



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 10, 2003

3:30 PM

Forty-third 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, Scott Burnett, Scott Burnett, Dennis Waits, Dennis Waits, Rhonda L. Shoemaker and Bob Spence
Absent: Fred Arbanas and Ronald E. Finley

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 11/3/2003.
Seconded by Dan Tarwater.

The motion passed by a voice vote. (APPROVED)

4 HEARINGS

None.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

None.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[3407](#) Finance and Audit Committee moved to perfect. Consent Agenda.

[3424](#) Bob Spence moved to substitute Ordinance #3424, amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RE (Residential Estates), a certain 9.8 ± acre tract, and approving the preliminary plat "KB Hilltop," creating a three (3) lot residential subdivision. Seconded by Dan Tarwater.
The motion passed by a voice vote. (APPROVED)

- [3424](#) Land Use Committee moved to perfect.
Bob Spence objects to the consent agenda.
- [3424](#) Bob Spence moved to perfect the Land Use Committee Substitute of 11/4/2003.
Seconded by Dan Tarwater.
The motion passed by a voice vote. (PERFECTED)
- [3424](#) Bob Spence moved to suspend the rules to consider final passage of Ordinance #3424.
Seconded by Dan Tarwater.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [3425](#) Land Use Committee moved to perfect.
Bob Spence objects to the consent agenda.
- [3425](#) Bob Spence moved to perfect Ordinance #3425. Seconded by Dan Tarwater.
The motion passed by a voice vote. (PERFECTED)
- [3425](#) Bob Spence moved to suspend the rules to consider final passage of Ordinance #3425.
Seconded by Dan Tarwater.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [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 - 3rd. Perfection)
- [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 - 2nd. Perfection)

Bob Spence moved to waive the reading of Ordinances #3434 - #3437. Seconded by Dan Tarwater.
The motion passed by a voice vote. (APPROVED)

[3434](#) AN ORDINANCE 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 - 1st. Perfection)

[3435](#) AN ORDINANCE 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 - 1st. Perfection)

[3436](#) AN ORDINANCE 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 - 1st. Perfection)

[3437](#) AN ORDINANCE 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 - 1st. Perfection)

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

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[3424](#) Consent Agenda.

[3425](#) Consent Agenda.

[3430](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

[14773](#) A RESOLUTION 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 - 1st. Meeting)

[14774](#) Public Works Committee moved do pass. Consent Agenda.

[14775](#) Public Works Committee moved do pass. Consent Agenda.

[14776](#) Public Works Committee moved do pass. Consent Agenda.

[14778](#) Finance and Audit Committee moved do pass. Consent Agenda.

[14779](#) A RESOLUTION 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 - 1st. Meeting)

Dennis Waits, Chairman, suggested that the Legislature look at the statistics to determine if it is cost effective to televise the legislative meetings.

Henry Rizzo, County Legislator, agreed with Chairman Waits.

Robert Stringfield, County Legislator, said he is in favor of televising the legislative meetings to provide public access but asked if it is in the 2004 budget.

Scott Burnett, County Legislator, suggested this Resolution be held for two weeks so that Jackson County can get some input from the public. He asked Ken Evans, Public Information Officer, to put a ticker on the city government channels to ask for public input. He also suggested putting some kind of survey in the Wednesday Magazine and the Northeast News.

Bob Spence, County Legislator, said he is opposed to televising the legislative meetings. He contacts Neilsen for statistics on an annual basis and their subscribers do not watch public television. He also stated that most of the legislative business is conducted in the committee meetings which are televised.

Bob Stringfield said he is concerned with the fact that the committee meetings are not televised when the County Legislature meets in Kansas City, they are only televised when the meeting is held in Independence.

Dan Tarwater said he is not sure he could vote for this resolution as he has done in the past, as he does not feel it is cost effective.

[14780](#) Health and Justice Committee moved do pass. Consent Agenda.

[14781](#) Dan Tarwater moved to reassign Resolution #14781 to the Inter-Governmental Affairs Committee, establishing Jackson County's priorities for the 2004 regular session of the Missouri General Assembly. Seconded by Robert A. Stringfield.

