



Office of
Mary Jo Spino
Clerk of the County Legislature

Jackson County Missouri

JOURNAL

County Legislature

Jackson County Courthouse
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Kansas City, Missouri 64106
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*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, July 11, 2005

2:30 PM

Twenty-Seventh Regular Meeting

Independence Courthouse Annex, 308 West Kansas, Ground Floor, Legislative Chambers

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

Scott Burnett moved to approve the journal of the previous meeting held on 6/27/2005.
Seconded by Henry C. Rizzo.

The motion passed by a voice vote.

(APPROVED)

4 HEARINGS

None.

Scott Burnett, County Legislator, said that the names of Michael Carter and Greg Grounds were given to him today regarding the Jackson County Sports Complex Authority.

Rhonda L. Shoemaker, County Legislator, said she was given the name of Ron Freeman.

Dan Tarwater, Chairman, opens the floor for nominations to the Jackson County Sports Complex Authority.

Henry C. Rizzo, County Legislator, nominated Michael B. Smith.

Dan Tarwater nominated Gregory Mertes.

Scott Burnett said that Michael Carter is present to be interviewed for the Jackson County Sports Authority.

Michael Carter was interviewed at this time.

Scott Burnett nominated Michael Carter.

*Fred Arbanas moved that nominations cease. Seconded by Henry C. Rizzo.
The motion passed by a voice vote. (APPROVED)*

*Scott Burnett moved to add the names of Michael B. Smith, Gregory Mertes and Michael Carter by acclamation to Resolution #15534. Seconded by Eugene Standifer, Jr.
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
(APPROVED)*

Resolution #15534 was adopted at this time. See page 6 for details.

Resolution #15553 was adopted at this time. See page 8 for details.

Resolution #15554 was adopted at this time. See page 9 for details.

Resolution #15555 was adopted at this time. See page 9 for details.

Resolution #15556 was adopted at this time. See page 9 for details.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

None.

Robert A. Stringfield, County Legislator, said he noticed that three commissioners have been appointed to the Ethics Commission.

Katheryn Shields, County Executive, said they have been appointed by the individuals set out in the Jackson County Charter. She understands they are working to fill the other two positions and it should be complete in the next two weeks. She stated that three commissioners constitute a quorum.

Robert A. Stringfield asked if any of the new members held any county funded positions or if there are any conflicts of interest.

Katheryn Shields said she is not aware of any conflicts but she will check into it.

Henry C. Rizzo, County Legislator, asked if Mike McCormick still works at the Sports Authority.

Katheryn Shields said if it is the same person, he was on contract with the Jackson County Sports Complex Authority. She said the law department will need to determine if it is a conflict.

Robert A. Stringfield said in 2003 or 2004 the Administration presented a classification compensation study to the County Legislature which dealt with wages of Jackson County employees. He asked if the Legislature voted raises in that year.

Katheryn Shields said the Administration has done compensation studies. Every time a compensation study is done, the Administration has brought a plan to the Legislature if needed, to implement changes. The most sweeping changes were in 1999 when Jackson County had 42% of employees making less than the minimum of the new ranges recommended by the compensation study. She did not remember if it was necessary to get the Legislature's approval or if there were funds available to make the adjustments needed. She can find out for sure how it was handled.

Robert A. Stringfield said he would like to have some information as to what the Legislature did at that time.

Dan Tarwater said some of the lower pay grades were eliminated and employees were moved into other grades.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[3640](#) Anti-Drug Committee moved to perfect.

Scott Burnett objects to the consent agenda.

[3640](#) Scott Burnett moved to perfect Ordinance #3640. Seconded by Dennis Waits.

The motion passed by a voice vote.

(PERFECTED)

3640

Scott Burnett moved to suspend the rules to consider final passage of Ordinance #3640. Seconded by Dennis Waits.

The motion passed by a voice vote.

(APPROVED)

3640

Scott Burnett moved the passage of Ordinance #3640 as perfected, reappropriating \$40,000.00 from the unappropriated surplus of the 2004 General Fund for an agreement with Boys & Girls Club of Greater Kansas City and reappropriating \$54,266.00 from the unappropriated surplus of the Anti-Drug Sales Tax Fund to cover the cost of an Addendum to the Cooperative Agreement with the City of Kansas City, MO, for the Domestic Violence Victim Assistance Program, due to a funding lapse after the last fiscal year. Seconded by Dennis Waits.

