



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)

Monday, March 15, 2004

2:30 PM

Eleventh Regular Meeting

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

Scott Burnett, Chairman, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

Present: Robert A. Stringfield, Fred Arbanas, Scott Burnett, Scott Burnett, Ronald E. Finley, Dennis Waits, Rhonda L. Shoemaker 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 3/8/2004.
Seconded by Fred Arbanas.

The motion passed by a voice vote.

(APPROVED)

4 HEARINGS

None.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Katheryn Shields, County Executive, presented a certificate of accreditation from the National Association of Medical Examiners to Dr. Thomas Young, Jackson County Medical Examiner. Dr. Young began working for Jackson County in July 1995 during a difficult time of transition and he has built an operation of professionalism that serves the citizens and the public of Jackson County very well. The office is now accredited from 2004 - 2009, which is a renewal. The office was first accredited in May 1999. It has only been under Dr. Young's leadership that Jackson County's Medical Examiner's office has achieved this accreditation. She said this is no small achievement. Out of all the medical examiner's offices in the United States, and there are hundreds, only thirty-eight are accredited nationwide. There is only one in the State of Missouri that is accredited which is the Jackson County Medical Examiner's Office. So quoting from a recommendation for accreditation, "The office has been very successful in obtaining excellent support from the County government. The policies and procedures are very well developed and can easily serve as models for other systems." She congratulated him.

Dr. Thomas Young said he has been able to achieve this through the generous support of the County Legislature and County Executive. He is very grateful that they have been very generous and kind to him.

Katheryn Shields gave an update on the Public Works Department's testing of bio-diesel fuel. Preserving our environment is very important to her and she knows it is important to the Legislature, because of the support they give for the environmental programs. The Department of Energy calls bio-diesel, "America's fastest growing alternative fuel." Bio-diesel is, basically, soybean oil mixed with regular diesel fuel. The Bio-diesel mixture is only slightly more expensive than regular diesel fuel by itself, and varies by market price. Yet the benefits far outweigh any additional cost. It is a cleaner fuel, which produces fewer emissions to pollute the atmosphere and it appears to help improve fuel mileage and efficiency. This means bio-diesel potentially lowers the wear and tear of the engine.

The Jackson County Public Works Department purchased 62,105 gallons of soy diesel in 2003. Public Works is now evaluating bio-diesel on a trial basis and is coordinating its findings with other similar Public Works maintenance operations in Illinois and Nebraska. So far the results are encouraging. Bio-diesel does appear to help extend engine life which helps make the trucks last longer. The main reason is traditional diesel fuel contains sulfur, a lubricant that cuts down on wear. Sulfur dramatically harms air quality.

Ultimately, bio-diesel has the potential to save tax dollars on repairs of our trucks. For the general public, probably the most visible benefit is reduced emissions. Emissions from a diesel engine are the particulates (thick black smoke). Adding soybean oil to make bio-diesel, really cuts down on those particulates.

She congratulated the Jackson County Public Works Department for its work in this area. Her hope is that bio-diesel will help Jackson County save tax dollars and preserve our environment at the same time.

Katheryn Shields gave a report on "Go Red for Women", which was very successful in Jackson County. We participated in this event to help raise money to fight heart disease and stroke, which are the number one killers of women. The generosity of our employees shined once again. They raised almost \$1,500.00. Jackson County ranked 4 out of 10 local organizations that participated, in total dollars raised. Many of these other organizations are larger, and most are in the private sector.

She wanted to say she is always proud of Jackson County employees, proud of the work they do for our citizens and proud of their generosity of spirit.

Finally, she wanted to remind the Legislature that work inside the building will begin which is included in the 2003 Bond Package. In the budget package there was about \$700,000.00 for internal work which includes the Prosecutor's office, the County Clerk's office the County Executive office and the Grand Entry on the first floor. New security will be set up when this work is completed.

Work will start in a couple of weeks in the Clerk's area. While work is being done in the Executive's area, her staff will move out to the eastern office.

Ronald E. Finley asked the administration for the opinions he requested last week regarding waiver of penalties and interest on property tax bills.

Katheryn Shields said she will work with Bill Snyder, Acting Deputy County Counselor, and get that information to Mr. Finley prior to next week's legislative meeting.

Ordinance #3478 was adopted at this time. See below for details.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

Fred Arbanas moved to waive the reading of Ordinances #3464, #3474, #3475 and #3476. Seconded by Bob Spence.
The motion passed by a voice vote. (APPROVED)

[3464](#) AN ORDINANCE approving the preliminary plat "Windsor Subdivision, Phases 5 and 6," creating a 41-lot residential subdivision, as to a 157.5 ± acre tract.
(Land Use Committee - 6th. Perfection)

[3472](#) AN ORDINANCE appropriating \$40,150.00 from the unappropriated surplus of the 2004 Health Fund and authorizing the County Executive to execute an Agreement for Medical Examiner Services with Cass County, Missouri, for compensation payable to Jackson County in the amount of \$80,000.00.
(Health and Justice Committee - 1st. Perfection)

[3473](#) Land Use Committee moved to perfect. Consent Agenda.

