



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
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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, December 1, 2003

3:30 PM

Forth-sixth 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 and Bob Spence
Absent: Rhonda L. Shoemaker

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 11/24/2003.
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, presented a 10 year service pin to Cameron Schenk, an Administrative Assistant for the Medical Examiner's Office.

As requested by the Legislature, she handed out copies of the informational brochures regarding the Missouri Property Tax Credit or "Circuit Breaker".

She reported that KUDL's "Christmas in the Sky" was bigger and better than ever. An estimated 50,000 people turned out for the festivities at Longview Lake on Thanksgiving Eve. She thanked everyone who made this annual holiday event such a success which included KUDL radio who sponsored the event, Parks and Recreation employees and Sheriff's employees who directed traffic.

She reminded everyone that Christmas in the Park is operating from now until December 31, 2003. The sponsors are Country 106.5 FM and Fox-4 TV and Russell Stovers has donated over 200,000 french mints. The event is free but donations to benefit local charities are accepted. She said the Kansas City Star published a large article on Christmas in the Park.

Other Jackson County Parks and Recreation events to be held on Saturday, December 6th include:

The 5th Annual Reindeer Run/Walk through Christmas in the Park at Longview Lake Park, Frank White Jr. Softball Complex at 7 a.m. The price is \$25 and registration is required. The entire family can get into the holiday spirit on this illuminating run/walk through Christmas in the Park.

Missouri Town 1855 Christmas Celebration at Missouri Town 1855 at Fleming Park from 9 a.m. - 4:30 p.m. The price is \$3 for adults, \$2 for youth and seniors and children under 5 are free. Residents of Missouri Town 1855 prepare for the holidays with decorating, singing and hearth cooking A special visit from a 19th century St. Nicholas will delight all children.

Windows on the Past at Missouri Town 1855 at Fleming Park from 6 p.m. - 8:30 p.m. The price is \$7.50 per person and advanced reservations are necessary. Experience a guided tour of Missouri Town 1855 lit only by luminaries. Witness ethnic traditions of German, English and French celebrations.

Ronald E. Finley, County Legislator, asked if there has been any movement by the Sheriff regarding labor negotiations.

Katheryn Shields said not to her knowledge.

Jay Haden, Acting County Counselor, said he and the Sheriff will meet with a federal mediator on Tuesday, December 2, 2003 and he will let them know the outcome.

Bob Spence, County Legislator, presented a proclamation to the Netterville family and members of Students Against Destructive Decisions (SADD) declaring December 4, 2003 as Ryan Netterville Day in Jackson County, Missouri.

Scott Burnett, Vice-Chairman, presented a 30 year service pin to Robert Kennicutt, an employee in the Assessment Department.

6 PERFECTON OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[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 - 6th. Perfection)

[3434](#) Land Use Committee moved to perfect.

Fred Arbanas objects to the consent agenda.

[3434](#) Fred Arbanas moved to perfect Ordinance #3434. Seconded by Bob Spence.

The motion passed by a voice vote.

(PERFECTED)

- [3434](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #3434. Seconded by Bob Spence.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [3435](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the consent agenda.
- [3435](#) Fred Arbanas moved to perfect Ordinance #3435. Seconded by Bob Spence.
The motion passed by a voice vote. (PERFECTED)
- [3435](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #3435. Seconded by Bob Spence.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [3436](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the consent agenda.
- [3436](#) Fred Arbanas moved to perfect Ordinance #3436. Seconded by Bob Spence.
The motion passed by a voice vote. (PERFECTED)
- [3436](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #3436. Seconded by Bob Spence.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [3437](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the consent agenda.
- [3437](#) Fred Arbanas moved to perfect Ordinance #3437. Seconded by Bob Spence.
The motion passed by a voice vote. (PERFECTED)
- [3437](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #3437. Seconded by Bob Spence.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [3438](#) Health and Justice Committee moved to perfect. Consent Agenda.

[3441](#) AN ORDINANCE 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 - 3rd. Perfection)

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

(Legislature As A Whole - 3rd. Perfection)

[3445](#) Land Use Committee moved to perfect.

Bob Stringfield said he objected because he is against fee increases for the Parks Department due to the economic times.

