



Office of
Mary Jo Spino
Clerk of the County Legislature

Jackson County Missouri

JOURNAL

County Legislature

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

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

Monday, November 3, 2003

3:30 PM

Forty-second regular Meeting

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

Dennis Waits, 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, 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 10/27/2003.
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, introduced three new appointments to the Mid-Continent Library Board. They were John Laney, Brent Schondelmeyer and Joycelyn Burgo.

Katheryn Shields presented the July 2003 employee of the month award to Kerri Moore, Accounting Clerk in the Finance Department.

The County Executive handed out a list of Missouri Legislative priorities for 2004 which her administration has compiled. All are a continuation of the 2003 priorities. They include continued funding for the Truman Sports Complex at the 3 million dollar level, a comprehensive transportation plan with multiple funding sources, additional state reimbursement for Juvenile Court, restoring reimbursement for prisoner per diem to previous levels and support of state reimbursement for prisoners' medical expenses. Also on the list is additional funding for Assessors and additional modifications in the Delinquent Land Tax Law. Community wide issues are support requiring insurance companies to give discounts to drivers that complete a defensive driving course, support funding early Childhood Care and Education and supporting legislation providing for the growth of Life Sciences and related industries in the Kansas City Area.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[3407](#)

AN ORDINANCE reimposing a tax of 2.0% of the tariff rate for each local telephone access line, not to exceed 100 lines per person or per location, for emergency telephone service utilizing a single three-digit number "911."

(Finance and Audit Committee - 6th. Perfection)

Fred Arbanas moved to waive the reading of Ordinances #3424 through #3426.

Seconded by Bob Spence.

The motion passed by a voice vote.

(APPROVED)

The Land Use Committee will have a public hearing on Ordinances #3424 through #3426 on Tuesday, November 4, 2003, at 1:00 p.m. at Fleming Hall.

[3424](#)

AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RE (Residential Estates), a certain 20 ± acre tract, and approving the preliminary plat "KB Hilltop," creating a four (4) lot residential subdivision.

(Land Use Committee - 2nd. Perfection)

[3425](#)

AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RE (Residential Estates), a certain 2.8 ± acre tract.

(Land Use Committee - 2nd. Perfection)

[3426](#)

AN ORDINANCE granting a conditional use permit (CUP) in District A (Agricultural) for a period of ninety-nine (99) years to construct an electric transmission line as to a 3.6 ± acre tract.

(Land Use Committee - 2nd. Perfection)

[3430](#)

Health and Justice Committee moved to perfect. Consent Agenda.

Dan Tarwater moved to waive the reading of Ordinance #3431. Seconded by Fred Arbanas.

The motion passed by a voice vote.

(APPROVED)

- [3431](#) AN ORDINANCE transferring \$93,813.00 within and appropriating \$375,253.00 from the unappropriated surplus of the 2003 Anti-Drug Sales Tax Fund to cover the Drug Abatement Response Team (DART) grant for the Prosecuting Attorney's Office funded by the Missouri Department of Public Safety and the transfer of matching funds, accepting said grant from the Missouri Department of Public Safety, and authorizing the County Executive to execute a Memorandum of Understanding with the City of Kansas City, MO, and the Kansas City Board of Police Commissioners regarding the DART program at a cost to the County not to exceed \$91,000.00.
(Anti-Drug Committee - 1st. Perfection)
- [3432](#) Finance and Audit Committee moved to perfect.
Ronald E. Finley objects to the consent agenda.
- [3432](#) Ronald E. Finley moved to perfect Ordinance #3432. Seconded by Fred Arbanas.
The motion passed by a voice vote. (PERFECTED)
- [3432](#) Ronald E. Finley moved to suspend the rules to consider final passage of Ordinance #3432. Seconded by Dan Tarwater.
The motion passed by a voice vote. (APPROVED)
- [3432](#) Ronald E. Finley moved the passage of Ordinance #3432 as perfected, repealing sections 1503.1, 1503.26, 1504., 1505., 1512., 1513., and 1550., Jackson County Code, 1984, relating to the Jackson County Employees' Pension Plan, and enacting, in lieu thereof, six new sections and three new subsections relating to the same subject. Seconded by Fred Arbanas.
Yes: 7 - Fred Arbanas, Scott Burnett, Scott Burnett, Ronald E. Finley, Dennis Waits, Dennis Waits and Bob Spence
No: 2 - Robert A. Stringfield and Rhonda L. Shoemaker
(ADOPTED)
- [3433](#) Finance and Audit Committee moved to perfect.
Ronald E. Finley objects to the consent agenda.
- [3433](#) Ronald E. Finley moved to perfect Ordinance #3433. Seconded by Dan Tarwater.
The motion passed by a voice vote. (PERFECTED)
- [3433](#) Ronald E. Finley moved to suspend the rules to consider final passage of Ordinance #3433. Seconded by Scott Burnett.
The motion passed by a voice vote. (APPROVED)

[3433](#)

Ronald E. Finley moved the passage of Ordinance #3433 as perfected, appropriating \$5,000.00 from the unappropriated surplus of the 2003 Homeless Fund, and authorizing the County Executive to execute a Third Addendum to the Agreement with Newhouse to provide additional services to assist homeless persons, at an increased cost to the County of \$5,000.00. Seconded by Dan Tarwater.

