



Jackson County Missouri

JOURNAL

County Legislature

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

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

Monday, November 21, 2005

2:30 PM

Forty-Sixth Regular Meeting

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

Dan Tarwater, 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, Dan Tarwater, Rhonda L. Shoemaker and Bob Spence

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

Eugene Standifer Jr. moved to approve the journal of the previous meeting held on 11/14/2005. Seconded by Bob Spence.

The motion passed by a voice vote.

(APPROVED)

Resolution #15679 was adopted at this time. See page 3 for details.

4 HEARINGS

NAACP representative Anita Russell spoke in opposition regarding changing the County's residency requirement.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Katheryn Shields, County Executive, said that Harold "Doc" Holliday, Jr. died on Friday, November 18, 2005. Many of us connected to the County Legislature remember him as a former legislator. He was very intelligent and an advocate who spoke out on first amendment rights. Visitation will be from 6 to 8 p.m. on Tuesday at Watkins Brothers Funeral Home. The funeral will take place on Wednesday, November 22 at 11:00 a.m. at Reverend Cleaver's Church located at 56th and Paseo.

Katheryn announced that yesterday was the 100th birthday of Morningstar Missionary Baptist Church. Reverend John Miles is the minister and the Legislature has worked with the County Executive in the past to bring the Baptist Convention to Kansas City, Missouri. It is a wonderful church and they have done many great things for this community.

Ms. Shields also announced that Dr. Ali Roohanirad, Acting Director of Public Works, has received national recognition. He was one of 50 people nation wide to be named a trend setter by Public Works Magazine. His asset management approach has helped reduce accidents on Jackson County roadways by 40%. He is now sharing this approach with other departments across the nation.

She said that KUDL and Jackson County have planned another fantastic opening for Christmas in the Park which opens to the public on Wednesday, November 23rd. She invited the Legislature to experience Christmas in the Sky, a special event featuring a spectacular stage show with over 100 singers and dancers. The gala begins at 6 P.M. and the fireworks display, synchronized to holiday music starts at 7:30 P.M. Admission is free for Christmas in the Sky.

Christmas in the Park at Longview Lake is a display with over 300,000 lights, 175 animated figures, and splashes of Christmas color. Donations are accepted to local charities. Hours for Christmas in the Park are Sunday through Thursday 5:30 - 10:00 P.M. , Friday and Saturday 5:30 - 11:00 P.M. through December 31, 2005.

Katheryn Shields distributed the 2006 Recommended Budget for Jackson County, Missouri. She said it was a difficult task but every fund in the budget is now balanced. Several unusual expenses for 2006 have combined to create a budgetary problem. One is the special election to deal with the Chiefs/Royals issue. Another is the gap in funding for 911 Emergency which is approximately \$1.3 million dollars. Finally, there is no budget agreement with the 16th Judicial Circuit Court but she will continue to work with them. This marks the 12th balanced budget she has presented to the County Legislature. She pledges to work with the County Legislature to adopt a budget that efficiently and effectively manages the tax dollars of Jackson County.

Robert A. Stringfield, County Legislator, said he noticed in the recommended budget the amount of \$100,000.00 set aside for a lawsuit filed by Legislator Stringfield. He commented with a quote from Abe Lincoln, "You can't fool all the people all the time."

Henry C. Rizzo, County Legislator, said he received an anonymous call stating that Jackson County is doing some outsourcing to India. The report was they took pictures of property and the county is outsourcing the work to process the pictures.

Katheryn Shields said she is not aware but she will check into it and report back to the Legislature.

Dan Tarwater, Chairman, said the budget hearings will begin next week after the legislative meeting which is scheduled to be held at 11 A.M.

6 PERFECTON OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

3705

AN ORDINANCE amending the zoning districts established by the Unified Development Code by rezoning a certain 10 ± acres from District A (Agricultural) to District RR (Residential Ranchette).

(Land Use Committee - 2nd. Perfection)

Fred Arbanas moved to waive the reading of Ordinance #3706. Seconded by Bob Spence.

The motion passed by a voice vote.

