



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, July 28, 2003

3:30 PM

Twenty-Eighth Regular Meeting

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

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

Fred Arbanas moved to approve the journal of the previous meeting held on 7/21/2003.
Seconded by Bob Spence.

The motion passed by a voice vote.

(APPROVED)

4 HEARINGS

None.

Resolution #14689 was adopted at this time. See page 7 for details.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Katheryn Shields, County Executive, reminded the Legislature that there is a stormwater project item on the agenda today. She said the project is to conduct a field inventory of smaller areas of watersheds. It is a cost-sharing agreement with the U.S. Army Corps of Engineers for a total cost of \$20,000.00. The Corps of Engineers will contribute \$10,000.00 and Jackson County is proposing to contribute \$5,000.00 in cash and \$5,000.00 in services. The agreement with the Corps gives Jackson County the necessary expertise and allows flexibility to add on additional services when needed. Katheryn said she appreciates the support of the Legislature for Jackson County's stormwater project.

Katheryn Shields gave an update on the status of the Energy Performance Contract between Jackson County and Johnson Controls. The contract was approved by the Legislature in Ordinance #3177 on September 25, 2001 for a 5 year cost of \$4,590,333.00. The purpose was to reduce utility and operational costs, to save taxpayer money, to increase the impact of the recycling program, to improve employee comfort and productivity, to educate employees on strategies, to save energy, to save tax dollars and to create a positive environmental impact. The scope of the work dealt with energy savings over a 15 year period in four County facilities including the Downtown Courthouse, Jail/Jail Annex, Criminal Justice Building and the Community Justice Building. The contract provides for a number of comprehensive capital improvements to the heating, cooling, lighting, and control systems throughout all the facilities. Additionally, several new initiatives were undertaken by the County with the assistance and leadership of Johnson Controls as our energy partner.

The capital improvements were substantially completed on October 1, 2002. We are halfway through the first performance year. Johnson Controls guaranteed that the County would save \$115,500 at the end of the first quarter. The County has actually saved \$123,283 to date, which is based on 6 months performance. So we are ahead of schedule.

Robert A. Stringfield, County Legislator, said the taxpayers will save 7.6 million dollars over the 15 year period. He commended Katheryn Shields and the members of the County Legislature for this worthwhile project.

Bob Spence, County Legislator, asked if there was a reason that the second quarter savings slipped.

Katheryn Shields said she thinks that it reflects the time that we were out of the heating season but not yet into the cooling season. Therefore, we were not spending as much on utilities as we will be from December through March. The third and fourth quarter will give a full complete year picture.

6 PERFECTON OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[3380](#) Land Use Committee moved to perfect.

Fred Arbanas objects to the consent agenda.

[3380](#) Fred Arbanas moved to perfect Ordinance #3380. Seconded by Bob Spence.

The motion passed by a voice vote. (PERFECTED)

[3380](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #3380. Seconded by Bob Spence.

The motion passed by a voice vote. (APPROVED)

Consent Agenda. See Final Passage of Proposed Ordinances.

[3381](#) Land Use Committee moved to perfect.

Fred Arbanas objects to the consent agenda.

- [3381](#) Fred Arbanas moved to perfect Ordinance #3381. Seconded by Bob Spence.
The motion passed by a voice vote. (PERFECTED)
- [3381](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #3381.
Seconded by Bob Spence.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [3382](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the consent agenda.
- [3382](#) Fred Arbanas moved to perfect Ordinance #3382. Seconded by Bob Spence.
The motion passed by a voice vote. (PERFECTED)
- [3382](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #3382.
Seconded by Bob Spence.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [3383](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the consent agenda.
- [3383](#) Fred Arbanas moved to perfect Ordinance #3383. Seconded by Bob Spence.
The motion passed by a voice vote. (PERFECTED)
- [3383](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #3383.
Seconded by Bob Spence.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [3384](#) Public Works Committee moved to perfect.
Bob Spence objects to the consent agenda.
- [3384](#) Bob Spence moved to perfect Ordinance #3384. Seconded by Dan Tarwater.
The motion passed by a voice vote. (PERFECTED)
- [3384](#) Bob Spence moved to suspend the rules to consider final passage of Ordinance #3384.
Seconded by Dan Tarwater.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[3380](#) Consent Agenda.

[3381](#) Consent Agenda.

