



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, July 12, 2004

2:30 PM

Twenty-seventh Regular Meeting

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

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

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

The motion passed by a voice vote.

(APPROVED)

4 HEARINGS

None.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Katheryn Shields, County Executive, said the list distributed last week regarding the waivers of penalties and interest was a "work in progress" and was still being refined. She reported that the Collection Department has found that a number of waivers referred to as "discretionary" will need to be reclassified or excluded from collection for these reasons: 5,681 leased vehicles need to be classified as "documented" not discretionary because staff posted their payments at a later date; some were "payments under protest", which means they paid on time, but were posted at a later date. Therefore, these should not have been classified as waivers. Finally, companies in bankruptcy should have been coded but were not.

Jay Haden, Acting County Counselor, said the Collections Department hopes to achieve a manageable number before sending letters and proceeding.

Katheryn Shields regrets that this information was not made available in time for the report given to the Legislature last week. She appreciated the opportunity to make this clarification this week.

She notified the County Legislature that the Director of Collections has received disciplinary action.

There was much discussion regarding the waivers of penalties and interest. Audio and video tape are available for review.

Katheryn Shields informed the Legislature of the passing of LaVerne O'Flaherty. She was the widow of John D. O'Flaherty who served as Jackson County's Assessor from 1982 - 1986. Her brother-in-law, Michael O'Flaherty, currently serves in that capacity. She expressed sincere condolences to the family.

She announced that three World Series are coming to Jackson County Parks. July 12 through July 17, hundreds of players from across the nation will be at the Frank White Jr. Sports Complex for the 13 & Under Major Regional World Series, the 12 & Under Major Regional World Series and the 8 & Under Kid Pitch Baseball East World Series. Forty teams from as far away as Tennessee and Colorado are joining those from Nebraska, Iowa, Missouri and Kansas, all vying for the title of the best in the U.S. Opening ceremonies were held Sunday evening, first round play began on Monday and championship games are set for Thursday, Friday and Saturday. The entry fee is \$5.00 per day for adults, \$3.00 for children ages 6-12, and free admission for children 5 and under. Full tournament passes are \$12.00 for children and \$20.00 for adults. For tickets or more information call 816-795-8200, extension 1278.

Rhonda Shoemaker, County Legislator, said she went to the opening ceremony and there was quite a large crowd.

Henry Rizzo, County Legislator, announced the passing of Joann Arena, wife of Paul Arena who is employed by the County Auditor's office. He asked everyone to remember the family in their thoughts and prayers.

Katheryn Shields said Resolution #15095 would be introduced today regarding the Kansas City Law Enforcement Block Grant. She said the deadline for this grant application is June 21, 2004. It is her understanding that the Prosecutor's office has an alternative suggestion. She said she would be available through Wednesday to discuss this matter with anyone wishing to do so. However, she will not be at the legislative meeting next week as she will be attending the National Association of Counties conference.

Resolution #15091 was adopted at this time. See page 6 for details.

Michael Sanders, Prosecuting Attorney, said in the past the Prosecutor's Office and the Sheriff's Department, has been involved in discussions about how the proceeds received from this grant would be distributed. He said that discussion did not occur this year.

Dan Tarwater, County Legislator, said the money available through this grant has steadily decreased and he explained that this is the last year for this money.

Alan Wells, Local Law Enforcement Block Grant Administrator for the City of Kansas City, Missouri, said there was an agreement made in 1995 that the City of Kansas City would support the drug court with its allocation out of a local law enforcement block grant. He explained that Kansas City applies for this grant not Jackson County. He said the City took a 57.4% reduction in block grant monies. He said the reason the County is involved in this discussion is because of the regulation in the Local Law Enforcement Block Grant that has to do with disparate jurisdiction. When the County provides more than 50% of the prosecution of the crimes reported on the system where they report crime statistics, it designates how much money you get allocated in the block grant.

Then it can be designated by the Missouri Attorney General as a disparate jurisdiction. This rule on disparate jurisdiction did not come about until the 1999 grant. Last year, the Attorney General designated every disparate jurisdiction, every place where the county provided more than 50% of the prosecution of felony crimes or those crimes reported under the system and the City received more than 200% more money than was allocated to the County. Disparate jurisdiction simply says that the County can veto. The City and County must reach an agreement. If the County wants to exercise disparate jurisdiction, then the City of Independence needs to be brought into the discussions also.

Henry C. Rizzo, County Legislator, asked about KC Futures 150 program.

Alan Wells said KC Futures 150 is an internship program which is part of the Sentence to the Arts program, it is a collaboration between FEC, Pan Educational Institute, COMBAT and the City.

Katheryn Shields said that Mary Helen Murphy, Chief Operating Officer of Jackson County, and Les Washington, Director of Neighborhood and Community Services for Kansas City can meet with Michael Sanders, Prosecuting Attorney on Tuesday to discuss this matter. The meeting is scheduled to be held on Tuesday, July 13, 2004 at 9:30 A.M.

