on their real estate tax. The credit applies if you have seen an increase in real estate taxes of at least 2.5% in a non-reassessment year (like 2006) or at least 5% increase in a reassessment year (like 2005). Credit is applied against taxes for the following year. The act requires a state appropriation to fund it. This has been included in the County's legislative package to make sure that since this relief has been enacted that it will be funded by the State of Missouri.

It is important to determine which of these two credits would be more beneficial because only one can be claimed.

For questions and assistance she referred them to the Jackson County web site at www.jacksongov.org.

Ken Evans, Public Information Officer, distributed handouts to legislators so they could use them to respond to any citizen inquiries.

Katheryn mentioned that Jane Flynn, perhaps the mother of historic preservation in Kansas City, Jackson County, Missouri is critically ill. She asked everyone to keep her and her family in their thoughts.

Dan Tarwater, County Legislator, asked Jack Holland to give an update on the leases.

Jack Holland said the leases will be available prior to legislative approval. He said the agreement on ticket user fees has been set at \$1.00 for Chiefs tickets and thirty cents for Royals tickets. The final drafting issues relate to designation of the lease premises. The lease premises are the footprint upon which Arrowhead stadium and Kauffman stadium is placed. The teams are jointly responsible for maintenance and repair of the common areas so clear legal responsibility must be identified for the next 25 years. This is particularly important now since the teams have accepted financial responsibility for any cost over runs and for future financial liability for repair and maintenance. He said the ballot language has been essentially settled with Question One being the 3/8th cent sales tax and Question Two being implementation of the use tax.

Fred Arbanas, County Legislator, asked how the bond agents will be selected.

Jack Holland said there will be a bid process. He said MBE's and WBE's firms are included but the bid will be awarded to the lowest interest rate.

Fred Arbanas stated that the excess money would not be spent on anything other than the Sports Complex.

Jack Holland agreed.

Fred Arbanas asked how the tax rote rate was figured.

Jack Holland said the rate was based on recent trends in the sales tax. The sales tax for the last ten years has averaged about 2.6 and for the last 5 years it has averaged 2.1. The credit rating agencies have analyzed these issues and applied a rating to the bonds which would be applied for prior to sale. They will require 1 1/2 or 1 percent assumed rate of growth. This information is from Moody's Investors Service and Standard Corp.

Fred Arbanas asked about the rent in the contracts.

Jack Holland said there are two components to the rent; base rent and percentage rent. The percentage rent increases as the revenues for the teams increases.

Scott Burnett, County Legislator, asked if the provisions of the leases apply to the rolling roof.

Jack Holland responded yes.

Rhonda Shoemaker, County Legislator, asked him to explain how the use tax works.

Jack Holland said the use tax is the existing sales tax that is charged for out-of-state vendors to sell goods into Jackson County. Vendors already pay city and state sales taxes, but not Jackson County sales tax.

Jack Holland said county government and the Sports Authority will have control over the development process, contractors and construction managers. He said the construction funds generated from the 3/8th cent sales tax will be trustee funds and they will be drawn down as requisitions are submitted to pay for the construction over a 3 year period.

Eugene Standifer Jr., County Legislator, asked how they will resolve the issue of goals not being met with regard to MBE and WBE.

Jack Holland said the leases provide for the engagement of a monitor who will be responsible for making sure that the provisions in the leases are in compliance. If they do not satisfy the lease provisions, that is a default under the lease.

Dan Tarwater asked who gets the money from stadium tours.

Jack Holland said money from tours will go into repair and maintenance for the stadiums.

Fred Arbanas asked who will select the company for the bond sales.

Jack Holland said the County Legislature will select the company as it will be competitively bid.

Henry C. Rizzo expressed his gratitude to Fred Arbanas for his work in persuading the teams to have a user fee on tickets.

Fred Arbanas gave credit to the Chiefs and the Royals representatives for having discussions on the issue.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

The Land Use Committee will have a public hearing on Thursday, February 2, 2006 at 1:00 p.m. at Fleming Hall regarding Ordinance #3730.

[3730](#)

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 10 ± acre tract.