(APPROVED)

[3706](#) AN ORDINANCE amending the zoning districts established by the Unified Development Code by rezoning a certain 9 ± acres from District A (Agricultural) to District RE (Residential Estates) for a three-lot residential subdivision.

(Land Use Committee - 2nd. Perfection)

The Land Use Committee will have a public hearing on Wednesday, November 30, 2005 at 1 P.M. at Fleming Hall regarding Ordinances #3705 and #3706.

[3712](#) Health and Justice Committee moved to perfect. Consent Agenda.

[3714](#) Land Use Committee moved to perfect.

Fred Arbanas objects to the Consent Agenda.

[3714](#) Fred Arbanas moved to perfect Ordinance #3714. Seconded by Bob Spence.

The motion passed by a voice vote.

(PERFECTED)

[3714](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #3714. Seconded by Bob Spence.

The motion passed by a voice vote.

(APPROVED)

Consent Agenda. See Final Passage of Proposed Ordinances.

[3715](#) Anti-Drug Committee moved to perfect. Consent Agenda.

[3716](#) Anti-Drug Committee moved to perfect. Consent Agenda.

[3717](#) Anti-Drug Committee moved to perfect. Consent Agenda.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[3709](#) Consent Agenda.

[3710](#) Consent Agenda.

[3714](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

[15679](#) Henry C. Rizzo moved the passage of Resolution #15679, commending Charline Harrison-Rainey and the residents of Parade Park Homes for standing up to crime and violence in the community. Seconded by Scott Burnett.

Yes: 8 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dan Tarwater, Rhonda L. Shoemaker and Bob Spence

Absent: 1 - Dennis Waits

(ADOPTED)

[15685](#) A RESOLUTION amending Rule 6 of the Rules of the Jackson County Legislature.

(Finance and Audit Committee - 2nd. Meeting)

[15691](#) Anti-Drug Committee moved do pass. Consent Agenda.

[15692](#) Health and Justice Committee moved do pass. Consent Agenda.

[15693](#) Anti-Drug Committee moved do pass. Consent Agenda.

Scott Burnett moved to waive the reading of Resolution #15694. Seconded by Bob Spence.

The motion passed by a voice vote.

(APPROVED)

[15694](#) A RESOLUTION awarding twelve (12) month term and supply contracts for the furnishing of personal computers and miscellaneous computer software and hardware for use by various County departments to Dell Marketing of Round Rock, TX, Hewlett Packard of Houston, TX, Gateway Companies, N. Sioux City, SD, World Wide Technology of St. Louis, MO, Software House International of Austin, TX, and Midwest Technology Connection of Kansas City, MO, under the terms and conditions set forth in several existing government contracts.

(Finance and Audit Committee - 1st. Meeting)

9 CONSENT AGENDA

[3712](#) AN ORDINANCE appropriating \$52,570.00 from the unappropriated surplus of the 2005 Grant Fund in acceptance of a contract awarded to the Family Court Division by the Missouri Department of Public Safety for the VOCA-Victim Advocacy Project and authorizing the County Executive to execute a grant award contract.

(PERFECTED)

[3715](#) AN ORDINANCE transferring \$12,196.00 within the 2005 General Fund and \$9,201.00 within the 2005 Anti-Drug Sales Tax Fund, and appropriating \$95,454.00 from the unappropriated surplus of the 2005 Grant Fund in acceptance of a grant received from the Missouri Department of Public Safety.

(PERFECTED)

