



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)*

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**Monday, September 22, 2003**

**3:30 PM**

**Thirty-sixth Regular Meeting**

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

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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 and Bob Spence  
Absent: Rhonda L. Shoemaker

**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 9/15/2003.  
Seconded by Robert A. Stringfield.

**The motion passed by a voice vote.**

**(APPROVED)**

**4 HEARINGS**

*None.*

**5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE**

*Katheryn Shields, County Executive, reported that the County Executive's annual charity golf tournament was held Friday, September 12, 2003 and raised \$16,000 for Operation Breakthrough which exceeded their goal. She thanked County Legislator Dan Tarwater for participating and she also thanked other legislators for their support.*

*She mentioned that legislation was being introduced today which deals with a plan for financing needed improvements to Jackson County roads, courthouses and other facilities. Ordinance #3420 calls for \$26 million in bonds to be sold. The actual amount will be less and an amendment will be prepared to reflect an amount not to exceed \$20.5 million.*

*She said this is a program she has been talking to the legislators about for quite some time. It is a road maintenance program that will allow Jackson County to get a head start on two or three big projects out east. She said they will be reissuing over \$1 million in funds left over from the Public Works Maintenance Building project. The money will be used for purchasing a building for the office side of the Public Works Department and also for setting up a redundancy for e-government. It will also be used to find a permanent site for the Jackson County Election Board. The final major piece will be used for the work on the downtown courthouse and miscellaneous construction projects of a maintenance nature. Work at the downtown courthouse will include a new roof, window repairs, rebuild the parapet walls, redo the limestone exterior, rebuild the north plaza, build a handicap entrance and security around the back of the courthouse with possibly a fence or a wall. The bids are out on the work to be completed and should be back early October.*

*An e-government meeting was held Thursday, September 18th in Lee's Summit, Missouri. It was pouring down rain but at least 50 people attended. The purpose of the meeting was to get input from citizens who will be using the system that is being built. Anyone wanting to participate can go online to the website at [www.jacksongov.org](http://www.jacksongov.org) and fill out the e-gov survey.*

*Jay Haden, Acting County Counselor, said the effective date for the concealed weapon law is October 11, 2003.*

*Katheryn Shields said the Sheriff's Department is putting a plan together and she will discuss it with the Sheriff when he returns as he is out of town. There is a maximum of \$100 per person that can be charged for permits. However, the State law requires that the proceeds go for additional equipment and training for the Sheriff's Department. This would leave the County bearing the burden of the cost. She has been discussing this issue with others across the state to see if it would be an appropriate matter for a Hancock lawsuit. With the Hancock amendment in place, the State is not suppose to place new burdens on the counties without providing the funds. Since the counties are prohibited from using the proceeds to reimburse the general fund then the counties would be absorbing the cost. So she has some concerns about how this system is set up.*

*Dennis Waits said Sheriff Tom Phillips wants to appear before the Legislature himself rather than send a representative from his office and he will attend the legislative meeting next week.*

*Fred Arbanas said he is in favor of park rangers being armed especially in light of this law.*

*Jay Haden said there is a mechanism in the new law that allows the County by ordinance to post County buildings including the courthouse to prohibit weapons. He will review the law to see if it includes county park grounds. A representative of the Circuit Court called because by law a person cannot take a weapon or firearm into a courtroom or a building that's dedicated to court use. But our buildings are not dedicated to court use. Therefore, we are able to post signs but it is our responsibility to enact that legislation, we cannot assume the law will speak for itself.*

*Katheryn Shields said there are obviously many issues to be discussed and several policy issues that need to be addressed. She is committed to working with the Legislature so that Jackson County will have the best program possible.*

*Ronald E. Finley said he does not want to hold up on the ordinance prohibiting carrying guns into facilities because he feels we have a certain responsibility to our employees.*

*Katheryn Shields asked Jay Haden to research the issue of whether we can broaden it beyond the buildings and then have discussions.*

*Ronald E. Finley said he hopes the Sheriff has a plan to present to the Legislature. He understands that people are taking a class right now and plan on making application on October 11th.*