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)

Edith Messina, Acting Presiding Judge, was present since J.D. Williamson, Presiding Judge was out of town. She expressed her concern regarding the 600 circuit court employees who are not included in Ordinance #3642. She said when the Presiding Judge returns they will need two to three weeks to devise a plan to include a raise for court employees, then they will present it to the County Legislature. She said she will report to Judge Williamson when he returns. She said the courts did not know the Ordinance was before the County Legislature until today. She said they did not have time to look at the Ordinance, negotiate the language and clarify details which is why the Ordinance does not include the courts.

Bob Spence, County Legislator, said he believes members of the County Legislature are interested in treating all county employees fairly. They will seriously consider the plan presented by the courts.

Katheryn Shields said she had a brief discussion with J.D. Williamson. She said the basis of the raise is based on elimination of positions. The court is struggling with whether or not they can eliminate any positions. She conveyed to him that they can opt in or opt out. Katheryn said her idea was to handle it informally but they chose to handle it formally.

Edith Messina said they are aware of the circumstances but the problem is that they did not have time to look at everything.

Henry C. Rizzo asked what percentage the County pays for court employees.

Edith Messina said she believes it is around 50 percent.

Henry C. Rizzo asked if Jackson County has the authority to freeze hiring of circuit court employees.

Edith Messina said she would refer that question to the County Counselor. She said court employees are half State and half County employees; 600 are funded by the County and 600 are funded by the State.

Robert A. Stringfield asked how many open positions in Jackson County are public safety positions. He said he objects to moving on Ordinance #3642 today and would like to hold this legislation until his question is answered.

Bob Spence explained that it freezes all open positions and pertains to all county employees with the exception of the Courts and Prosecutor's office. If a department head feels there is a critical position that needs to be filled they can meet with the County Executive and agree on a reasonable conclusion.

Dan Tarwater suggested holding Ordinance #3642 for one week so that a copy of the final draft could be circulated and a list of open positions could be provided.

Henry C. Rizzo said he is in favor of holding this legislation for one week to determine if there are other solutions. He is not in favor of freezing all positions. He feels a hiring freeze is a serious move that can have dire impact on the County.

Katheryn Shields said the only other option was taking money away from outside agencies and there was little support for that option.

Rhonda L. Shoemaker said she does not think eliminating funding to outside agencies is the answer. This ordinance allows a department head to discuss with the County Executive if a position needs to be filled.

Dan Tarwater said if the County can be run on a leaner budget and pay employees more and get better productivity, then he is for eliminating positions. Katheryn said that should be a goal for all County departments.

Katheryn Shields said if this is approved, she hopes that there are not some departments that are exempt from the fact of being accountable, being productive and paying for wages out of the productivity.

Dennis Waits asked if Mr. Spence wanted to go forward or did he want to allow 2 weeks.

Katheryn Shields asked what the process is because she is clueless as to what help they could provide to find other alternatives.

Rhonda L. Shoemaker said she fears that the only other answer is going to be to cut outside agencies.

Fred Arbanas, County Legislator, asked if the County Executive can eliminate positions by Executive Order.

Ed Rucker, County Counselor, said she can authorize a hiring freeze but she cannot do the other things as set out in the Ordinance.

Henry C. Rizzo objected because he said it was a new ordinance and they have not had a chance to look at it and they are entitled to one week. He wanted to note in the record that he believes the motion to adopt Ordinance #3642 is in violation of Robert's Rules of Order because it is a new amendment to legislation that is not on the printed agenda.

Robert A. Stringfield agrees with Mr. Rizzo. He said there is an objection to hold it for a week and the County Charter calls for that. He asked for a point of order.

Ed Rucker said under Rule 18 for Passage of Ordinances, they can accept the substitute by majority vote.

Henry C. Rizzo wanted the record to reflect that he protests the vote because it violates Robert's Rules of Order.

Robert A. Stringfield said the vote violates the County Charter.

Bob Spence moved to approve Substitute - 4 of Ordinance #3642. Seconded by Rhonda L. Shoemaker.

Yes: 6 - Fred Arbanas, Scott Burnett, Dennis Waits, Dan Tarwater, Rhonda L. Shoemaker and Bob Spence

Abstain: 3 - Robert A. Stringfield, Henry C. Rizzo and Eugene Standifer Jr.