[3382](#) Consent Agenda.

[3383](#) Consent Agenda.

[3384](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

[14674](#) Public Works Committee moved do pass. Consent Agenda.

[14675](#) Finance and Audit Committee moved do pass. Consent Agenda.

[14676](#) Land Use Committee moved do pass. Consent Agenda.

[14677](#) A RESOLUTION authorizing the County Executive to execute an agreement with the City of Lone Jack, Missouri for lease of The Civil War Museum, adjoining cemetery and all land associated with Lone Jack Park at no cost to the County.

(Land Use Committee - 1st. Meeting)

[14678](#) Finance and Audit Committee moved do pass. Consent Agenda.

[14679](#) Land Use Committee moved do pass. Consent Agenda.

[14680](#) Anti-Drug Committee moved do pass. Consent Agenda.

9 CONSENT AGENDA

[3380](#) AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RS (Residential Suburban), a certain 1.5 ± acre tract.

(ADOPTED)

- [3381](#) AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RE (Residential Estates), a certain 157 ± acre tract.
(ADOPTED)
- [3382](#) AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RE (Residential Estates), a certain 6 ± acre tract.
(ADOPTED)
- [3383](#) AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RE (Residential Estates), a certain 10 ± acre tract.
(ADOPTED)
- [3384](#) AN ORDINANCE appropriating \$15,000.00 from the unappropriated surplus of the 2003 Grant Fund to cover a grant from the Missouri State Emergency Management Agency (SEMA) to provide for the revision and updating the Jackson County Local Emergency Operations Plan.
(ADOPTED)
- [14674](#) A RESOLUTION authorizing payment of \$230,896.10 to the City of Blue Springs from the Blue Springs CURS account to cover costs of the City's Adams Dairy Parkway, Phase 3 project.
(ADOPTED)
- [14675](#) A RESOLUTION awarding a term and supply contract on Bid No. 23-03 for the furnishing of lumber and building supplies for use by various County departments to Lowe's Home Improvement of Independence, MO (\$15,000.00), and Albert Tamm Lumber of Kansas City, MO (\$15,000.00), to provide for county-wide needs for the upcoming one-year period, in the estimated aggregate amount of \$30,000.00.
(ADOPTED)
- [14676](#) A RESOLUTION approving a twelve-month term and supply contract for the furnishing of outboard motors for use by the Parks and Recreation Department to Bombardier Motor Corporation of America of Sturtevant, WI, under a state of Florida government contract at an estimated cost to the County of \$73,988.70.
(ADOPTED)
- [14678](#) A RESOLUTION awarding a twelve-month term and supply contract for the purchase of diesel fuel, leaded and unleaded gasoline, and kerosene for use by the Public Works and Parks and Recreation Departments and Sheriff's Office, under the City of Kansas City, Missouri Contract No. PA-4309, to Maher Oil of Kansas City, MO, to provide for departmental needs for the upcoming twelve-month period, in the estimated amount of \$500,000.00.
(ADOPTED)

[14679](#) A RESOLUTION awarding a term and supply contract on Bid No. 30-03 for the furnishing of marine accessories for use by the Parks and Recreation Department to Medart Marine Supply of Edwardsville, KS, to provide for departmental needs for the upcoming one-year period, in the estimated amount of \$26,000.00.

(ADOPTED)

[14680](#) A RESOLUTION authorizing the County Executive to execute an Agreement with the Heart of America United Way for its Kansas City Kidsafe program, to provide supplemental funding to a federal grant, in an amount not to exceed \$12,000.00.

(ADOPTED)

To adopt Ordinances 3380, 3381, 3382, 3383, 3384. To adopt Resolutions 14674, 14675, 14676, 14678, 14679, 14680.

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

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

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

No dissenting vote to consider Ordinance #3385 - not on printed agenda.

[3385](#) Dan Tarwater moved to perfect Ordinance #3385. Seconded by Fred Arbanas.

The motion passed by a voice vote.

(PERFECTED)

[3385](#) Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #3385. Seconded by Fred Arbanas.

The motion passed by a voice vote.

(APPROVED)

[3385](#) Dan Tarwater moved the passage of Ordinance #3385 as perfected, transferring \$15,000.00 within the 2003 Anti-Drug Sales Tax Fund and authorizing the County Executive to execute an Agreement with Mattie Rhodes for its Westport CAN Center, at a cost to the County of \$15,000.00. Seconded by Rhonda L. Shoemaker.