The motion passed by a voice vote.

(APPROVED)

[14782](#) A RESOLUTION 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 - 1st. Meeting)

9 CONSENT AGENDA

- [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."
(PERFECTED)
- [3424](#) AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RE (Residential Estates), a certain 9.8 ± acre tract, and approving the preliminary plat "KB Hilltop," creating a three (3) lot residential subdivision.
(ADOPTED)
- [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.
(ADOPTED)
- [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.
(ADOPTED)
- [14774](#) A RESOLUTION 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.
(ADOPTED)
- [14775](#) A RESOLUTION 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.
(ADOPTED)
- [14776](#) A RESOLUTION 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.
(ADOPTED)
- [14778](#) A RESOLUTION 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.
(ADOPTED)

[14780](#)

A RESOLUTION 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.

(ADOPTED)

To perfect Ordinance 3407. To adopt Ordinances 3424, 3425, 3430. To adopt Resolutions 14774, 14775, 14776, 14778, 14780.

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

Yes: 7 - Robert A. Stringfield, Scott Burnett, Scott Burnett, Dennis Waits, Dennis Waits, Rhonda L. Shoemaker and Bob Spence

Absent: 2 - Fred Arbanas and Ronald E. Finley

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[3438](#)

Transferring \$19,255.00 within the 2003 General Fund, appropriating \$129,255.00 from the unappropriated surplus of the 2003 Grant Fund and authorizing the County Executive to execute a Memorandum of Agreement with the Kansas City Metropolitan Crime Commission regarding the Prosecuting Attorney's Project Safe Neighborhoods program.

(Health and Justice Committee)

[3439](#)

Appropriating \$21,989,373.00 from the unappropriated surplus of the 2003 Public Building Corporation Capital Projects Fund to cover a portion of the proceeds of the 2003 leasehold revenue bond issue.

(Finance and Audit Committee)

[3440](#)

Dan Tarwater moved to perfect Ordinance #3440. Seconded by Bob Spence.

The motion passed by a voice vote.

(PERFECTED)

[3440](#)

Dan Tarwater moved to suspend the rules to consider final passage of Ordinance #3440. Seconded by Bob Spence.

The motion passed by a voice vote.

(APPROVED)

[3440](#)

Dan Tarwater moved the passage of Ordinance #3440 as perfected, appropriating \$1,000,000.00 from the unappropriated surplus of the 2003 Public Building Corporation Capital Projects Fund and authorizing the Purchasing Director to execute a Real Estate Sales Contract and any other documents necessary to effect the purchase of the property located at 303 West Walnut in Independence, Missouri, from The Arthur N. Nystrom Trust/Patricia Nystrom Trust, for use as a Public Works Administration/Tech Center, at the actual cost to the County of \$560,000.00. Seconded by Bob Spence.

Yes: 5 - Robert A. Stringfield, Dennis Waits, Dennis Waits, Rhonda L. Shoemaker and Bob Spence

Absent: 4 - Fred Arbanas, Scott Burnett, Scott Burnett and Ronald E. Finley

(ADOPTED)

[3441](#) 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, 2004.

(Legislature As A Whole)

[3442](#) Setting the 2004 Jackson County, Missouri tentative tax levy.

(Legislature As A Whole)

[3443](#) Appropriating \$38,540.00 from the unappropriated surplus of the 2003 Special Road and Bridge Fund to cover building permit fees received in excess of those projected and appropriated in the County's 2003 annual budget.

(Public Works Committee)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[14783](#) Bob Spence moved the passage of Resolution #14783, authorizing the Jackson County Legislature to hold a closed meeting on Monday, November 10, 2003, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor pursuant to § 610.021 (2), RSMo, concerning the purchase of real estate and closing all work product records related to those preparations. Seconded by Dan Tarwater.

Yes: 5 - Robert A. Stringfield, Dennis Waits, Dennis Waits, Rhonda L. Shoemaker and Bob Spence

Abstain: 2 - Scott Burnett and Scott Burnett

Absent: 2 - Fred Arbanas and Ronald E. Finley

(ADOPTED)

[14784](#) Declaring certain property as surplus personal property and authorizing its disposal.