[3474](#) AN ORDINANCE granting a conditional use permit (CUP) in District A (Agricultural) for a period of twenty-five (25) years to continue operating a 299-ft. microwave communications tower as to a 1.3 ± acre tract.
(Land Use Committee - 1st. Perfection)

[3475](#) AN ORDINANCE granting a conditional use permit (CUP) in District A (Agricultural) for a period of twenty (20) years to extend an existing 100-ft. ham radio tower to a height of 135 feet as to a 3 ± acre tract.
(Land Use Committee - 1st. Perfection)

[3476](#) AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from District A (Agricultural) to District RE (Residential Estates) a certain 10 ± acre tract.
(Land Use Committee - 1st. Perfection)

[3477](#) Anti-Drug Committee moved to perfect. Consent Agenda.

Finance and Audit Committee moved to perfect Ordinance #3478. Consent Agenda.

Ronald E. Finley asked to reconsider Ordinance #3478.

Ronald E. Finley objects to the Consent Agenda.

[3478](#) Ronald E. Finley moved to perfect the Finance and Audit Committee Amendment of 3/15/2004, to delete the words "No later than July 31 of every year copies of the CAFR shall be made available to the public for public distribution through the Clerk of the Legislature" and insert the words "The CAFR shall be made available to the public immediately upon acceptance by the Legislature" under section 537.5 on page three. Seconded by Bob Spence.

The motion passed by a voice vote. (PERFECTED)

[3478](#) Ronald E. Finley moved to suspend the rules to consider final passage of Ordinance #3478. Seconded by Dennis Waits.

The motion passed by a voice vote. (APPROVED)

[3478](#) Ronald E. Finley moved the passage of Ordinance #3478 as perfected, repealing § 537., Jackson County Code, 1984, relating to County fiscal operations, and enacting in lieu thereof, one new section relating to the same subject. Seconded by Dennis Waits.

Yes: 8 - Robert A. Stringfield, Fred Arbanas, Scott Burnett, Scott Burnett, Ronald E. Finley, Dennis Waits, Rhonda L. Shoemaker and Bob Spence

(ADOPTED)

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[3471](#) Consent Agenda.

At the Legislative meeting held on March 22, 2004, Ordinance #3471 was reconsidered and the vote was as follows:

Yes: 7 - Robert A. Stringfield, Fred Arbanas, Ronald E. Finley, Dennis Waits, Dan Tarwater, Rhonda L. Shoemaker, Bob Spence

Abstain: 1 - Scott Burnett

Absent: 1 - Henry C. Rizzo

See journal of March 22, 2004 for details.

8 RESOLUTIONS IN COMMITTEE

[14930](#) Anti-Drug Committee moved do pass.

Dennis Waits objects to the consent agenda.

[14930](#) Dan Tarwater moved the passage of Resolution #14930, authorizing the Director of the Department of Finance to issue a check in the amount of \$69,065.50 to County Court Services, Inc., to resolve a claim for unpaid billings on the contract awarded by Resolution 14464, dated February 24, 2003. Seconded by Robert A. Stringfield.

Yes: 5 - Robert A. Stringfield, Fred Arbanas, Scott Burnett, Scott Burnett and Rhonda L. Shoemaker

Abstain: 1 - Dennis Waits

Absent: 2 - Ronald E. Finley and Bob Spence

(ADOPTED)

[14932](#) A RESOLUTION authorizing the County Executive to execute an Agreement for Medical Examiner Services with Clay County, Missouri, for compensation payable to Jackson County in the amount of \$190,000.00.

(Health and Justice Committee - 1st. Meeting)

[14933](#) A RESOLUTION authorizing the County Executive to execute an Agreement for Medical Examiner Services with Platte County, Missouri, for compensation payable to Jackson County in the amount of \$63,216.00.

(Health and Justice Committee - 1st. Meeting)

Communications and Reports of the County Executive were done at this time.

Ronald E. Finley asked to reconsider Ordinance #3478 at this time. See page 3 for details.

[14934](#) Public Works Committee moved do pass. Consent Agenda.

[14935](#) Health and Justice Committee moved do pass. Consent Agenda.

[14936](#) Health and Justice Committee moved do pass. Consent Agenda.

[14937](#) Health and Justice Committee moved do pass. Consent Agenda.

[14938](#)

Finance and Audit Committee moved do pass. Consent Agenda.

There was much discussion on Resolution #14939.