- [3716](#) AN ORDINANCE transferring \$5,327.00 within the 2005 General Fund and appropriating \$11,994.00 from the unappropriated surplus of the 2005 Anti-Drug Sales Tax Fund and authorizing a two-month extension of the Gun Prosecution Grant awarded by the U.S. Department of Justice's Office of Justice Programs.
(PERFECTED)
- [3717](#) AN ORDINANCE transferring \$5,029.00 within the 2005 General Fund and \$4,643.00 within the 2005 Anti-Drug Sales Tax Fund and appropriating \$48,360.00 from the unappropriated surplus of the 2005 Grant Fund in acceptance of a grant received from the Missouri Department of Public Safety.
(PERFECTED)
- [3709](#) AN ORDINANCE enacting sections 5567., 5567.1, 5567.2, Jackson County Code, 1984, relating to a prohibition on smoking on the exterior premises of County property located at 415 E. 12th Street, Kansas City, MO except for a designated smoking pavilion.
(ADOPTED)
- [3710](#) AN ORDINANCE amending Chapter 50 of the Jackson County Code, 1984, relating to the allowance of easements through Jackson County Parks, with a penalty provision by enacting six (6) new sections to be known as Sections 5099., 5099.1, 5099.2, 5099.3, 5099.4 and 5099.5.
(ADOPTED)
- [3714](#) AN ORDINANCE repealing Schedule I, Chapter 50, Jackson County Code, 1984, relating to park fees and charges, and enacting, in lieu thereof, a new schedule relating to the same subject.
(ADOPTED)
- [15691](#) A RESOLUTION authorizing the County Executive to execute an Addendum extending the term of an Agreement with the Organized Crime Drug Enforcement Task Force from its current expiration date of October 1, 2005 to December 31, 2005, at no additional cost to the County.
(ADOPTED)
- [15692](#) A RESOLUTION authorizing the County Executive to execute an Agreement extending U.S. Department of Justice grant award for the Mental Health Court Program for a period of one year beginning September 1, 2005 through August 31, 2006 at no additional cost to the County.
(ADOPTED)
- [15693](#) A RESOLUTION authorizing the County Executive to execute a Cooperative Agreement with the Whatsoever Community Center to provide for the use of Anti-Drug Sales Tax grant match monies for the Chance for Change Program, at a cost to the County not to exceed \$50,000.00.
(ADOPTED)

To perfect Ordinances 3712, 3715, 3716, 3717. To adopt Ordinances 3709, 3710, 3714.
To adopt Resolutions 15691, 15692, 15693.

Dennis Waits moved the passage of the consent agenda. Seconded by Bob Spence.
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, Dan Tarwater, Rhonda L. Shoemaker and Bob Spence

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[3718](#)

Setting the 2006 Jackson County, Missouri tentative tax levy.

(Finance and Audit Committee)

[3719](#)

To adopt the annual budget and set forth appropriations for the various spending agencies and the principal subdivisions thereof, for the fiscal year ending December 31, 2006.

(Legislature As A Whole)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

- [15696](#) Authorizing the County Executive to execute Cooperative Agreements with Hope House, New House, and Rose Brooks domestic violence shelters in order to provide assistance to victims of domestic violence during 2006, at an aggregate cost to the County not to exceed \$121,637.70.
(Health and Justice Committee)
- [15697](#) Authorizing the County Executive to execute a Cooperative Agreement with DeLaSalle Education Center for its DeLaSalle Middle School Program at a cost to the County not to exceed \$4,167.00.
(Anti-Drug Committee)
- [15698](#) Authorizing the County Executive to execute a Cooperative Agreement with Truman Medical Center, Inc. for its StartRight Teen MOMs Program at a cost to the County not to exceed \$18,054.00 .
(Anti-Drug Committee)
- [15699](#) Authorizing the County Executive to execute a Cooperative Agreement with Swope Parkway Health Center for its Health Care for the Homeless Program at a cost to the County not to exceed \$90,000.00.
(Anti-Drug Committee)
- [15700](#) Transferring \$67,441.00 within Anti-Drug Sales Tax Fund for the Family Court Division's Night Light Program.
(Anti-Drug Committee)
- [15701](#) Transferring \$70,000.00 within the 2005 General Fund to provide funding for overtime salary overages within the Sheriff's Department.
(Health and Justice Committee)
- [15702](#) Transferring \$250,000.00 within the 2005 Special Road and Bridge Fund to provide funding for overtime and part-time salary overages within the Sheriff's Department.
(Health and Justice Committee)
- [15703](#) Approving a contract extension for the Jackson County Family Court's Disproportionate Minority Confinement Program at no additional cost to the County.
(Health and Justice Committee)
- [15704](#) Authorizing the County Executive to execute an Addendum to Agreement with ClientServ Corporation of Apex, North Carolina, for the furnishing of software services for the Prosecuting Attorney Office's Deferred Prosecution - Drug Court Program at a cost to the County not to exceed \$8,520.00.
(Anti-Drug Committee)

[15705](#)

Awarding a contract on Bid No.PW01-2005 to J.M. Fahey Construction Company of Grandview, MO, for the Harry Truman Drive Extension Project #2999, at a cost to the County not to exceed \$2,325,027.13.

