



Office of
Mary Jo Spino
Clerk of the County Legislature

Jackson County Missouri

JOURNAL

County Legislature

Jackson County Courthouse
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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)*

Tuesday, September 6, 2005

3:30 PM

Thirty-fifth 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

Bob Spence moved to approve the journal of the previous meeting held on 8/29/2005.
Seconded by Eugene Standifer Jr..

The motion passed by a voice vote.

(APPROVED)

4 HEARINGS

None.

Jack Holland briefed the Legislature on what is being proposed as a preliminary timetable for undertaking discussions and development of a stadium improvement project planned to be submitted to the voters of Jackson County some time in the future. The outline sets forth certain segments of work that would have to be accomplished in order to get a proposal ready for the ballot in early 2006.

The proposal begins with a series of public meetings, one in each legislative district, where a presentation will be given to the public. They will then be given the opportunity to offer comments, observations and suggestions to the County and the Legislature for development of a plan to deal with the long term interest of the Sports Complex. Next would come a series of meetings with the Sports Authority and the teams to discuss specific terms of leases which would be entered into subject to approval of a funding plan by the voters of Jackson County. The primary terms that need to be resolved include the establishment of a 25 year lease term, establishment of the public financial participation, establishment of the teams financial participation, a cap on the financial liability of the public and the teams requirement to specify stadium improvements that will be made. The idea is to have all these issues ratified by December 1, 2005. The Legislature would then hold hearings on the proposed funding plan and consider a ballot measure for the April 4, 2006 election.

Dan Tarwater, Chairman, asked if any officials from the Royals and Chiefs would be attending the public meetings. Mr. Holland said it is planned that representatives from both teams will be available at as many meetings as possible.

Dan Tarwater wants to clarify the cap on the financial liability of the public. The leases were very specific in what was to be done in each year. Mr. Holland said the public contribution would be capped at the dollars raised from whatever source of revenue the voters approved.

Fred Arbanas, County Legislator, would like to see user fees on the tickets. He also asked if a sales tax would exempt prescriptions, food or groceries. Mr. Holland said those items would need to be discussed.

Dennis Waits, County Legislator, said they are all interested in determining a way to allow the residents of Jackson County to have some type of advantage as they purchase tickets. If Jackson County residents are being asked to approve this some consideration must be given to have an answer to this question.

Dan Tarwater said the issue is not that we do not want user fees. The NFL and major league baseball do not allow user fees on tickets. Jack Holland said the 1990 leases prohibited collection of a user fee. The bi-state leases had a parking surcharge rather than a user fee.

Henry C. Rizzo, County Legislator, suggested favorable parking for Jackson County residents.

Dan Tarwater presented a 30 year service pin to Mike Lear, Assistant Director MIS technical support.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Katheryn Shields, County Executive, gave an update on the Community Workshops. These workshops are given primarily through the Public Works Department because they are undertaking so many innovative projects and programs. Public hearings are held on the construction projects to get input from the citizens of Jackson County. They are the ones who have the little details that can make a difference in giving us a safer road and a road more convenient for the traveling public. The first workshop was last Thursday and 85 people were in attendance. The next workshop will be in Kansas City on Tuesday, October 4, 2005.

Katheryn Shields talked about the Fort Osage Project. She said Fort Osage is actually the location that Lewis and Clark passed as they crossed the Missouri River. Clark actually built the fort as protection and as a trading place with the western tribes. In the 1940's the historic groups refound the site and it became part of Jackson County Parks. It has been rebuilt as a site that conforms to the original plans of the fort or 1/3 of the original plans. Fort Osage is a historic national landmark which is the highest designation by the United States government for any site having importance to our nation. It has been further designated on the national register of historic places as an archeological district. It is also a certified site of the Lewis and Clark and Santa Fe National Historic Trails. Fort Osage played a pivotal role in the early exploration and development of the American West. In 2001, the Missouri Lewis and Clark Bicentennial Commission selected the Fort Osage Education Center Project as the highest priority within the State to commemorate the bicentennial of the Lewis and Clark expedition.

Jackson County assembled a team, architectural, engineering and construction management, to design and construct a very innovative structure. Jackson County has worked closely with the National Park Service, the Department of the Interior, the Missouri State Historic Preservation Office and other state and federal agencies in the design development. She said the reason for the presentation is because the project has now gone out for bid and there are 16 different bid packages. The bids are to be returned by September 27, 2005. She wanted to have a thorough discussion prior to the bids being received so that they can proceed with awarding of the contracts in a timely manner.

Julie Kester, project architect with BNIM Architects, Gordon Julich, funding coordinator and David Disney with J.E. Dunn discussed the project. Mr. Disney said the total estimated cost for the project is \$8.6 million and said the substantial completion of the project is mid-September 2006.

Gary Dannaldson, Director of Purchasing, discussed the 16 different bid packages.

Katheryn Shields said the design team will be present at the legislative meeting scheduled to be held on October 11, 2005 to answer any questions regarding the Fort Osage Project and to get approval of the contractors from the Legislature.