(Finance and Audit Committee)

[14785](#) Awarding a term and supply contract for the furnishing of petroleum products for use by the Public Works and Parks and Recreation Departments and Sheriff's Office to Heathwood Oil Co., Inc., of Kansas City, KS (\$37,258.78), and Champion Brands, LLC, of Clinton, MO (\$8,325.20), under an existing government contract of the Mid-America Regional Council, to provide for departmental needs for the upcoming one-year period, in the estimated aggregate amount of \$45,583.98.

(Finance and Audit Committee)

[14786](#) Awarding a contract on Bid No. 44-03 for the furnishing and installation of galvanized steel siding at the Audubon Library in Fleming Park, for use by the Parks and Recreation Department to Ted Shoush Company, Inc., of Independence, MO, at a cost to the County not to exceed \$13,500.00.

(Land Use Committee)

[14787](#) Authorizing the County Executive to execute an Agreement with Guadalupe Center, Inc., for its El Otro Camino adolescent outpatient substance abuse treatment program, in an amount not to exceed \$18,574.00, as a match to a local grant.

(Anti-Drug Committee)

[14788](#) Scott Burnett moved the passage of Resolution #14788, expressing the Legislature's support for Executive Order 03-29, which established procedures for the recognition of identification cards issued by the Mexican and other foreign consulates. Seconded by Dan Tarwater.

Yes: 7 - Robert A. Stringfield, Scott Burnett, Scott Burnett, Dennis Waits, Dennis Waits, Rhonda L. Shoemaker and Bob Spence

Absent: 2 - Fred Arbanas and Ronald E. Finley

(ADOPTED)

[14789](#) Awarding a contract on Bid No. 39-03 for the Downtown Courthouse Building Improvements Project to Universal Construction Co., Inc., of Lenexa, KS, in the actual amount of \$6,119,826.00, and authorizing the County Executive to approve change orders in an amount not to exceed \$611,900.00, for a grand total contract authorization of \$6,731,726.00.

(Finance and Audit Committee)

[14790](#) Authorizing an increase to the contract with Johnson Controls, Inc., of Lenexa, KS, for the completion of a comprehensive analysis and the implementation of new energy savings measures at the County facilities on the Independence Square (\$1,000,000.00) and an additional energy efficiency project at the Jackson County Courthouse in Kansas City (\$250,000.00), at an aggregate additional cost to the County not to exceed \$1,250,000.00, and a new total cost to the County not to exceed \$5,840,333.00.

(Finance and Audit Committee)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

Dennis Waits, Chairman, announced that the budget hearings are scheduled to be held on Monday, November 17 and Monday, November 24 in the Kansas City Legislative Assembly Area. He said they have eliminated presentations by outside agencies unless a particular agency would like to be included in the hearings.

14 NEW BUSINESS

Scott Burnett, County Legislator, presented Silvia Rizzo, Legislative Aide to Robert Stringfield, with a bouquet of flowers for her birthday.

The Legislature went into closed session.

The Legislature reconvenes.

There was discussion regarding Ordinance #3438 but they decided to leave it in committee.

Ordinance #3440 was adopted at this time. See page 6 for details.

15 ADJOURNMENT

Dan Tarwater moved to adjourn the meeting. Seconded by Bob Spence.

The motion passed by a voice vote. (APPROVED)

Meeting adjourned until Monday November 17, 2003 at 11:00 a.m. in the Kansas City Legislative Assembly Area.

The legislative meeting scheduled to be held on Monday, November 24, 2003 will also be held in the Kansas City Legislative Assembly Area at 11:00 a.m.

The above schedule is for the purpose of conducting budget hearings after the regular legislative meetings.

REVISED 11/13/03

PLEASE NOTE: THE TIME FOR THE LEGISLATIVE MEETINGS SCHEDULED FOR MONDAY, NOVEMBER 17 AND MONDAY, NOVEMBER 24, 2003 HAS BEEN CHANGED TO 12 NOON.