(APPROVED)

[3642](#)

Bob Spence moved to perfect the Legislature As A Whole Substitute of 7/11/2005. Seconded by Scott Burnett.

Yes: 6 - Fred Arbanas, Scott Burnett, Dennis Waits, Dan Tarwater, Rhonda L. Shoemaker and Bob Spence

Abstain: 3 - Robert A. Stringfield, Henry C. Rizzo and Eugene Standifer Jr.

(PERFECTED)

[3642](#)

Bob Spence moved to suspend the rules to consider final passage of Ordinance #3642. Seconded by Rhonda L. Shoemaker.

The motion passed by a voice vote.

(APPROVED)

[3642](#)

Bob Spence moved the passage of Ordinance #3642 as perfected, increasing compensation for all County employees and eliminating all open county positions to provide the funds for said increase. Seconded by Dennis Waits.

Yes: 6 - Fred Arbanas, Scott Burnett, Dennis Waits, Dan Tarwater, Rhonda L. Shoemaker and Bob Spence

No: 3 - Robert A. Stringfield, Henry C. Rizzo and Eugene Standifer Jr.

(ADOPTED)

(Legislature As A Whole Substitute - 4 was adopted)

7 FINAL PASSAGE OF PROPOSED ORDINANCES

None.

8 RESOLUTIONS IN COMMITTEE

[15526](#)

Henry C. Rizzo moved the passage of Resolution #15526, authorizing the County Executive to execute a Memorandum of Understanding with Service Employees International Union, Local 2000, regarding the terms and conditions of employment of members of its bargaining unit. Seconded by Robert A. Stringfield.

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)

Discussion on Resolution #15527.

Dennis Waits suggested scheduling a closed session for Tuesday, July 19, 2005 to discuss the matter referred to in Resolution #15527. Members of the Legislature agreed and a notice of a closed meeting will be prepared.

[15527](#)

Appointing members of the Jackson County Legislature as an ad hoc committee to participate on behalf of the Legislature with the administration in the negotiations of the leases of the Truman Sports Complex.

(WITHDRAWN BY SPONSOR WAITS, CONCURRED BY RIZZO AND SHOEMAKER)

[15534](#)

Fred Arbanas moved the passage of Resolution #15534, nominating candidates for appointment to the Jackson County Sports Complex Authority. 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)

[15535](#)

A RESOLUTION authorizing the Trustees of the Land Trust of Jackson County, Missouri to convey one (1) parcel of real property located in Kansas City, Jackson County, Missouri for support of various projects for the upgrading and redevelopment of the urban core in accordance with § 141.750.0 RSMo, 2000.

(Finance and Audit Committee - 2nd. Meeting)

[15542](#)

Finance and Audit Committee moved do pass. Consent Agenda.

[15543](#)

Public Works Committee moved do pass. Consent Agenda.

[15544](#)

Public Works Committee moved do pass. Consent Agenda.

[15545](#)

Public Works Committee moved do pass. Consent Agenda.

[15546](#)

Land Use Committee moved do pass. Consent Agenda.

[15547](#) Anti-Drug Committee moved do pass. Consent Agenda.

[15548](#) Finance and Audit Committee moved do pass. Consent Agenda.

[15549](#) Land Use Committee moved do pass. Consent Agenda.

Ordinance #3642 was discussed and adopted at this time. See page 5 for details.

9 CONSENT AGENDA

[15542](#) A RESOLUTION awarding a twenty-four (24) month term and supply contract for the furnishing of t-shirts and wearing apparel for use by various County departments to Raytown Screen Print of Raytown, MO, under the terms and conditions of Electronic Solicitation No. BB200531.
(ADOPTED)

[15543](#) A RESOLUTION accepting a temporary construction easement and authorizing payment to the property owner trustee, Orville Repper, in the total amount of \$46,952.00, in furtherance of the Colbern Road Phase II Project.
(ADOPTED)

[15544](#) A RESOLUTION accepting a temporary construction easement and authorizing payment to the property owner trustees, John and Kimberly Sheehy, in the total amount of \$9,010.00 for the Colbern Road Phase II Project.
(ADOPTED)

[15545](#) A RESOLUTION accepting a temporary construction easement and authorizing payment to the property owner trustees Clark and Terri Gundersen, in the total amount of \$24,738.70 for the Colbern Road Phase II Project.
(ADOPTED)