Dan Tarwater suggested that legislators submit their questions for the design team to his legislative aide, Mary Riggs and she will get them to Gordon.

Robert A. Stringfield, County Legislator, asked about the list of 25 vacant positions that he received from Human Resources. He asked if there was still a hiring freeze.

Katheryn Shields replied that positions were eliminated as of July 10, 2005 per the Legislature's action. However, any positions that have come open since then can be filled. She said they will probably have a list to present to the Legislature in the next couple of weeks stating what positions will remain eliminated and what positions will be restored.

Eugene Standifer, County Legislator, asked if Jackson County has a disaster plan.

Katheryn Shields said Jackson County has an Emergency Preparedness Plan. She said employees are sent to Ebensburg, PA where there is a national center for training. She said Jackson County needs to look at the issue of people without automobiles. She said we need a mechanism in place for those that are least able financially.

Eugene Standifer asked if there is a plan to evacuate the sick and elderly.

Katheryn Shields said Truman Medical Center has an emergency evacuation plan and she is comfortable that most of the major hospitals in the area have a plan.

Scott Burnett, County Legislator, asked if Jackson County has a Director of Emergency.

Katheryn Shields said yes and it is coordinated through the Public Works Department. She said Jackson County has a command center downtown in Kansas City, Missouri and in the Public Works Technology Center in Independence, Missouri.

Dan Tarwater asked if Jackson County can use homeless funds to assist families affected by Hurricane Katrina.

Ed Rucker, County Counselor, said Bill Snyder, Deputy County Counselor, is researching this question and they will inform the Legislature of their findings.

Dan Tarwater suggested the County Counselor's office work with Kay Jenkins, Housing Resources Commission Director.

Katheryn Shields said Jackson County is also trying to look at what resources it may have available, such as homes or campgrounds, that we can offer to individuals in need.

Scott Burnett asked when the County Counselor's office will have an answer regarding the homeless funds.

Ed Rucker said they will have an answer on Wednesday, September 7, 2005.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

The Land Use Committee will have a public hearing on Friday, September 16, 2005 at 1:00 p.m. at Fleming Hall regarding Ordinance #3665.

[3665](#) AN ORDINANCE amending the zoning districts established by the Unified Development Code by rezoning a certain 10 ± acres from District A (Agricultural) to District RR (Residential Ranchette) District.
(Land Use Committee - 1st. Perfection)

[3666](#) Anti-Drug Committee moved to perfect. Consent Agenda.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[3662](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

[15604](#) A RESOLUTION congratulating the Buckner Cyclones Baseball Team upon winning the USSSA AAA 12 year old Missouri State Championship Title in 2005.
(Legislature As A Whole - 3rd. Meeting)

[15613](#) Health and Justice Committee moved do pass. Consent Agenda.

[15614](#) Finance and Audit Committee moved do pass. Consent Agenda.

[15615](#) Public Works Committee moved do pass. Consent Agenda.

[15616](#) Public Works Committee moved do pass. Consent Agenda.

[15618](#) Anti-Drug Committee moved do pass. Consent Agenda.

[15619](#) Anti-Drug Committee moved do pass. Consent Agenda.

[15620](#) Anti-Drug Committee moved do pass. Consent Agenda.

9 CONSENT AGENDA

[3666](#) AN ORDINANCE appropriating \$39,500.00 from the unappropriated surplus of the 2005 Grant Fund to cover the Family Court Division's Drug Court Supplement grant received from the Missouri Office of the State Courts Administrator.
(PERFECTED)

[3662](#) AN ORDINANCE acknowledging receipt of \$20,790.00 from American Family Insurance Group for a vehicle declared a total loss and appropriating \$20,790.00 from the unappropriated surplus of the 2005 General Fund to make the monies available for the replacement of said damaged vehicle for use by the Family Court.
(ADOPTED)

[15613](#) 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)

[15614](#) A RESOLUTION awarding a twelve (12) month term and supply contract for glazing services for use by various County departments to Southtown Glass of Kansas City, MO, under the terms and conditions of Invitation to Bid No. 22-05.
(ADOPTED)

[15615](#) A RESOLUTION awarding a twelve (12) month term and supply contract for the furnishing of steel products for use by the Parks and Recreation and Public Works Departments to Residential Steel LLC of Grain Valley, MO, under the terms and conditions set forth in the City of Kansas City, Missouri's Contract No. EV00115, an existing government contract.
(ADOPTED)

[15616](#) A RESOLUTION authorizing the County Executive to execute Change Order #1 (Final) to an Agreement with Custom Lighting Service, LLC of Kansas City, MO for Project No. 3022 for design change and adjustment of various plan quantities to as-build quantities resulting in an increase of \$8,848.90 for a new total cost of \$72,591.80 and further authorizing the Manager of Finance to encumber \$8,848.90 and issue final payment on the contract.
(ADOPTED)

[15618](#) A RESOLUTION authorizing the County Executive to execute an Agreement for the use of COMBAT Grant Match funds in an amount not to exceed \$52,706.00 for the Fort Osage School District-Drug Prevention/Truancy Neglect Program.