[3445](#) Fred Arbanas moved to perfect Ordinance #3445, repealing Schedule I, Chapter 50, Jackson County Code, 1984, relating to park fees and charges, and enacting, in lieu thereof, a new schedule relating to the same subject. Seconded by Bob Spence.

The motion passed by a voice vote.

(PERFECTED)

[3446](#) Health and Justice Committee moved to perfect. Consent Agenda.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[3434](#) Consent Agenda.

[3435](#) Consent Agenda.

[3436](#) Consent Agenda.

[3437](#) Consent Agenda.

[3444](#) 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 - 4th. Meeting)

- [14781](#) A RESOLUTION establishing Jackson County's priorities for the 2004 regular session of the Missouri General Assembly.
(Inter-Governmental Affairs Committee - 3rd. Meeting)
- [14801](#) A RESOLUTION acknowledging a donation received from the D.W. Newcomer family for the construction and art work of the "grand entrance" at the Longview Horse Park.
(Land Use Committee - 1st. Meeting)
- [14802](#) Finance and Audit Committee moved do pass. Consent Agenda.
- [14803](#) Finance and Audit Committee moved do pass. Consent Agenda.
- [14804](#) Land Use Committee moved do pass. Consent Agenda.
- [14805](#) A RESOLUTION authorizing the Director of Finance to issue a check in the amount of \$1,420.00 to Sister Cities International for 2004 annual membership dues.
(Finance and Audit Committee - 1st. Meeting)

9 CONSENT AGENDA

- [3438](#) AN ORDINANCE 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.
(PERFECTED)
- [3446](#) AN ORDINANCE appropriating \$36,521.00 from the unappropriated surplus of the 2003 Grant Fund, to cover the Jackson County Disproportionate Minority Confinement Grant received from the Missouri Department of Public Safety.
(PERFECTED)
- [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.
(ADOPTED)
- [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.
(ADOPTED)
- [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.
(ADOPTED)
- [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.
(ADOPTED)
- [3444](#) AN ORDINANCE transferring \$100,000.00 within the 2003 Public Building Corporation Fund, appropriating \$200,000.00 from the unappropriated surplus of the 2003 Grant Fund, and authorizing the County Executive to execute a Grant Agreement with Landmarks Historic Trust Corporation in acceptance of a grant for the preservation and renovation of the downtown courthouse in the amount of \$100,000.00.
(ADOPTED)

[14802](#) A RESOLUTION awarding a term and supply contract on Bid No. BB200376 for the furnishing of trash removal service for use county-wide to Deffenbaugh Industries, Inc., of Shawnee, KS, (\$70,000.00) and Allied Services, LLC dba BFI of Kansas City of Independence, MO (\$15,000.00), to provide for county-wide needs for the upcoming one-year period, in the actual aggregate amount of \$85,000.00.

(ADOPTED)

[14803](#) A RESOLUTION awarding a term and supply contract on Bid No. BB200379 for the furnishing of office furniture for use county-wide to Corporate Express of Kansas City, MO, to provide for county-wide needs for the upcoming one-year period, in the estimated amount of \$235,000.00.

(ADOPTED)

[14804](#) A RESOLUTION awarding a seven-month term and supply contract on Electronic Solicitation No. BB200333, for the furnishing of water testing service for use by the Parks and Recreation Department to Pace Analytical Service, Inc., of Lenexa, KS, in the estimated amount of \$5,250.00.

(ADOPTED)

To perfect Ordinances 3438, 3446. To adopt Ordinances 3434, 3435, 3436, 3437, 3444.
To adopt Resolutions 14802, 14803, 14804.

Dan Tarwater moved the passage of the consent agenda. Seconded by Scott Burnett.
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

[3447](#) Transferring \$8,553.00 within the 2003 General Fund and appropriating \$42,763.00 from the unappropriated surplus of the 2003 Grant Fund to cover the Victim Services Advocates Grant received from the Missouri Department of Public Safety and the transfer of matching funds.