(Land Use Committee - 2nd. Perfection)

[3732](#) AN ORDINANCE submitting to the qualified voters of Jackson County, at a special election to be held on Tuesday, April 4, 2006, a question authorizing Jackson County to impose a countywide sales tax at the rate of three-eighths of one percent for a period of twenty-five years for the purpose of improving and modernizing the Harry S Truman Sports Complex.

(Legislature As A Whole - 2nd. Perfection)

[3733](#) AN ORDINANCE appropriating \$15,000.00 from the unappropriated surplus of the 2006 Grant Fund in acceptance of a grant awarded to the Family Court Division by the National Children's Alliance for the Child Protection Center Supplement project, covering contractual expenses needed for the program and training from January 1, 2006, through December 31, 2006.

(Health and Justice Committee - 1st. Perfection)

[3734](#) AN ORDINANCE submitting to the qualified voters of Jackson County, Missouri, at a special election to be held on April 4, 2006, a question authorizing Jackson County to impose a local use tax at the rate authorized by law.

(Legislature As A Whole - 1st. Perfection)

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[3731](#) Consent Agenda.

Resolution #15756 was adopted at this time. See page 6 for details.

8 RESOLUTIONS IN COMMITTEE

[15745](#) Public Works Committee moved do pass. Consent Agenda.

[15746](#) Health and Justice Committee moved do pass. Consent Agenda.

[15747](#) Finance and Audit Committee moved do pass. Consent Agenda.

[15748](#) Anti-Drug Committee moved do pass. Consent Agenda.

[15749](#) Health and Justice Committee moved do pass. Consent Agenda.

[15751](#) Public Works Committee moved do pass. Consent Agenda.

[15753](#) Public Works Committee moved do pass. Consent Agenda.

[15754](#)

Public Works Committee moved do pass. Consent Agenda.

Resolution #15754 was reconsidered and a floor amendment was adopted at the legislative meeting held on January 30, 2006. Refer to the journal of January 30th under UNFINISHED BUSINESS.

9 CONSENT AGENDA

- [3731](#) AN ORDINANCE appropriating \$73,015.00 from the unappropriated surplus of the 2006 Anti-Drug Sales Tax Fund to cover a grant received from the United States Executive Office of the President's Midwest High Intensity Drug Trafficking Area Investigative Support Center to allow the Jackson County Drug Task Force to contract with an intelligence analyst.
(ADOPTED)
- [15745](#) A RESOLUTION authorizing the County Executive to execute an Intergovernmental Agreement with the Mid-America Regional Council (MARC) Solid Waste Management District, to provide access to the Regional Household Hazardous Waste Centers for the residents of the unincorporated county, at a cost not to exceed \$17,106.66 in 2006.
(ADOPTED)
- [15746](#) A RESOLUTION authorizing the County Executive to execute a Memorandum of Understanding with Truman Medical Center Behavioral Health Network of Kansas City, MO, to cover the cost of atypical anti-psychotic medications dispensed at the Jackson County Detention Center at a cost to the County not to exceed \$89,993.00.
(ADOPTED)
- [15747](#) A RESOLUTION approving the 2006-07 Jackson County Assessment and Equalization Maintenance Plan.
(ADOPTED)
- [15748](#) A RESOLUTION transferring \$363,610.00 within the 2006 Anti-Drug Sales Tax Fund, \$500,000.00 within the 2006 Public Building Corporation - Capital Project Fund, and \$636,695.00 within the 2006 General Fund to fully fund budgeted line item accounts as recommended by the Circuit Court of Jackson County, Missouri.
(ADOPTED)
- [15749](#) A RESOLUTION authorizing the County Executive to execute an Agreement with Wayside Waifs, Inc., in furtherance of the County's services for the care and disposition of lost and unclaimed animals brought for impoundment by persons residing in the unincorporated areas of Jackson County, at an actual cost to the County not to exceed \$10,000.00.
(ADOPTED)
- [15751](#) A RESOLUTION authorizing Change Order No. 1 to the contract with Vance Brothers, Inc. of Kansas City, MO, for Phase 3 of the 2005 Pavement Maintenance Program, Project No. 3040, increasing the contract amount by \$9,800.00.
(ADOPTED)

[15753](#) A RESOLUTION awarding a term and supply contract on Bid No. 36-05 for the furnishing of auto/truck parts from non-dealer sources for use by the Public Works and Parks and Recreation Departments to O'Reilly Auto Parts of Springfield, MO, and Factory Motor Parts of Kansas City, MO, to provide for departmental needs for the upcoming one-year period.