6 PERFECTON OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

Fred Arbanas moved to waive the reading of Ordinances #3511, #3512 and #3513. Seconded by Dan Tarwater.

The motion passed by a voice vote. (APPROVED)

[3511](#)

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 - 1st. Perfection)

[3512](#)

AN ORDINANCE amending the districts established by the Jackson County Zoning Order changing from District A (Agricultural) to District RR (Residential Ranchette), a certain 18 ± acre tract.

(Land Use Committee - 1st. Perfection)

[3513](#)

AN ORDINANCE granting a conditional use permit (CUP) in District GB (General Business) for a period of ten (10) years to construct a 150-ft. monopole commercial communication tower as to a certain 50-ft. by 50-ft. lease area.

(Land Use Committee - 1st. Perfection)

The Land Use Committee will have a public hearing regarding Ordinances #3511, #3512 and #3513 on Friday, July 23, 2004 at 1:00 P.M. at Fleming Hall.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

None.

8 RESOLUTIONS IN COMMITTEE

[15075](#) Finance and Audit Committee moved do pass.

Ronald E. Finley objects to the Consent Agenda.

[15075](#) Bob Spence moved the passage of Resolution #15075, authorizing a twelve month extension to the term and supply contract for the furnishing of plumbing services for use by various County departments with Rodriguez Mechanical Contractors, of Kansas City, KS, to provide for county-wide needs for the upcoming one-year period, and increasing the estimated annual amount by \$362,507.76, for a revised estimated annual amount of \$562,507.76. Seconded by Robert A. Stringfield.

Yes: 7 - Robert A. Stringfield, Fred Arbanas, Scott Burnett, Scott Burnett, Ronald E. Finley, Rhonda L. Shoemaker and Bob Spence

Absent: 1 - Dennis Waits

(ADOPTED)

[15078](#) Finance and Audit Committee moved do pass. Consent Agenda.

[15080](#) Finance and Audit Committee moved do pass. Consent Agenda.

[15081](#) Public Works Committee moved do pass. Consent Agenda.

[15082](#) Public Works Committee moved do pass. Consent Agenda.

[15084](#) Public Works Committee moved do pass. Consent Agenda.

[15086](#) Public Works Committee moved do pass. Consent Agenda.

[15088](#) Finance and Audit Committee moved do pass. Consent Agenda.

[15089](#) Finance and Audit Committee moved do pass. Consent Agenda.

9 CONSENT AGENDA

[15078](#) A RESOLUTION authorizing a twelve month extension to the term and supply contract for the furnishing of painting services for use by various County departments with Northeast Painting Company, Inc., of Kansas City, MO, to provide for county-wide needs for the upcoming one-year period, and increasing the estimated annual amount by \$348,380.00 for a revised estimated annual amount of \$353,380.00

(ADOPTED)

- [15080](#) A RESOLUTION awarding a term and supply contract on Electronic Solicitation No. BB20048 for the furnishing of HVAC filters for use by the Facilities Management Department to Bio Environmental Systems Technologies (B.E.S.T.), Inc., of Kansas City, KS, to provide for departmental needs for the upcoming one-year period, in the estimated amount of \$20,000.00.
- (ADOPTED)
- [15081](#) A RESOLUTION awarding a contract on Bid No. PW 03-2004 for the 2004 Pavement Maintenance, Phase 3, Project No. 3003, to Superior Bowen Asphalt Company, LLC, of Kansas City, MO, in the actual amount of \$468,535.05.
- (ADOPTED)
- [15082](#) A RESOLUTION authorizing the County Executive to execute Change Order No. 2 and Change Order No. 3 to the contract with R. A. Knapp Construction of Kansas City, KS, for the Noland Road Bridge over Little Blue River Project, No. 2390, at an increased cost to the County not to exceed \$27,390.75.
- (ADOPTED)
- [15084](#) A RESOLUTION authorizing the County Executive to execute an Agreement for Animal Control Services with the City of Levasy, Missouri.
- (ADOPTED)
- [15086](#) A RESOLUTION authorizing the County Executive to execute a Cooperative Agreement with the City of Lee's Summit, MO, in connection with the Blackwell Road and Woods Chapel Road public improvement projects.
- (ADOPTED)
- [15088](#) A RESOLUTION extending the term of and authorizing an increase in the amount of \$446,811.87 to the term and supply contract with Infinite Energy Construction, Inc., dba Progress Electric of Grandview, MO, for the furnishing of electrical service for use by various departments countywide at a total estimated cost of \$596,811.87.
- (ADOPTED)
- [15089](#) A RESOLUTION extending the term of and authorizing an increase in the estimated amount of \$322,316.56 to the term and supply contract with R. D. Mann of Kansas City, KS, for the furnishing, installation, and recycling of carpet for use by various departments countywide at a total estimated cost of \$402,316.56.
- (ADOPTED)

To adopt Resolutions 15078, 15080, 15081, 15082, 15084, 15086, 15088, 15089.

