



Office of  
**Mary Jo Brogato**  
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

*Victor E. Callahan (1st AL), Chairman*  
*Ronald E. Finley (2nd), Vice-Chairman*  
*Scott Burnett (1st), Dennis Waits (3rd), Dan Tarwater (4th),*  
*Terry Young (5th), Bob Spence (6th), Lisa White Hardwick (2nd AL),*  
*Fred Arbanas (3rd AL)*

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**Monday, November 15, 1999**

**3:30 PM**

**Forty-fourth Regular Meeting**

**Independence City Hall, 111 E. Maple, Council Chambers, Ground Floor, Independence, Missouri**

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Victor E. Callahan, Chairman, called the meeting of the Jackson County Legislature to order., called the meeting of the Jackson County Legislature to order.

**1 ROLL CALL**

Present: Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, Scott Burnett, Ronald E. Finley, Dennis Waits, Terry Young and Bob Spence

**3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING**

Dennis Waits moved to approve the journal of the previous meeting held on . Seconded by Terry Young.

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

**(APPROVED)**

**4 HEARINGS**

*None.*

*Resolution #12940 was adopted at this time. See page three for details.*

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

*Katheryn Shields, County Executive, distributed the budget message and budget to the Legislature. She went over highlights of the budget (See budget message for details.)*

*Resolution #12942 was adopted at this time. See page three for details.*

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

Fred Arbanas moved to waive the reading of Ordinances #2971 and #2972. 2nd. by Dennis Waits.

Voice Vote.

**(APPROVED)**

The Land Use Committee will have a public hearing regarding Ordinances #2971 and #2972 on Wednesday, November 17, 1999 at 1 p.m. at Fleming Hall.

[2971](#)

AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RR (Residential Ranchette), a certain 15 + acre tract.

[2972](#) AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RR (Residential Ranchette), a certain 10.9 + acre tract.

[2973](#) Land Use Committee moved to perfect.  
*Fred Arbanas objects to the consent agenda.*

[2973](#) Fred Arbanas moved to perfect Ordinance #2973. Seconded by Dennis Waits.

**The motion passed by a voice vote. (PERFECTED)**

[2973](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #2973. Seconded by Dennis Waits.

**The motion passed by a voice vote. (APPROVED)**

*Consent Agenda. See Final Passage of Proposed Ordinances.*

[2974](#) AN ORDINANCE 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.

## 7 FINAL PASSAGE OF PROPOSED ORDINANCES

[2973](#) Consent Agenda.

## 8 RESOLUTIONS IN COMMITTEE

[12925](#) A RESOLUTION awarding a contract on Bid No. 112-99 for the furnishing of rub rail wall guards for use by the Corrections Department, to Cornwell Wallcovering, Inc., of North Kansas City, MO, in the actual amount of \$9,093.98.

[12933](#) Finance and Audit Committee moved do pass. Consent Agenda.

[12935](#) A RESOLUTION authorizing the County Executive to execute an "Amendment to UPARR Grant Agreement" with the United States Department of the Interior, National Parks Service, relating to vest pocket and neighborhood parks.

[12936](#) Finance and Audit Committee moved do pass. Consent Agenda.

[12937](#) A RESOLUTION awarding a contract on Bid No. 132-99 for the furnishing of three dump bodies, sand and salt spreaders, and snow plows for use by the Public Works Department, to Armor Equipment, Inc., of Kansas City, MO, in the actual amount of \$87,237.00.

**9 CONSENT AGENDA**

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

Yes: 8 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, Scott Burnett, Ronald E. Finley, Dennis Waits, Terry Young and Bob Spence

[2973](#)

AN ORDINANCE appropriating \$35,000.00 from the unappropriated surplus of the 1999 Park Enterprise Fund and authorizing the County Executive to execute agreements with certain organizations to provide services in connection with the 1999 Christmas in the Park event, at a cost to the County not to exceed \$35,000.00.

(ADOPTED)

[12933](#)

A RESOLUTION awarding a term and supply contract on Bid No. 137-99 for the furnishing of telephone equipment for use by the Management Information Systems Department to Alltel Supply, Inc., of Norcross, GA (\$7,500.00) and Graybar Electric Co., Inc., of Kansas City, MO (\$7,500.00), to provide for its needs for the upcoming one-year period, in the estimated aggregate amount of \$15,000.00.

(ADOPTED)

[12936](#)

A RESOLUTION awarding a contract for the furnishing of a telephone console for use by the Collection Department to T-Metrics, Inc., of Charlotte, NC, at a cost to the County not to exceed \$10,500.00, as a sole source purchase.

(ADOPTED)

**10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE**

[2975](#)

Setting the 2000 Jackson County, Missouri tentative tax levy.

*(Finance and Audit Committee)*

[2976](#)

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, 2000.