(Health and Justice Committee)

[3448](#) Transferring \$85,041.00 within and appropriating \$850,407.29 from the unappropriated surplus of the 2003 Anti-Drug Sales Tax Fund to cover a grant received from the Missouri Department of Public Safety for the "Night Lights/Sentenced to the Arts" programs and the transfer of matching funds, and authorizing the County Executive to execute an Agreement with Pan Educational Institute, at a cost to the County not to exceed \$426,746.28.

(Anti-Drug Committee)

[3449](#) Amending the districts established by the Jackson County Zoning Order by changing from District A (Agricultural) to District RR (Residential Ranchette), a certain 5± acre tract.

(Land Use Committee)

[3450](#) Amending the districts established by the Jackson County Zoning Order by changing from District A (Agricultural) to District RR (Residential Ranchette), a certain 15± acre tract.

(Land Use Committee)

[3451](#) Amending the districts established by the Jackson County Zoning Order by changing from District A (Agricultural) to District RR (Residential Ranchette), a certain 7± acre tract.

(Land Use Committee)

[3452](#) Amending the districts established by the Jackson County Zoning Order by changing from District A (Agricultural) to District LI (Light Industrial) a certain 4.4± acre tract.

(Land Use Committee)

The Land Use Committee will have a public hearing on Ordinances #3449 through #3452 on Friday, December 19, 2003 at 1:00 p.m. at Fleming Hall.

[3453](#) Appropriating \$100,500.00 from the unappropriated surplus of the 2003 Grant Fund to cover the Family Centered Out of Home Care grant for the Family Court Division funded by the Missouri Division of Family Services.

(Health and Justice Committee)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[14808](#) Awarding a contract for the furnishing of software upgrades for use by the Assessment Department to Sigma Systems Technology of Williamsville, NY, at an actual cost to the County not to exceed \$7,499.00, as a sole source purchase.

(Finance and Audit Committee)

[14809](#) awarding a term and supply contract to G. W. Van Keppel Co. of Kansas City, KS, for the furnishing of Beuthling, Etnyre, Gardner-Denver, Hi-Way, and Hyster heavy equipment parts and service for use by the Public Works Department to provide for its needs for the upcoming one-year period, at an estimated cost to the County of \$8,000.00, as a sole source purchase.

(Public Works Committee)

[14810](#) Awarding a contract for the furnishing of interactive internet purchasing service under RFP 21-00 for use by the Purchasing Department to Sicommnet of San Diego, CA, at no cost to the County.

(Finance and Audit Committee)

[14811](#) Awarding a contract for the furnishing of DARE specialty items for use by the Sheriff's Office to DARE America of Culver City, CA (\$2,303.40) and Tees Plus of Groton, CT (\$5,443.14), at an actual aggregate cost to the County not to exceed \$7,746.54, as a sole source purchase.

(Anti-Drug Committee)

[14812](#) Awarding a contract on Electronic Solicitation No. BB200378 for the furnishing of one (1) sixty-five passenger conventional school bus for use by the Parks and Recreation Department to Central States Bus Sales, Inc., of Fenton, MO, in the actual amount of \$52,100.00.

(Land Use Committee)

[14813](#) Awarding a contract for the furnishing of a juvenile fingerprint identification system for use by the Sheriff's Office to Sentry Technology, Inc., of Phoenixville, PA, at an actual cost to the County of \$9,485.00, as a sole source purchase.

(Health and Justice Committee)

[14814](#) Awarding a contract on Electronic Solicitation No. BB200381 for the installation of County laptop computers in police vehicles for use by the Sheriff's Office to Commenco of Kansas City, MO, at an actual cost to the County not to exceed \$9,000.00.

(Health and Justice Committee)

No dissenting vote to consider Resolution #14815 - not on printed agenda.

[14815](#) Scott Burnett moved the passage of Resolution #14815, commending Jaci L. Mairs for 22 years of loyal public service to the Sixteenth Judicial Circuit Court of Jackson County, Missouri. Seconded by Dan Tarwater.

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

(ADOPTED)

[14816](#) Awarding a contract for the relocation of the telephone room equipment in the Kansas City Courthouse to SBC Communications of Kansas City, MO, at an actual cost to the County not to exceed \$205,225.90, as a sole source purchase.

(Finance and Audit Committee)

No dissenting vote to consider Resolution #14817 - not on printed agenda.