(Public Works Committee)

No dissenting vote to consider Resolution #15706 - not on printed agenda.

[15706](#)

Fred Arbanas moved the passage of Resolution #15706, expressing the commitment of the Legislature to ensuring that Major League Baseball will continue to make its home in Kansas City at Kauffman Stadium, and that the resources of the County available for that purpose will be utilized only at Kauffman Stadium. Seconded by Bob Spence.

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

(ADOPTED)

12 COUNTY EXECUTIVE ORDERS

[05-27](#)

I hereby appoint Julie Graves to the Community Mental Health Fund for a term to expire September 30, 2008. A copy of her resume is attached.

13 UNFINISHED BUSINESS

Eugene Standifer, County Legislator, said he would like the records to reflect that his vote on the legislation regarding residency for Jackson County employees should be no. He did not intend to vote in favor of Ordinance #3707 which was adopted by the Legislature on November 14, 2005. He asked the County Counselor to draft an Ordinance regarding residency.

Eugene Standifer moved to reconsider Ordinance #3707. Seconded by Henry C. Rizzo. Robert A. Stringfield said he opposed this Ordinance originally but he will not vote on this due to the Sunshine Law requirement of 24 hours notice on the vote. After much discussion, there was no movement on this motion.

Henry C. Rizzo said he would like the chance to vote no on this ordinance.

Ed Rucker, County Counselor, said since the ordinance has already been signed by the County Executive it could not be reconsidered or rescinded.

Bob Spence moved to allow Eugene Standifer, Jr. to change his vote on Ordinance #3707, regarding residency, from YES to NO. Seconded by Dennis Waits.

The motion passed by a voice vote.

(APPROVED)

Henry C. Rizzo asked Katheryn what is the reality of the rolling roof concept.

Katheryn Shields said it has been part of the discussions. The negotiating team was aware that since last spring Mr. Hunt has been working with the NFL to see if there can be a Superbowl in Kansas City, Jackson County, Missouri. The vote finally came to fruition last week. She said Jackson County will continue negotiations with the Chiefs and Royals to see if the roof can be part of the proposal.

Henry C. Rizzo said he supports the concept.

Katheryn said the questions are how much will it cost and who will fund it.

Fred Arbanas, County Legislator, said the Royals have expressed that they do not want a rolling roof. The rolling roof should only be considered for Arrowhead Stadium.

Dennis Waits, County Legislator, said they will be two separate proposals. One proposal for renovation and improvements only and one proposal for the roof.

Henry C. Rizzo and Katheryn Shields agreed that the Superbowl would be a great revenue generator for the community.

Dan Tarwater said in the Kansas City Star it was projected that the Superbowl would bring \$300,000 - \$400,000 million as the infusion of outside money during the week of events leading up to the Superbowl.

Henry C. Rizzo asked Ed Rucker to advise the Legislature of his opinion on the Sunshine Law provisions, since a recent lawsuit has been filed.

Dan Tarwater said in Mr. Stringfield's lawsuit it speaks to attorney fees. Mr. Tarwater asked that any costs incurred by other members of the Jackson County Legislature be put back on Mr. Stringfield.

Ed Rucker said he does not know what the statute states regarding this issue. He said the County Counselor will need to hire outside counsel since the lawsuit comes from one member of the County Legislature to all other members of the County Legislature. He will discuss this issue with the attorney retained by the County.

Dan Tarwater instructed him to file a countersuit or whatever is needed to make sure the other members attorney fees are covered by Mr. Stringfield.

14 NEW BUSINESS

None.

15 ADJOURNMENT

Dennis Waits moved to adjourn the meeting. Seconded by Henry C. Rizzo.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, November 28, 2005 at 11:00 A.M. in the Kansas City Legislative Assembly Area.

Budget Hearings by department will begin at 12:30 P.M.