[15546](#) A RESOLUTION authorizing the County Executive to enter into a Memorandum of Understanding with the Missouri Department of Conservation for the development of an Outdoor Skills and Education Center within Landahl Park.
(ADOPTED)

[15547](#) A RESOLUTION authorizing the County Executive to enter into an Agreement to provide COMBAT Grant Match Funds in the amount of \$16,000.00 to the Genesis School, Inc., for the Genesis School Mentoring Program.
(ADOPTED)

[15548](#) A RESOLUTION authorizing execution of professional services agreements with Mike Harmon and Kathy Allen-Gray for the provision of real property appraisal consultation services in connection with the Board of Equalization at an aggregate cost to the County not to exceed \$15,000.00.

(ADOPTED)

[15549](#) A RESOLUTION awarding of a twenty-four (24) month term and supply contract for the furnishing of concessions: candy and cigarettes for use by the Parks and Recreation Department to St. Joe Distributing of St. Joseph, MO, under the terms and conditions of Invitation to Bid No. BB200520.

(ADOPTED)

To adopt Resolutions 15542, 15543, 15544, 15545, 15546, 15547, 15548, 15549.

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

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

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

Henry C. Rizzo, Vice-Chairman, assumes the Chair.

[3643](#) Amending the zoning districts established by the Unified Development Code by rezoning a certain 1.6 ± acres from District LI (Light Industrial) to GB-P (General Business-Planned Zoning) District.

(Land Use Committee)

[3644](#) Amending the zoning districts established by the Unified Development Code by rezoning a certain 10.3 ± acres from District A (Agricultural) to District RR (Residential Ranchette) District.

(Land Use Committee)

[3645](#) Amending the zoning districts established by the Unified Development Code by rezoning a certain 15 ± acres from District A (Agricultural) to District RR (Residential Ranchette) District.

(Land Use Committee)

[3646](#) Amending the zoning districts established by the Unified Development Code by rezoning a certain 78.8 ± acres from District A (Agricultural) to District RE (Residential Estates) District and approving preliminary plat "Leisure Acres" creating a twenty-two (22) lot residential subdivision.

(Land Use Committee)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[15552](#)

Recommending on an interim basis until the Jackson County Ethics Commission meets and establishes procedures for the receipt and investigation of such complaints that all conflict of interest complaints be referred to the Office of the Prosecuting Attorney.

(Legislature As A Whole)

No dissenting vote to consider Resolutions #15553, #15554, #15555 and #15556 - not on printed agenda.

[15553](#)

Dennis Waits moved the passage of Resolution #15553, honoring Mr. Michael Carter, of Carter Broadcast Group Inc., for his exemplary civic leadership. Seconded by Henry C. Rizzo.

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)

[15554](#)

Bob Spence moved the passage of Resolution #15554, congratulating the Lee's Summit West High School Girls Soccer Team upon winning the Missouri High School state championship title in 2005. Seconded by Scott Burnett.

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)

[15555](#)

Bob Spence moved the passage of Resolution #15555, congratulating Kevin Zhang on earning the highest score among Missouri freshmen and sophomores at the 2005 American Mathematics Competition. Seconded by Fred Arbanas.

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)

[15556](#)

Scott Burnett moved the passage of Resolution #15556, honoring the life and works of Bernie Hiller. Seconded by Dennis Waits.

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)

Robert A. Stringfield suggested a closed session next week regarding Resolution #15552. Michael Sanders, Prosecuting Attorney, agreed.

Discussion regarding Ordinance #3642. Comments from Michael Sanders and Bob Spence.

Ed Rucker said for the record, Scott Burnett should not have been a sponsor on the original Ordinance #3642.

12 COUNTY EXECUTIVE ORDERS05-13

I hereby reappoint John Laney to the Mid-Continent Library Board for a term to expire on June 30, 2009. A copy of Mr. Laney's resume is on file.

05-14

I hereby appoint Jeremy Willmoth and Mark Trosen to the Lake Lotawana Tax Increment Financing Commission pursuant to §99.820 of the Revised Statutes of Missouri, 2000.

13 UNFINISHED BUSINESS

None.

14 NEW BUSINESS

None.

15 ADJOURNMENT

Dennis Waits moved to adjourn the meeting. Seconded by Eugene Standifer Jr..

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until TUESDAY, July 19, 2005 at 2:30 p.m. in the Legislative Assembly Area, Kansas City, Missouri.