*Scott Burnett moved for a floor substitute to Resolution #14817 by making changes in the heading on page one and last paragraph on page two. Seconded by Fred Arbanas.
The motion passed by a voice vote. (APPROVED)*

*Bob Spence moved for a floor substitute to Resolution #14817 by deleting the 1st paragraph on page two. Seconded by Dan Tarwater.
The motion passed by a voice vote. (APPROVED)*

[14817](#)

Bob Spence moved to adopt floor substitute of 12/1/2003, urging the Sheriff and the Fraternal Order of Police to return to the bargaining table and to make every effort to arrive at a satisfactory successor Memorandum of Understanding between Jackson County and the Jackson County Sheriff's Chapter, Lodge 50, of the Fraternal Order of Police. Seconded by Dan Tarwater.

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

(ADOPTED)

12 COUNTY EXECUTIVE ORDERS

[03-31](#)

Pursuant to the Constitutional Home Rule Charter of Jackson County, I hereby supplement Personnel Rule 9.1, relating to holidays, by establishing December 26, 2003, as a paid holiday for all Jackson County Employees.

13 UNFINISHED BUSINESS

None.

14 NEW BUSINESS

Robert Stringfield, County Legislator, made the following comment regarding the 2004 Missouri Legislative Platform. He said in these days of dwindling revenues and fear of new taxes with economic decline and dramatic shifts of population in metropolitan area, we need as a County to recognize common interests of communities on both sides of the state line in the Kansas City metropolitan area. We share one economy, one set of cultural and recreational institutions, and one overall position in the national competition for economic development and community expansion.

In 1950, Kansas City was the largest metropolitan area between the Mississippi River and the Pacific Coast-overshadowing such present-day success stories as Minneapolis, Denver, Phoenix and Dallas. Since then Kansas City has experienced in a half-century challenges from other cities caused by a state line and our inability to develop effective regional responses to challenges.

We have to involve two governors, two legislatures, multiple counties and more mayors and city councils than any reasonable person would attempt to bring together on any major matter of area-wide public policy.

To truly integrate Kansas City's vision of the future, all of the major regional problems should be addressed with a bi-state approach as evidenced by the bi-state cultural tax for Union Station.

He thinks this legislative body needs to show their support and endorse a call to the legislative bodies in Topeka and Jefferson City for an immediate Bi-State Tax to be put on the ballot for November 2004 for two venues: Sports and Arts. All of our major regional problems should be addressed with a bi-state approach.

The area-wide tax base being available to solve regional problems vastly increases the amount of revenue which can be brought to bear on critical problems without endangering funds required for basic services in any individual city.

Jefferson City is now less responsive to urban concerns, requesting taxing authority for local governments, and a compact governing how elected officials from cities and counties on both sides of the state line would administer the funds, should appeal to economy-minded members of legislative bodies.

The availability of new regional tax funds will put the region in a position to compete with single-state adversaries for major economic development opportunities in the future.

We have to protect our investments of the late 1960's and early 1970 of our stadiums and professional ball teams which calls for leadership from this body to play a major role in Bi-State initiatives. As a legislator, next to the Circuit Court system, the most important matter in Jackson County is the ability to maintain our sports complex into the future. In order to maintain the value added commodity of professional sports for the metropolitan area and the economic impact that it has on the entire community. For us to be a first rate metropolitan area we need to enforce our investment into the future.

Let's not forget in 1970 Jackson County had 70% of the wealth of the region. We now have 40% and only because of the expansion of Blue Springs and Lee's Summit we are at the 40% level. We cannot support the upgrades and continued success of the sports teams as a county anymore. A comprehensive legislative proposal could allow a metropolitan area-wide tax to be focused on Sports and Arts or any major metropolitan objective. The bi-state approach addresses the vision of the future.

As the Bi-State commissioner of this county I need the support of this legislative body with support for bi-state initiatives for November 2004.

Fred Arbanas announced that Legislator Dan Tarwater turns 40 years old on Wednesday.

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, DECEMBER 8, 2003 AT 3:30 P.M. IN THE LEGISLATIVE ASSEMBLY AREA, KANSAS CITY, MISSOURI.