Bob Spence moved the floor amendment to Resolution #14939 dated March 15, 2004 to delete page 5 and the first two paragraphs on page 6 and to delete the word "an" and insert the word "two" after the word "of" and to insert the letter "s" after the initials "RFQ" in the "BE IT RESOLVED" paragraph on page 6. Seconded by Ronald E. Finley.

Yes: 8 - Robert A. Stringfield, Fred Arbanas, Scott Burnett, Ronald E. Finley, Dennis Waits, Dan Tarwater, Rhonda L. Shoemaker, Bob Spence.

No: 1 - Henry C. Rizzo

(APPROVED)

Bob Spence moved the floor amendment to Resolution #14939 dated March 15, 2004 to insert the language "WHEREAS, the scope of a performance audit will be presented to the Legislature at its next meeting;" before the "BE IT RESOLVED" paragraph on page 6. Seconded by Fred Arbanas.

Yes: 9 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Ronald E. Finley, Dennis Waits, Dan Tarwater, Rhonda L. Shoemaker, Bob Spence.

(APPROVED)

Robert A. Stringfield moved the floor amendment to Resolution #14939 dated March 15, 2004, to insert 1989 in the Section II paragraph, on page two. Seconded by Dennis Waits.

After some discussion, Robert A. Stringfield withdrew his original amendment and offered this one instead.

Robert A. Stringfield moved the floor amendment to Resolution #14939 dated March 15, 2004, to delete the words "for the years ended December 31, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002 and 2003" and insert the words "from its inception in 1989 through 2003." under Section II on page two. Seconded by Dennis Waits.

Yes: 9 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Ronald E. Finley, Dennis Waits, Dan Tarwater, Rhonda L. Shoemaker, Bob Spence.

(APPROVED)

[14939](#)

Dennis Waits moved to adopt the Finance and Audit Committee Substitute of 3/15/2004, authorizing an independent audit of the Jackson County COMBAT (Community Backed Anti-Drug Tax). Seconded by Bob Spence.

Yes: 8 - Robert A. Stringfield, Fred Arbanas, Scott Burnett, Scott Burnett, Ronald E. Finley, Dennis Waits, Rhonda L. Shoemaker and Bob Spence

(ADOPTED)

[14940](#)

Finance and Audit Committee moved do pass. Consent Agenda.

[14941](#) Authorizing an independent audit of the Jackson County COMBAT (Community Backed Anti-Drug Tax) and detailing the scope of the audit.
(WITHDRAWN BY SPONSOR SPENCE, CONCURRED BY WAITS AND TARWATER)

9 CONSENT AGENDA

[3473](#) AN ORDINANCE repealing sections 5045., 5046., and 5047., Jackson County Code, 1984, relating to boating in County parks and enacting, in lieu thereof, three new sections relating to the same subject, with a penalty provision.
(PERFECTED)

[3477](#) AN ORDINANCE transferring \$13,202.00 within and appropriating \$46,535.00 from the unappropriated surplus of the 2004 Anti-Drug Sales Tax Fund to cover the extension of the Gun Control Prosecution grant for the Prosecuting Attorney's Office funded by the United States Office of Justice Programs and the transfer of matching funds.
(PERFECTED)

[3471](#) AN ORDINANCE appropriating \$150,000.00 from the unappropriated surplus of the 2004 Grant Fund to cover the Mental Health Court grant received from the U.S. Department of Justice's Office of Justice Programs, and authorizing the County Executive to execute an Agreement with Truman Medical Center Behavioral Health Network, to implement this grant program at a cost to the County not to exceed \$150,000.00.
(ADOPTED)

[14934](#) A RESOLUTION authorizing the County Executive to execute an Intergovernmental Cooperative Agreement with the City of Kansas City, Missouri, for animal shelter services, at a cost to the County not to exceed \$18,000.00.
(ADOPTED)

[14935](#) A RESOLUTION approving the purchase of eleven (11) full-size 4-door sedans with police package for use by the Sheriff's Office from Joe Machens Ford of Columbia, MO, in the actual amount of \$222,981.00, under an existing State of Missouri government contract.
(ADOPTED)

[14936](#) A RESOLUTION awarding a twenty-four (24) month term and supply contract on Request for Proposals No. 1-04 for the furnishing of pre-employment physical exams for use by the Corrections Department to Occupational Health Services (OHS COMPCARE) of Kansas City, MO, in the estimated amount of \$5,000.00.
(ADOPTED)

[14937](#)

A RESOLUTION awarding a twelve (12) month term and supply contract for the furnishing of infection control disinfectants for use by the Department of Corrections to EnviroSystems of San Jose, CA, in the estimated amount of \$16,581.00, as a sole source purchase.

(ADOPTED)

[14938](#)

A RESOLUTION authorizing the purchase of maintenance agreements for hardware and software for use by the Management Information Systems, Geographic Information Systems, Records, and Corrections Departments, the Public Administrator's and Sheriff's Offices, and the Jackson County Election Board, in the actual aggregate amount of \$523,156.95, as sole source purchases.