*(Legislature As A Whole)*

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

[12939](#)

Awarding a term and supply contract on Bid No. 125-99 for the furnishing of laundry chemicals and services for use by the Corrections Department to KO Manufacturing, Inc., of Springfield, MO, to provide for departmental needs for the upcoming one-year period, in the estimated amount of \$19,109.00.

*(Finance and Audit Committee)*

[12940](#)

Fred Arbanas moved the passage of Resolution #12940, congratulating Richard, Mary, Richard Jr., Nick, and Jonathon Scott for being selected as the first family to receive the Hall Family Matters Award, as a result of their involvement in the Jackson County Parks and Recreations' Special Recreation Division. Seconded by Terry Young.

Yes: 7 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, Scott Burnett, Ronald E. Finley, Terry Young and Bob Spence

Absent: 1 - Dennis Waits

(ADOPTED)

[12941](#)

Ronald E. Finley moved the passage of Resolution #12941, awarding a contract on Bid No. 144-99 for the printing and mailing of business personal and personal property declaration forms and envelopes for use by the Assessment Department to Midwestern Data of Kansas City, KS, in the actual amount of \$34,570.77, plus postage in the amount of \$118,762.00, for a total amount of \$153,332.77. Seconded by Dennis Waits.

Yes: 8 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, Scott Burnett, Ronald E. Finley, Dennis Waits, Terry Young and Bob Spence

(ADOPTED)

[12942](#)

Fred Arbanas moved the passage of Resolution #12942, congratulating Adele Hall and the Hall family for their ongoing community involvement through their charitable and good-hearted initiatives within Jackson County and throughout the Kansas City metropolitan area. Seconded by Dennis Waits.

Yes: 8 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, Scott Burnett, Ronald E. Finley, Dennis Waits, Terry Young and Bob Spence

(ADOPTED)

[12943](#)

Scott Burnett moved the passage of Resolution #12943, expressing the sympathy of the Legislature to the family and friends of Mary Gamez Lona upon the occasion of her untimely death. Seconded by Fred Arbanas.

Yes: 8 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, Scott Burnett, Ronald E. Finley, Dennis Waits, Terry Young and Bob Spence

(ADOPTED)

*No dissenting vote to consider Resolution #12944 - not on printed agenda.*

[12944](#)

Ronald E. Finley moved the passage of Resolution #12944, awarding a contract on Bid No. 143-99 for the printing and mailing of business personal and real estate change notices for use by the Assessment Department to Brian Pollmiller and Associates of Lenexa, KS, in the actual amount of \$9,801.40, plus postage in the amount of \$14,732.00, for a total amount of \$24,533.40. Seconded by Terry Young.

Yes: 8 - Victor E. Callahan, Lisa White Hardwick, Fred Arbanas, Scott Burnett, Ronald E. Finley, Dennis Waits, Terry Young and Bob Spence

(ADOPTED)

## 12 COUNTY EXECUTIVE ORDERS

99-31

I hereby promulgate the following amendments to the Jackson County Personnel Rules:

## Rule 2 Definitions of Terms

Probationary Employee. An employee during the first six months of County employment in a merit position, except Sheriff's deputies whose probation lasts one year following the completion of training, and Park Rangers whose probation lasts six months following the completion of training.

## Section 9.8 - Using Sick Leave

A. An employee using unscheduled sick leave must contact the appointing authority within one hour of the start of the employee's scheduled work day. Sick leave may be granted by the appointing authority when the employee, employee's spouse, employee's child, employee's parent, [or other immediate family member] and any other person who resides permanently with the employee is ill, or for medical, dental, or optical examinations and treatment when such examination or treatment cannot reasonably be scheduled outside the employee's work hours. Sick leave usage for known medical appointments should be scheduled with and approved by the appointing authority in advance.

B. An appointing authority may require a physician's statement specifying diagnosis and course of treatment before allowing an employee to return to work after use of sick leave if:

1. The employee has less than 40 hours accrued sick leave; or
2. The employee has used five days of sick leave during the previous 30 calendar days; or
3. The employee has used sick leave for three consecutive work days.

C. If a physician's statement has been requested pursuant to subsection B. above but is not produced by the employee, the employee's previous absence from the workplace will be credited as leave without pay.

## Section 9.12 - Volunteer Firemen

Any merit employee whose residence is in a community where the employee is an active member of the volunteer fire department and whose place of employment is in close proximity of the community may, with the approval of his appointing authority, respond to fire calls during regular employment hours without loss of sick leave or vacation not to exceed eight hours of pay per day.

## Section 9.13 - Jury Duty

Any merit employee who is selected for jury duty shall be authorized a leave of absence for the duration of jury service. There will be no loss of compensation for this period, not to exceed eight hours of pay per day, if the employee pays to the County the amount paid to the employee for jury duty. The merit employee may retain the mileage paid him for his jury service.