Yes: 9 - Robert A. Stringfield, Fred Arbanas, Scott Burnett, Scott Burnett, Ronald E. Finley, Dennis Waits, Dennis Waits, Rhonda L. Shoemaker and Bob Spence

(ADOPTED)

Ordinance #3433 was adopted pending compliance.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[3427](#)

Consent Agenda.

[3428](#)

Consent Agenda.

[3429](#)

Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

[14770](#) Public Works Committee moved do pass. Consent Agenda.

[14771](#) Finance and Audit Committee moved do pass. Consent Agenda.

9 CONSENT AGENDA

[3430](#) AN ORDINANCE appropriating \$145,640.00 from the unappropriated surplus of the 2003 Grant Fund to cover the Family Court Division's Child Protection Center grant, funded by the Missouri Department of Social Services, Division of Family Services.
(PERFECTED)

[3427](#) AN ORDINANCE authorizing the County Executive to execute agreements with certain organizations to provide services in connection with the 2003 Christmas in the Park event, at a cost to the County not to exceed \$36,000.00.
(ADOPTED)

[3428](#) AN ORDINANCE transferring \$99,965.00 within and appropriating \$399,860.00 from the unappropriated surplus of the 2003 Anti-Drug Sales Tax Fund, to cover the Multi-Jurisdictional Task Force Grant received from the Missouri Department of Public Safety.
(ADOPTED)

[3429](#) AN ORDINANCE repealing §210., Jackson County Code, 1984, relating to meetings of the Jackson County Legislature and enacting, in lieu thereof, one new section relating to the same subject, with an effective date.
(ADOPTED)

[14770](#) A RESOLUTION transferring \$50,015.00 within the 2003 Special Road & Bridge Fund, and awarding a contract on Bid No. PW 07-2003 for the 2003 Road Striping Program, Project No. 2480, to Twin Traffic Marking Corporation of Kansas City, MO, in the actual amount of \$50,014.96.
(ADOPTED)

[14771](#) A RESOLUTION declaring certain property as surplus personal property and authorizing its disposal.
(ADOPTED)

To perfect Ordinance 3430. To adopt Ordinances 3427, 3428, 3429. To adopt Resolutions 14770, 14771.

Dan Tarwater moved the passage of the consent agenda. Seconded by Robert A. Stringfield. The motion passed by a roll call vote:

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

No: 1 - Rhonda L. Shoemaker

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[3434](#) Amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RE (Residential Estates), a certain 157.5 ± acre tract and approving the preliminary plat "Windsor 5th Phase," creating a twenty-lot residential subdivision.

(Land Use Committee)

[3435](#) Amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RE (Residential Estates), a certain 6.3 ± acre tract.

(Land Use Committee)

[3436](#) Amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RR (Residential Ranchette), a certain 36.5 ± acre tract, and approving the preliminary plat "Osage Highlands, Lots 8 thru 14," creating a seven-lot residential subdivision.

(Land Use Committee)

[3437](#) Granting a conditional use permit in District A (Agricultural) for a period of fifteen (15) years to continue operating a winery and vineyard as to a certain 20 ± acre tract.

(Land Use Committee)

The Land Use Committee will have a public hearing on Ordinances #3434 through #3437 on Tuesday, November 25, 2003, at 1:00 p.m. at Fleming Hall.

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[14773](#) Awarding a contract on Electronic Solicitation No. BB200373 for the furnishing of portable hand held radios for use by the Sheriff's Department to RTC, Inc., of El Paso, TX, in the actual amount of \$60,240.00.

(Health and Justice Committee)

[14774](#) transferring \$180,000.00 within the 2003 Special Road & Bridge Fund to cover the costs of repairs and rehabilitation of 29 dump trucks and related snow removal equipment for use by the Public Works Department.

(Public Works Committee)

[14775](#) Authorizing Change Order No. 1 (final) to the contract with Redford Construction, Inc., of Raymore, MO, for the Bynum Spur Road Culvert Replacement Project No. 2460, decreasing the contract amount by \$941.02.

(Public Works Committee)

[14776](#) Transferring \$33,840.00 within the 2003 Special Road and Bridge Fund and authorizing Change Order No. 1 to the contract with Vance Brothers, Inc., of Kansas City, MO, for the 2003 Pavement Maintenance Project, No. 2474, increasing the contract amount by \$33,840.00.