Fred Arbanas moved the passage of the consent agenda. Seconded by Bob Spence.
The motion passed by a roll call vote:

Yes: 7 - Robert A. Stringfield, Fred Arbanas, Scott Burnett, Scott Burnett, Ronald E. Finley, Rhonda L. Shoemaker and Bob Spence

Absent: 1 - Dennis Waits

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

The Legislature took a 2 minute recess. Legislature reconvenes.

[3514](#)

Appropriating \$4,648.00 from the unappropriated surplus of the 2004 Grant Fund to cover the increase in the grant awarded to the Family Court Division by the Missouri Children's Division for the Child Protection Center project.

(Health and Justice Committee)

[3515](#)

Amending sections 1503., 1511., 1520., and 1522., Jackson County Code, 1984, relating to the Jackson County Employees' Pension Plan.

(Health and Justice Committee)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[15090](#)

Dennis Waits moved the passage of Resolution #15090, authorizing the Jackson County Legislature to hold a closed meeting on Monday, July 12, 2004, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor concerning the status of legal actions, causes of action, and/or litigation, and closing all records prepared for discussion at said meeting. Seconded by Fred Arbanas.

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

(ADOPTED)

[15091](#)

Bob Spence moved the passage of Resolution #15091, congratulating Caleb Brown on his first place finish at the Junior National Chess Championship. Seconded by Dan Tarwater.

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

(ADOPTED)

[15092](#)

Awarding a twelve-month term and supply contract on Bid No. 28-04 for the furnishing of automotive electronic supplies for use by the Public Works and Parks and Recreation Departments to CTW Electrical Co., Inc., of Greenwood, IN, in the estimated amount of \$20,000.00.

(Public Works Committee)

[15093](#)

Awarding a term and supply contract on Electronic Solicitation No. BB200444 for the furnishing of small parts washer service and fluids disposal for use by the Public Works Department, for the upcoming one-year period, to Safety-Kleen Systems, Inc., of Independence, MO, in the estimated amount of \$20,000.00.

(Public Works Committee)

- [15094](#) Dennis Waits moved the passage of Resolution #15094, awarding a twelve-month term and supply contract on Request for Proposals No. 4-04 for the furnishing of coffee service for use countywide to Necco Coffee of Kansas City, MO, in the estimated amount of \$45,000.00. Seconded by Robert A. Stringfield.
- Yes: 4 - Robert A. Stringfield, Scott Burnett, Scott Burnett and Dennis Waits
No: 4 - Fred Arbanas, Ronald E. Finley, Rhonda L. Shoemaker and Bob Spence
- (DEFEATED)
- [15095](#) Expressing the intent of the Legislature that the County's share of the proceeds of the Kansas City Law Enforcement Block Grant for 2004-2006 be allocated as proposed by the City.
- (Anti-Drug Committee)*
- Representatives from the City of Kansas City will meet with Mary Helen Murphy, Chief Operating Officer and Michael Sanders, Prosecuting Attorney on Tuesday, July 13, 2004 at 9:30 A.M. regarding this resolution.*
- [15096](#) Transferring \$500,000.00 within the 2004 Special Road & Bridge Fund in connection with the Jackson County Public Building Corporation Leasehold Revenue Bonds, Series 2000A.
- (Public Works Committee)*
- [15097](#) Authorizing the County Executive to execute a Memorandum of Understanding with West Central Missouri Regional Lodge 50 of the Fraternal Order of Police.
- (Health and Justice Committee)*
- No dissenting vote to consider Resolution #15098 - not on printed agenda.*
- [15098](#) Dan Tarwater moved the passage of Resolution #15098, authorizing the County Executive to execute a First Addendum to the Agreement with Old Northeast, Inc., amending the payment terms for the duration of the Agreement. Seconded by Robert A. Stringfield.
- Yes: 8 - Robert A. Stringfield, Fred Arbanas, Scott Burnett, Scott Burnett, Ronald E. Finley, Dennis Waits, Rhonda L. Shoemaker and Bob Spence
- (ADOPTED)
- No dissenting vote to consider Resolution #15099 - not on printed agenda.*
- Resolution #15090 was adopted at this time. See page 6 for details.*
- [15099](#) Fred Arbanas moved the passage of Resolution #15099, concurring in the decision of the County Counselor to settle a claim arising out of unpaid employee union dues of an employee of the Office of the Prosecuting Attorney in the amount of one-third of the total sum claimed, not to exceed \$363.00. 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)

12 COUNTY EXECUTIVE ORDERS

None.

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, July 19, 2004 at 2:30 P.M. in the Kansas City Legislative Assembly Area.