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)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[14682](#) Awarding a term and supply contract on Bid No. 11-03 for the furnishing, installation, and recycling of carpet for use by various County departments to R. D. Mann of Kansas City, MO, to provide for countywide needs for the upcoming one-year period, in the estimated amount of \$80,000.00.

(Finance and Audit Committee)

- [14683](#) Awarding a term and supply contract on Electronic Solicitation No. BB200361 for the furnishing of law enforcement supplies and ammunition for use by the Parks and Recreation and Corrections Departments and Sheriff's Office, to Law Enforcement Equipment of Kansas City, MO (\$60,000.00), Gil Hebard Guns of Knoxville, IL (\$30,000.00), and Lynn Peavey Company of Lenexa, KS (\$10,000.00), to provide for departmental needs for the upcoming one-year period, in the estimated aggregate amount of \$100,000.00.
(Health and Justice Committee)
- [14684](#) Bob Spence moved the passage of Resolution #14684, authorizing the County Executive to execute a Cost Sharing Agreement with the U.S. Army Corps of Engineers to provide stormwater planning assistance, at a cost to the County not to exceed \$5,000.00. Seconded by Ronald E. Finley.
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)
- [14685](#) Awarding a term and supply contract on Bid No. 31-03 for the furnishing of industrial bearings and oil seals for use by various County departments to Applied Industrial Technologies of North Kansas City, MO, to provide for countywide needs for the upcoming one-year period, in the estimated amount of \$11,500.00.
(Finance and Audit Committee)
- [14686](#) Awarding a term and supply contract on Bid No. 32-03 for the furnishing of glazing services for use by various County departments to Southtown Glass Co. of Kansas City, MO, to provide for countywide needs for the upcoming one-year period, in the estimated amount of \$10,000.00.
(Finance and Audit Committee)
- [14687](#) Awarding a term and supply contract under Bid No. 29-03 for the furnishing of rock salt for use by the Public Works Department to Independent Salt Company of Kanopolis, KS, to provide for departmental needs for the upcoming one-year period, in the estimated amount of \$45,000.00.
(Public Works Committee)
- [14688](#) Awarding a contract on Electronic Solicitation No. BB200343 for the furnishing of one (1) patrol boat for use by the Parks and Recreation Department to Ulrich Marine of Republic, MO, at an actual cost to the County of \$24,985.00.
(Land Use Committee)
- [14689](#) Rhonda L. Shoemaker moved the passage of Resolution #14689, expressing the sympathy of the Legislature to Sergeant John Bullard and the Independence Police K-9 unit, upon the occasion of the death of K-9 officer Hondo. 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)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

Henry C. Rizzo, County Legislator, said there is a Resolution stating that there is no smoking on the second floor, legislative side and he feels that the Legislature should designate someone to enforce it.

Dennis Waits said he sent out a memorandum last week to try to get voluntary compliance since it has been an issue. He is open to ideas on how to enforce it. He said any violations should be reported to the County Auditor's office and she will keep the Legislature informed. If it continues to be a problem, Dennis Waits suggested that the legislators sit down and talk to the employees who are in violation.

Robert A. Stringfield, County Legislator, said he thinks supervisors should enforce it. He suggested they go back to 1993 and review the Resolution dealing with the Clean Indoor Air Policy. He said there is also a Memorandum dated in 1999 that basically states the rules. The problem is where are the designated smoking areas? He would like to see the workplace smoke-free but that cannot happen with the policy that is currently in place.

14 NEW BUSINESS

Ronald E. Finley, County Legislator, announced that on August 6, 2003 the Homeless Assistance Board is having a forum in the Kansas City Legislative Assembly Area from 8:30 a.m. - 11:30 a.m. The homeless agencies have been asked to attend to discuss the most recent problems with the homeless. He invited members of the Legislature and said the County Executive will attend as part of the program.

Dennis Waits, Chairman, announced that the Royals are playing Tuesday, Wednesday and Thursday against the second place Chicago White Socks. Go Royals!

15 ADJOURNMENT

Dan Tarwater moved to adjourn the meeting. Seconded by Fred Arbanas.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, August 4, 2003 at 3:30 p.m. in the Legislative Assembly Area, Kansas City, Missouri.