(ADOPTED)

[15619](#) A RESOLUTION transferring \$52,304.00 within the 2005 Anti-Drug Sales Tax Fund to provide additional funds for the Night Lights Grant, and authorizing the County Executive to execute a First Addendum to Agreement with Pan Educational Institute at an increased cost to the County not to exceed \$52,304.00.

(ADOPTED)

[15620](#) A RESOLUTION authorizing the transfer of \$38,000.00 within the Anti-Drug Sales Tax Fund to cover the costs for the purchase of two new vehicles for the Multi-Jurisdictional Drug Task Force.

(ADOPTED)

To perfect Ordinance 3666. To adopt Ordinance 3662. To adopt Resolutions 15613, 15614, 15615, 15616, 15618, 15619, 15620.

Scott Burnett moved the passage of the consent agenda. Seconded by Henry C. Rizzo. 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

[3669](#) Bob Spence moved to perfect Ordinance #3669. Seconded by Eugene Standifer Jr..

The motion passed by a voice vote.

(PERFECTED)

[3669](#) Rhonda L. Shoemaker moved to suspend the rules to consider final passage of Ordinance #3669. Seconded by Scott Burnett.

The motion passed by a voice vote.

(APPROVED)

[3669](#) Rhonda L. Shoemaker moved the passage of Ordinance #3669 as perfected, repealing Ordinance 3663 previously adopted by the legislature on August 22, 2005. Seconded by Scott Burnett.

Yes: 7 - Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dan Tarwater, Rhonda L. Shoemaker and Bob Spence

Absent: 2 - Robert A. Stringfield and Dennis Waits

(ADOPTED)

[3670](#) Transferring \$100,031.00 within and appropriating \$412,546.00 from the unappropriated surplus of the 2005 Anti-Drug Sales Tax Fund, in acceptance of a grant awarded by the U.S. Department of Justice for the Multi-Jurisdictional Task Force Grant for the 2005-2006 period and authorizing the County Executive to execute a Memorandum of Understanding with the Missouri Department of Natural Resources.

(Anti-Drug Committee)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[15621](#) Authorizing the County Executive to execute an agreement with the U. S. Department of Justice for an extension of the Homeland Security Overtime Program Grant administered by the Sheriff's Department to February 28, 2006, at no additional cost to the County.

(Health and Justice Committee)

[15622](#) Scott Burnett moved the passage of Resolution #15622, transferring funds within the 2005 Anti-Drug Sales Tax Fund and authorizing the County Executive to execute an Agreement with ClientServ Corporation of Apex, North Carolina, for the furnishing of software services for the Prosecuting Attorney Office's Deferred Prosecution - Drug Court Program at a cost to the County not to exceed \$58,800.00. Seconded by Henry C. Rizzo.

Yes: 7 - Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dan Tarwater, Rhonda L. Shoemaker and Bob Spence
Absent: 2 - Robert A. Stringfield and Dennis Waits

(ADOPTED)

No dissenting vote to consider Resolutions #15623 and #15624 - not on printed agenda.

[15623](#) Fred Arbanas moved the passage of Resolution #15623, transferring \$35,217.00 within the 2005 Park Enterprise Fund, to cover the cost of increased fuel expenses. Seconded by Rhonda L. Shoemaker.

Yes: 7 - Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dan Tarwater, Rhonda L. Shoemaker and Bob Spence
Absent: 2 - Robert A. Stringfield and Dennis Waits

(ADOPTED)

[15624](#) Bob Spence moved the passage of Resolution #15624, authorizing the County Executive to execute an Agreement with the National Council on Alcohol & Drug Dependence (NCADD) for services in connection with an educational conference on addiction at a cost to the County not to exceed \$5,000.00. Seconded by Rhonda L. Shoemaker.

Yes: 7 - Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dan Tarwater, Rhonda L. Shoemaker and Bob Spence
Absent: 2 - Robert A. Stringfield and Dennis Waits

(ADOPTED)

12 COUNTY EXECUTIVE ORDERS

[05-18](#)

The previous Executive Order # 05-16 appointing Joy J. Payne to the Community Mental Health Fund for a term to expire September 30, 2009, is amended due to a scrivener's error on the term of expiration. Ms. Payne's term is now hereby amended to reflect the expiration of her term as September 30, 2008.

13 UNFINISHED BUSINESS

Fred Arbanas announced they will draw for the different organizations who will participate in the 2005 Christmas in the Park at the next legislative meeting.

14 NEW BUSINESS

Dan Tarwater said that all legislative meetings will be held at 3:30 p.m. in Independence until further notice.

15 ADJOURNMENT

Henry C. Rizzo moved to adjourn the meeting. Seconded by Rhonda L. Shoemaker.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, September 12, 2005 at 3:30 p.m. at the Independence Courthouse Annex, 308 W. Kansas, Ground Floor, Legislative Chambers.