(ADOPTED)

[14940](#)

A RESOLUTION awarding a contract for the furnishing of security software and hardware maintenance for use by the Human Resources Department to Wornall Secure Business Solutions, Inc. of Kansas City, Missouri, at a cost to the County not to exceed \$11,059.15, as a sole source purchase.

(ADOPTED)

To perfect Ordinances 3473, 3477. To adopt Ordinances 3471. To adopt Resolutions 14934, 14935, 14936, 14937, 14938, 14940.

Dan Tarwater moved the passage of the consent agenda. Seconded by Dennis Waits. The motion passed by a roll call vote:

Yes: 8 - Robert A. Stringfield, Fred Arbanas, Scott Burnett, Scott Burnett, Ronald E. Finley, Dennis Waits, Rhonda L. Shoemaker and Bob Spence

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[3479](#)

Transferring \$9,497.00 within the 2004 General Fund and appropriating \$37,989.00 from the unappropriated surplus of the 2004 Grant Fund to cover the Kidsafe grant for the Prosecuting Attorney's Office, received from the United States Department of Justice through the Heart of America United Way and the transfer of the matching funds, and authorizing the County Executive to execute an Agreement with the Heart of America United Way regarding this grant.

(Health and Justice Committee)

Dennis Waits suggested that Ordinance #3480 be assigned to Legislature as a Whole.

[3480](#) Appropriating \$20,000.00 from the Unappropriated Surplus and authorizing and directing the County Executive to execute an Agreement with Fowler Consulting of Vashon Island, Washington, to perform a comprehensive review of the structure and operation of the Office of Human Relations and Citizen Complaints, at a cost to the County not to exceed \$20,000.00.

(Legislature As A Whole)

Ronald E. Finley asked the Chairman if he still planned on interviewing candidates for the Sports Complex Authority on March 22, 2004.

Scott Burnett responded that interviews will be held at a later date.

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[14942](#) Awarding a contract on Bid No. PW 05-2004 for the 2004 Road Striping Program, Project No. 3009, to Twin Traffic Marking Corporation of Riverside, Missouri, in the actual amount of \$70,000.00.

(Public Works Committee)

[14943](#) Approving the purchase of a Sony Betacam Recorder/Player for use by the Parks and Recreation Department, from B & H Photo Video of New York, New York in the actual amount of \$7,479.65, under an existing Federal GSA contract.

(Land Use Committee)

[14944](#) Authorizing the purchase of proprietary apparel for resale by the Parks and Recreation Department at the Fred Arbanas Golf Course at Longview Lake from Titleist & Foot Joy Worldwide of Fairhaven, MA (\$35,000.00), Ashworth, Inc., of Los Angeles, CA (\$7,500.00), and Nike Golf of Dallas, TX (\$13,000.00), in the actual aggregate amount of \$55,500.00.

(Land Use Committee)

[14945](#) Awarding a contract on Bid No. 54-03 for furnishing and installation of parking gate operators and telephone entry system for use by the Parks and Recreation Department at Jacomo Park to Acme Fence Co., Inc. of Grandview, Missouri, in the actual amount of \$9,844.00.

(Land Use Committee)

[14946](#) Awarding a twelve (12) month term and supply contract for the furnishing of officiating services for the 2003-2004 Jackson County Soccer Leagues for use by the Parks and Recreation Department to Metropolitan Soccer Referee Association of Independence, MO, at a cost to the County not to exceed \$24,000.00, as a sole source purchase.

(Land Use Committee)

[14947](#) Awarding a twelve (12) month term and supply contract for the furnishing of recycled xerographic paper for use county-wide to Unisource, Inc., of Lenexa, KS, in the estimated amount of \$60,978.00 under an existing government contract of the Mid America Regional Council (MARC)/Kansas City Regional Purchasing Cooperative.

(Finance and Audit Committee)

[14948](#) Awarding a contract on Request for Proposals No. 8-04 for a license to provide concessions service at the Adair Park softball complex for an initial term of eight months with an option to extend for an additional twelve month period to J.E. Gross Concessions of Blue Springs, MO, for a fee payable to the County during each scheduled season at the rate of \$1,900.00 per month.

(Land Use Committee)

[14949](#) Awarding a contract for the maintenance of Novell software for use by the Management Information Systems Department to World Wide Technology of St. Louis, Missouri, under a State of Missouri government contract, at an actual cost to the County of \$65,842.00.

(Finance and Audit Committee)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

None.

14 NEW BUSINESS

None.

15 ADJOURNMENT

Dennis Waits moved to adjourn the meeting. Seconded by Ronald E. Finley.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, March 22, 2004 at 2:30 p.m. at the Independence Courthouse Annex, 308 W. Kansas, Ground Floor, Legislative Chambers.