*Jay Haden said there is a time frame, they request your background check and then there is a 45 day limit where the Sheriff's Department needs to issue the permit even if the check is not complete. If the background check comes back negative, then there is authority to revoke the previously issued permit.*

*Robert A. Stringfield asked if Michael Sanders, Prosecuting Attorney, should be present at the meeting to answer any questions regarding this new law. He understands that if a person is caught with a gun in a place where it is posted, there is a fine of \$100.*

*Katheryn Shields said there could be costs as far as staffing and personnel beyond what we can reasonably support in our existing government. There is a possibility that Jackson County will need to go to Cole County and ask for relief.*

*Ronald E. Finley asked what the timetable for the passage of the ordinance regarding the bond package.*

*Katheryn Shields said she would like to see it adopted by the first week in October, 2003, since they should have the figures for expenses at the downtown courthouse.*

*Dennis Waits said the Legislature will have time later to review each project that will be funded by the sale of the bonds.*

*Ronald E. Finley asked if the ordinance contains a list of projects.*

*Jay Haden said it is not included in the ordinance.*

*Katheryn Shields said a description of each project will be provided to the Legislators for their review at next week's meeting.*

## **6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE**

3404

Anti-Drug Committee moved to perfect. Consent Agenda.

Greg Ballentine, the 911 coordinator with Mid-America Regional Council (MARC ) was present to discuss Ordinance #3407. Refer to audio or video tape for discussion.

3407

Ronald E. Finley moved to reassign Ordinance #3407 to the Finance and Audit Committee, 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.". Seconded by Henry C. Rizzo.

**The motion passed by a voice vote.**

**(APPROVED)**

Fred Arbanas moved to waive the reading of Ordinances #3413 through #3419.  
Seconded by Bob Spence.

The motion passed by a voice vote.

(APPROVED)

The Land Use Committee will have a public hearing on Ordinances #3413 through #3419 on Thursday, October 2, 2003 at 1:00 p.m. at Fleming Hall.

[3413](#)

AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from District A (Agricultural) to District RE (Residential Estates), a certain 10± acre tract.

*(Land Use Committee - 1st. Perfection)*

[3414](#)

AN ORDINANCE amending the zoning districts established by the Jackson County Zoning Order by changing from District A (Agricultural) to District RE (Residential Estates), a certain 100 ± acre tract, and approving the preliminary plat "Valley View Acres," creating a 24-lot residential subdivision.

*(Land Use Committee - 1st. Perfection)*

[3415](#)

AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from District A (Agricultural) to District RR (Residential Ranchette), a certain 12 ± acre tract.

*(Land Use Committee - 1st. Perfection)*

[3416](#)

AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from District A (Agricultural) to District RR (Residential Ranchette), a certain 10 ± acre tract.

*(Land Use Committee - 1st. Perfection)*

[3417](#)

AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from District A (Agricultural) to District RE (Residential Estates), a certain 2 ± acre tract.

*(Land Use Committee - 1st. Perfection)*

[3418](#)

AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from District A (Agricultural) to District RE (Residential Estates), a certain 9.1 ± acre tract.

*(Land Use Committee - 1st. Perfection)*

[3419](#)

AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from District A (Agricultural) to District RR (Residential Ranchette), a certain 13 ± acre tract.

*(Land Use Committee - 1st. Perfection)*

## **7 FINAL PASSAGE OF PROPOSED ORDINANCES**

*None.*

**8 RESOLUTIONS IN COMMITTEE**

[14708](#) Health and Justice Committee moved do pass. Consent Agenda.

[14722](#) Health and Justice Committee moved do pass. Consent Agenda.

[14723](#) A RESOLUTION authorizing the County Executive to execute an agreement with Minute Circle Friendly House, for the prevention of drug and drug-related offenses, as a local match to private grant, at a cost to the County not to exceed \$21,779.00.

*(Anti-Drug Committee - 1st. Meeting)*

[14724](#) Public Works Committee moved do pass. Consent Agenda.

[14725](#) Health and Justice Committee moved do pass. Consent Agenda.

[14726](#) Health and Justice Committee moved do pass. Consent Agenda.