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**Section 9.16 - Death in the Immediate Family**

A full time employee, with the prior approval of the appointing authority, shall be granted time off with pay not to exceed three working days for a death in his immediate family. Compensation shall not exceed eight hours of pay per day with a maximum benefit of twenty-four hours. Immediate family is defined as the employee's spouse, children (including step and adopted children), mother, father, mother-in-law, father-in-law, daughter-in-law, son-in-law, sisters, half sisters, step sisters and sisters-in-law, brothers, half brothers, step brothers and brothers-in-law, grandparents, stepparents, grandchildren and any other person if they reside permanently with the employee.

**Section 15.11 - Drug Free Workplace Personnel Action**

Personnel action may be taken against any employee for drug abuse violations occurring on Jackson County property, in the workplace, during the hours of County employment, or while acting in the course and scope of County employment. The following procedures will be applicable and stated penalties may be instituted:

- A. An employee convicted of any criminal drug statute for a violation occurring on Jackson County property, in the workplace, during the hours of County employment, or while acting in the course and scope of County employment shall notify the Personnel Department no later than five (5) days after such convictions; and
- B. Within thirty (30) days of receiving notice of any criminal drug statute conviction for a violation occurring on Jackson County property, in the workplace, during the hours of County employment, or while acting in the course and scope of County employment, the employee's supervisor will take appropriate personnel action against such employee, up to and including termination; or
- C. Within thirty (30) days of receiving notice of any criminal drug statute conviction for a violation occurring on Jackson County property, in the workplace, during the hours of County employment, or while acting in the course and scope of County employment, the employee's supervisor may require such employee to satisfactorily complete a drug abuse assistance or rehabilitation program approved for such purposes; and
- D. Workers' compensation benefits may be reduced or eliminated if the employee is intoxicated through the use of drugs or alcohol and injured in an accident while in the course and scope of County employment.

**Section 17.14 - Internet Usage**

A complete and accurate copy of Jackson County's Internet Acceptable Usage Policy is hereby made a part hereof by reference and shall be included in the text of the Personnel Rules of Jackson County. The Internet Acceptable Usage Policy is referenced in part and summarized below.

The County has software and systems in place that can monitor and record all Internet usage. The security systems are capable of recording (for each and every user) each World Wide Web site visit, each chat, newsgroup or e-mail message, and each file transfer into and out of the internal networks, and the County reserves the right to do so at any time. No employee should have any expectation of privacy as to his or her Internet usage and the County reserves the right to inspect any and all files stored in private areas of our network in order to assure compliance with policy. The County expects users to utilize the Internet [primarily] for job-related purposes.

The display of any kind of sexually explicit image or document on any County system is a violation of this rule as well as Personnel Rule 18 - Sexual Harassment Policy. Sexually explicit material may not be archived, stored, distributed, edited or recorded using the County's network or computing resources. The County uses independently supplied software and data to identify inappropriate or sexually explicit Internet sites.

The County's Internet facilities and computing resources must not be used knowingly to violate the laws and regulations of the United States or any other nation, or the laws and regulations of any state, city, province or other local jurisdiction in any material way. Any software or files downloaded via the Internet into the County network become the property of the County. Any such files or software may be used only in ways that are consistent with their licenses or copyrights. No employee may use County facilities knowingly to download or distribute pirated software/data or propagate any virus, worm, Trojan horse, or trap-door program code.

Each employee using the Internet facilities of the County shall identify himself or herself honestly, accurately and completely (including one's County affiliation and function where requested) when participating in chats or newsgroups, or when setting up accounts on outside computer systems. Only those employees or officials who are duly authorized to speak to the media, to analysts or in public gatherings on behalf of the County may speak/write in the name of the County to any newsgroup or chat room. The County retains the copyright to any material posted to any forum, newsgroups, chat or World Wide Web page by any employee in the course of his or her duties.

Use of County Internet access facilities to commit infractions such as misuse of County assets or resources, sexual harassment, unauthorized public speaking and misappropriation or theft of intellectual property are also prohibited by general County policy, and will be sanctioned under the relevant provisions of the Personnel Rules. The County prohibits the sharing of user identifications and passwords obtained for access to Internet sites and any file that is downloaded must be scanned for viruses before it is run or accessed.

No employee shall attempt to disable, defeat or circumvent any County security facility. Any computer used for independent dial-up or leased-line connections to any outside computer or network must be physically isolated from the County's internal networks. Only those Internet services and functions with documented business purposes for the County will be enabled at the Internet firewall.

**13 UNFINISHED BUSINESS**

None.

**14 NEW BUSINESS**

None.

The Legislature did not hold a closed meeting.

15      **ADJOURNMENT**

Dennis Waits moved to adjourn the meeting. Seconded by Fred Arbanas.

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

(APPROVED)

*Meeting adjourned until Monday, November 22, 1999 at 3:30 p.m. in the Council Chambers, Independence City Hall, 111 E. Maple, Ground Floor.*