(Public Works Committee)

[14777](#) Ronald E. Finley moved the passage of Resolution #14777, authorizing the Jackson County Legislature to hold a closed meeting on Monday, November 3, 2003, for the purpose of conducting privileged and confidential communications among its members pursuant to § 610.021 (12), RSMo, concerning a sealed proposal and related documents. Seconded by Scott Burnett.

Yes: 9 - Robert A. Stringfield, Fred Arbanas, Scott Burnett, Scott Burnett, Ronald E. Finley, Dennis Waits, Dennis Waits, Rhonda L. Shoemaker and Bob Spence

(ADOPTED)

[14778](#) Transferring \$8,327.00 within the 2003 Assessment Fund and \$47,485.00 within the 2003 General Fund, and awarding a twelve-month term and supply contract for Sun Microsystems servers and accessories for use by various departments to World Wide Technology of St. Louis, Missouri, under a State of Kansas government contract, at an estimated cost to the County of \$200,000.00.

(Finance and Audit Committee)

[14779](#) Authorizing the County Executive to execute an Intergovernmental Cooperative Agreement with the City of Kansas City, Missouri, to provide for the videotaping and cablecasting of the Legislature's meetings at a cost to the County not to exceed \$8,400.00 for the remainder of 2003.

(Finance and Audit Committee)

[14780](#) Authorizing the Trustees of the Land Trust of Jackson County to amend its 2003 budget to reallocate monies for the payment of property demolition expenses.

(Health and Justice Committee)

[14781](#) Establishing Jackson County's priorities for the 2004 regular session of the Missouri General Assembly.

(Legislature As A Whole)

[14782](#) Expressing the intent of the Legislature that benefits for the non-elected official members of the Jackson County, Missouri Employees' Pension Plan be reviewed prior to the adoption of the County's 2005 annual budget.

(Finance and Audit Committee)

Resolution #14777 was adopted at this time. See page above for details.

12 COUNTY EXECUTIVE ORDERS

[03-28](#)

I hereby appoint John W. Laney to the Mid-Continent Library Board of Trustees to fill the vacancy occasioned by the expiration of the term of Helen L. French, for a term to expire June 30, 2005. I appoint Brent Schondelmeyer to the Board to fill the vacancy occasioned by the expiration of the term of James R. Kirby, for a term to expire June 30, 2006. I appoint Joycelyn Tucker Burgo to the Board to fill the vacancy occasioned by the expiration of the term of Barbara J. Miller, for a term to expire June 30, 2007. Copies of the resumes of all appointees are attached .

03-29

PURPOSE:

This Executive Order establishes the policy of the Jackson County, Missouri, concerning the recognition of identification cards issued by the Mexican and other foreign consulates.

POLICY:

The County believes that foreign nationals, regardless of their immigration status, must have verifiable identification in order to enhance their contact with law enforcement and to provide them with the ability to carry out daily commerce activities. Recognition of these consular identification cards is for identification purposes only and does not establish an individual's legal status in this country or specifically allow them entitlement to status or services under the authority of other jurisdictions.

PROCEDURES:

Process for Accepting Consular Identification: All County departments/agencies in the normal course of their operations and interactions with the public are authorized to accept, for identification purposes, identification cards issued by the Consulate of Mexico known as "Matricula Consular" or other consular identification cards issued by other Consulate offices. The Consular identification cards will bear a photograph of the person, their date of birth and their local address.

The Consulate office located in the City of Kansas City, Missouri, must provide a detailed explanation of the process required for the issuance of such identification card and the anti-fraud features that have been implemented to insure the validity of such identification card prior to the County accepting for identification the "Matricula Consular" or other consular identification cards.

Exceptions: The requirements of this Executive Order do not apply under circumstances where:

- a. A federal or state statute, administrative regulation or directive, or court decision requires the County to obtain different requirements.
- b. A federal or state statute, administrative regulation or directive pre-empts local regulation of identification requirements.
- c. Departments/Agencies require additional information to enable the agency to fulfill its responsibilities.
- d. Departments/Agencies need to request additional information in order to verify a current address or other facts that would enable it to fulfill its responsibilities.
- e. Any Department/Agency has reasonable grounds to believe that the identification card provided by an individual is counterfeit, altered, improperly issued to the cardholder, or otherwise not accurate identification.
- f. Department/Agencies require fingerprints from individuals for additional identification.

13 UNFINISHED BUSINESS

None.

14 **NEW BUSINESS**

None.

15 **ADJOURNMENT**

Dan Tarwater moved to adjourn the meeting. Seconded by Robert A. Stringfield.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, November 10, 2003 at 3:30 P.M. at the Independence Courthouse Annex, 308 W. Kansas, Ground Floor, Legislative Chambers.

The Legislature held a closed meeting after the adjournment of the regular meeting.