[14728](#) A RESOLUTION rescinding Resolution 12801, dated July 12, 1999, and nominating candidates for appointment to the Jackson County Sports Complex Authority.

*(Legislature As A Whole - 1st. Meeting)*

[14729](#) A RESOLUTION rescinding Resolution 13742, dated June 25, 2001, and nominating candidates for appointment to the Jackson County Sports Complex Authority.

*(Legislature As A Whole - 1st. Meeting)*

[14730](#) A RESOLUTION nominating candidates for appointment to the Jackson County Sports Complex Authority.

*(Legislature As A Whole - 1st. Meeting)*

[14731](#) A RESOLUTION nominating candidates for appointment to the Jackson County Sports Complex Authority.

*(Legislature As A Whole - 1st. Meeting)*

*Dennis Waits, Chairman, introduced Dick Franklin who was in the audience and had a resume as he was interested in being a member of the Jackson County Sports Complex Authority.*

*Ronald E. Finley said he received something from Harry Wiggins indicating his interest.*

*Other interested people include Richard Berkley and Anthony Romano.*

**9 CONSENT AGENDA**

[3404](#) AN ORDINANCE transferring \$5,795.00 within and appropriating \$22,462.00 from the unappropriated surplus of the 2003 Anti-Drug Sales Tax Fund to cover the extension of the Gun Control Prosecution grant for the Prosecuting Attorney's Office funded by the United States Office of Justice Programs and the transfer of matching funds.

(PERFECTED)

[14708](#) A RESOLUTION awarding a twelve (12) month term and supply contract for the furnishing of X-ray services for use by the Medical Examiner's Office to Truman Medical Center of Kansas City, MO, to provide for departmental needs for the upcoming one-year period, in the estimated amount of \$25,000.00, as a sole source purchase.

(ADOPTED)

[14722](#) A RESOLUTION awarding a term and supply contract for the purchase of ambulance services for use by the Department of Corrections to MAST Ambulance Services of Kansas City, MO, in the estimated annual amount of \$50,000.00, as a sole source purchase.

(ADOPTED)

[14724](#) A RESOLUTION awarding a contract for the furnishing of mobile radios and accessories for use by the Public Works Department to Motorola Communications of Glen Rock, NJ, under a State of Missouri government contract, in the actual amount of \$14,991.68.

(ADOPTED)

[14725](#) A RESOLUTION authorizing the County Executive to execute a Memorandum of Understanding with Truman Medical Center Behavioral Health Services, a division of Truman Medical Center to cover the cost of atypical anti-psychotic medications dispensed at the Jackson County Detention Center at a cost to the County not to exceed \$89,993.00.

(ADOPTED)

[14726](#) A RESOLUTION authorizing the County Executive to execute an Agreement with the National Center for Fathering, to provide training sessions for clients of the Prosecuting Attorney's Office's Family Support Division's Fathering Court Diversion Project, at a total cost to the County not to exceed \$25,000.00.

(ADOPTED)

To perfect Ordinance 3404. To adopt Resolutions 14708, 14722, 14724, 14725, 14726.

Fred Arbanas 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

Absent: 1 - Rhonda L. Shoemaker

## 10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[3420](#)

Approving the issuance of not to exceed \$26,000,000 principal amount of Jackson County, Missouri, Public Building Corporation Leasehold Revenue Bonds (Jackson County, Missouri, Capital Improvement Project) Series 2003, authorizing and approving certain documents in connection with the issuance of said bonds, and authorizing certain other actions in connection with the issuance of said bonds.

*(Finance and Audit Committee)*

[3421](#)

Appropriating \$489,500.00 from the unappropriated surplus of the 2003 Grant Fund to cover a grant awarded by the United States National Park Service for the Fort Osage Education Center and authorizing the County Executive to execute a Modification of the Agreement regarding this project.