(ADOPTED)

[15754](#) A RESOLUTION accepting permanent drainage and temporary construction easements, and authorizing payment to the property owners, Doug and Kathy Walkenhorst, in the total amount of \$35,000.00 in connection with the Colbern Road Phase III Project.

(ADOPTED)

To adopt Ordinance 3731. To adopt Resolutions 15745, 15746, 15747, 15748, 15749, 15751, 15753, 15754.

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

Yes: 8 - Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Rhonda L. Shoemaker, Bob Spence and Bob Spence

Absent: 1 - Robert A. Stringfield

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

None.

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[15755](#) Bob Spence moved the passage of Resolution #15755, recognizing Jack Ray Post 5789 of the Veterans of Foreign Wars of the United States for its leadership and contributions to veterans and the community at large. Seconded by Dan Tarwater.

Yes: 8 - Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Rhonda L. Shoemaker, Bob Spence and Bob Spence

Absent: 1 - Robert A. Stringfield

(ADOPTED)

[15756](#) Bob Spence moved the passage of Resolution #15756, recognizing the extraordinary military service of Christopher Carr Morgan to the United States of America, the State of Missouri, and Jackson County. Seconded by Dennis Waits.

Yes: 8 - Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Rhonda L. Shoemaker, Bob Spence and Bob Spence

Absent: 1 - Robert A. Stringfield

(ADOPTED)

12 COUNTY EXECUTIVE ORDERS

06-01

In order to conform the Jackson County Personnel Rules with Ordinance 3707, dated November 7, 2005, the Personnel Rules are hereby amended as follows:

Rule 2 - DEFINITIONS OF TERMS

[Resident. A person whose principal place of domicile is within the corporate boundaries of Jackson County, Missouri.]

Rule 11 - APPLICATIONS AND EXAMINATIONS OF APPLICANTS AND CONDITIONS OF EMPLOYMENT

Section 11.4 - [Residency Required

All merit employees of the County shall be residents of Jackson County, Missouri. A non-resident applicant may be hired with the understanding he must establish residency in the county within six months of the date of his hiring. The Director of Personnel may, at his discretion, grant one additional extension of up to three months. Any merit employee who fails to establish residency within the required time period shall forfeit his position of employment. The Merit System Commission may waive the residency requirement upon a showing of hardship or if the waiver would clearly be in the best interest of the County. All waivers shall be reviewed annually. A new waiver is required each year. If a waiver is refused, the merit employee shall establish residency in the county within sixty days of the refusal or forfeit his position of employment. Each merit employee must notify the Personnel Department of any change in his residency. The Personnel Department shall monitor and record employees residency.]

RESERVED

Section 11.5 - Evidence of [Residency and] Age

The Director Personnel may accept statements of age [and/or County residency] on a verified application as sufficient evidence of th[ese]is requirement[s] or he may require further evidence.

Rule 21 - NON-MERIT EMPLOYEES

Section 21.4 [- Residency Required

The County Legislature may waive the residency requirement for a non-merit employee upon a showing of hardship or if the waiver would clearly be in the best interest of the County. All waivers shall be reviewed annually. A new waiver is required each year. If a waiver is refused, the employee shall establish residency in the County within sixty days of the refusal or forfeit his position of employment. At the discretion of the County Executive, one additional extension for up to three months may be granted.]

RESERVED.

13 UNFINISHED BUSINESS

None.

14 NEW BUSINESS

Fred Arbanas asked Kelly Markham-Stegall, Legislative Auditor, if she knew of any changes in the leases.

Kelly Markham Stegall said she was not aware of any.

Henry C. Rizzo said Gary Kemp had concerns and was able to meet with members of the negotiating team today to discuss them.

15 ADJOURNMENT

Dan Tarwater moved to adjourn the meeting. Seconded by Rhonda L. Shoemaker.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Tuesday, January 24, 2006 at 10:00 a.m. in the Legislative Assembly Area, Kansas City, Missouri.