*(Land Use Committee)*

**11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE**

[14732](#) Awarding a contract on Bid No. 38-03 for the furnishing of property casualty insurance coverage to Factory Mutual Insurance Company of Johnston, RI, for the period of October 1, 2003 to September 30, 2004, in an annual premium amount of \$486,354.00.  
*(Finance and Audit Committee)*

*Ronald E. Finley asked the Administration to ask the County's insurance representative to be present at next week's Finance and Audit Committee meeting.*

*Troy Thomas, Chief Financial Officer, said he would do that.*

[14733](#) Awarding a contract on Bid No. 33-03 for lease/purchase of mobile radios for use by the Parks and Recreation Department to Commenco, Inc., of Kansas City, MO, and Government Capital Corporation of Southlake, TX, at an actual annual cost to the County of \$26,011.80, and a total three-year cost of \$78,035.40.  
*(Land Use Committee)*

[14734](#) Awarding a contract on Bid No. PW 02-2003 for the construction of the Trailhead Improvements on the Little Blue Trace Project, No. 2464, to Hanrahan Asphalt Paving Company, of Grandview, MO, at an actual cost to the County not to exceed \$94,231.31.  
*(Land Use Committee)*

**12 COUNTY EXECUTIVE ORDERS**

[03-24](#) I hereby appoint Manuel S. Perez, Jr., to the COMBAT Commission to fill the vacancy occasioned by the expiration of the term of Tom McDonnell, for a term to expire January 20, 2006. A copy of Mr. Perez' resume is attached.

**13 UNFINISHED BUSINESS**

Fred Arbanas referred to a memo from the Parks and Recreation Department regarding Christmas in the Park participants. The Parks Department suggested that some agencies be eliminated since they failed to meet the requirements. Fred said he would like to pick the replacements at next week's meeting by random drawing.

Dennis Waits said he would like to include the Kiwanis Club - South.

Scott Burnett said Guadalupe Center and Mid-American Assistance Coalition would like to be placed back on the list and they would like all 36 agencies to be picked randomly. He asked for an updated list of interested agencies to include who is eligible and in compliance.

Mary Helen Murphy, Chief Operating Officer, said she would provide a copy of what was sent previously to the legislators.



Scott Burnett asked when the Legislature would interview for the Sports Authority.

Dennis Waits replied that the Legislature would interview during the legislative meeting next week when it came up on the agenda.

Bob Spence said interviews would be taken but no names will be picked until the following week to allow everyone interested to be present for an interview.

Fred Arbanas asked if all four panels would be picked at the same time.

Dennis Waits said if there are four new members it would upset the continuity of the Sports Authority and only leave one experienced member. He feels the purpose of staggering the appointments is for the reason of keeping some of the experienced members on board giving the new members a chance to learn.

Henry Rizzo agrees that it would be a disaster to replace all four at the same time. With the bistate issue, we need the knowledge that current members possess.

Fred Arbanas anticipates that the Legislature submit the first two panels and consider the next two panels at a later date.

Dennis Waits explained that the Senate will need to meet and approve the Governor's appointment which will not take place until January 2004.

Henry Rizzo said the members will immediately assume their position on the Sports Authority and be confirmed by the Senate in January.

Jay Haden said just like a federal appointment it would be effective immediately. However, if confirmation does not occur, the position would become vacant but any votes or actions taken by the member while on the Authority would count.

Scott Burnett said the Legislature will interview on September 29th and October 6th.

Dennis Waits said the Legislature will then vote on the first two panels after completing the interviews.

Fred Arbanas confirmed that one panel will be Democrat and one panel will be Republican.

## **14 NEW BUSINESS**

Ronald E. Finley asked if there needed to be action today on the Christmas in the Park selections.

Troy Thomas said this item can wait until October 6th.

**15      ADJOURNMENT**

Bob Spence moved to adjourn the meeting. Seconded by Fred Arbanas.

**The motion passed by a voice vote.**

(APPROVED)

*Meeting adjourned until Monday, September 29, 2003 at 1:00 p.m. in the Legislative Assembly Area, Kansas City, Missouri.*

*Katheryn Shields said she asked that the Legislature meet at 1 p.m. next week since she is having a reception for the President of NaCO from Boone County, to introduce her to Kansas City.*

*Katheryn explained that Jackson County is bidding for the NaCO conference in either 2008 or 2009, which means the conference will be held here.*