



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)

Monday, November 24, 2003

12:00 PM

Forty-fifth 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, Rhonda L. Shoemaker and Bob Spence

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

Fred Arbanas moved to approve the journal of the previous meeting held on 11/17/2003.
Seconded by Dan Tarwater.

The motion passed by a voice vote.

(APPROVED)

Robert Stringfield moved to approve the journal of the legislative meeting held on November 10, 2003. Seconded by Dan Tarwater.

The motion passed by a voice vote.

(APPROVED)

4 HEARINGS

None.

Resolution #14806 was adopted at this time. See page 8 for details.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Katheryn Shields, County Executive, gave an update on the circuit breaker. She said over the years, Jackson County has been trying to get more seniors to take advantage of the Missouri Property Tax Credit. Also known as the Circuit Breaker, this tax credit could mean a refund of up to \$750. Many Jackson County seniors are eligible but do not apply. The first problem is that many seniors and disabled do not know about the circuit breaker. The second problem is timing. Even though this is a tax credit for property taxes, you apply for it at income tax time. Therefore, getting a reminder with your tax bill in November may not be enough. The third problem is the complexity of the forms. The applications are complicated for the seniors to complete on their own.

This year Jackson County will prepare a special brochure about tax credits that are often overlooked. The brochures will be available at the courthouses, in city halls and in libraries. The County considered doing a special mailing in January 2004 when people are beginning to think about income tax filing, which would be very costly.

Katheryn Shields approached H&R Block with a proposal to cooperate with Jackson County on this project. H&R Block has agreed to pay for the mailing and will also provide free consultation to Jackson County residents to help answer questions about the tax credits. By making it easier and more convenient to apply, Jackson County hopes more people will apply.

Bob Spence, County Legislator, congratulated the County Executive and H&R Block but said he was concerned about those people who will still fall through the cracks.

Katheryn Shields said we still mail reminder notices with the tax bills in November to all seniors in Jackson County. The January mailing will go out in an envelope from Jackson County.

Rhonda Shoemaker, County Legislator, said the annual income level is \$27,000.00 or less (gross) to apply for a refund.

Fred Arbanas, County Legislator, asked if Jackson County included this in their legislative package to try to get the level raised.

Katheryn said yes that can be done. However, in discussions with the Chamber of Commerce it was decided that given the tight times in Jefferson City, MO that this was not a good time to get this tax benefit expanded since the refund comes out of State revenues.

Rhonda Shoemaker asked if a brochure was available since she will be meeting with a group of senior citizens in January and would like to be able to distribute brochures to them on this issue.

Katheryn Shields said she would provide legislators with the brochures as soon as they are complete so they can review them.

Dennis Waits, Chairman, asked if there was a direct number for taxpayers to call regarding the circuit breaker, if they did not want to go through H&R Block.

Jay Haden, Deputy County Counselor, said the reason Jackson County has joined in this partnership is so that County employees are not trying to educate the public on income tax rules.

Katheryn reminded everyone that they did on-line open enrollment this year for health and other benefits for County employees. It proved to be a beneficial system because enrollment was much easier. It was integrated with the Finance Department so deductions were able to be made with paperless effort.

She reminded everyone that KUDL Christmas in the Sky will be held Thanksgiving Eve, Wednesday, November 26th at Longview Lake Beach at Longview Lake Park at 6 P.M. and admission is free. It is a beautiful fireworks display synchronized to music. It is also the opening night for Jackson County's Christmas in the Park which will be open until December 31st.

She announced an early Christmas present for County employees. Since Christmas is on Thursday this year, she has declared Friday, December 26th as a paid County holiday.

Finally, she said she attended the Block School of Business Annual Businessmen Awards. They had several honorees but three have close ties to Jackson County and she wanted to mention them. Al Mauro was given the award for ending segregation at Old General Hospital. He was the creator behind Truman Medical Center (East and West). Jackson County provided the bonds that built Truman West, although we already owned Truman East. He was also honored for his work on the Kansas City School Board. The second name familiar to everyone was Doc (William) Worley because of the Business Journal and the environmental remediation business he has now. She reminded everyone that he served on the Jackson County Industrial Development Board for 23 years and also served as Chairman. The final person was Lamar Hunt who was honored for Hunt Midwest, Worlds of Fun, founding the American Football League and bringing the Chiefs to Kansas City. He was really honored for his vision, when he set up with the AFL, the idea of sharing revenues to ensure competition with all teams, which has been very significant in Kansas City.

During this Thanksgiving week, Jackson County residents should be very thankful that we have people like Al Mauro, Doc Worley and Lamar Hunt who are part of our community. She wished everyone a Happy Thanksgiving and said she was looking forward to seeing everyone at Christmas in the Sky.

Robert Stringfield, County Legislator, said he concurred on Al Mauro and said the school board has the best board with his leadership. Regarding E-government he received a complaint from a taxpayer and asked if there was an alternative if a person does not want their name, address and whether or not they paid their taxes put on the Internet.

Katheryn Shields said this issue has surfaced before. She said the records on the Internet are public records. People could have called or come to the courthouse in the past to get the same information. If Jackson County puts one record on the Internet then all public records need to be put on the Internet. There has been some discussion on the State level with the National Association of Counties and the Missouri Municipal League as to whether or not Jackson County wants to ask for some exemptions for classifications of people. Some judges, elected officials etc. would not like to have their records on the Internet. She does not want that burden to fall on the County, deciding whose a judge or elected official, because she doesn't want to have the liability. The only alternative is to take all land records off the Internet. The County Legislature will need to decide and advise the Administration. She is very concerned about State legislation which places that responsibility with the County to distinguish which records should be on the Internet and which should not. It is a financial and legal burden that the County would be placing on themselves.

Dennis Waits is not in favor of the County assuming any more liability on it but he agrees that it is not a proper way to do things for people with concerns or fear. He asked Jay Haden or staff from Finance to bring information to the Legislature regarding ramifications of this issue.

Katheryn Shields said the ramifications would be that every title company and real estate lawyer in Jackson County will call and complain. But legally, all land records can be taken off the Internet.

Jay Haden said the problem created by selectively removing access to certain records is that the records are no longer complete. Kathy Kedigh from the County Counselor's office and Ken Evans, Public Information Officer, have worked extensively on this issue and he suggested they prepare a presentation for the Legislature.

Dennis Waits asked that the presentation be given after the first of the year.

Dan Tarwater, County Legislator, said one of the drawbacks of the Internet is that privacy is gone. He said you can go to Anywho.com and find out all kinds of information about someone with a map of where the person lives.

Henry Rizzo, County Legislator, said a possible solution would be to have a log on to look at property taxes which would serve as a security device. The Ethics Commission uses a log on for certain levels of a search.

Ronald E. Finley, County Legislator, said he has always voted in favor of E-government. He said the Legislature needs to fully understand what is available.

Katheryn Shields said information accessible on the Internet consists of all land records, tax records and marriage licenses. She will provide a list of everything that is available on-line.

Ronald E. Finley said he would like members of the Legislature who are interested to be able to participate in the meetings regarding the Bi-State issue. He would like open communication on this matter so the elected officials can also speak to their constituents about it.

Katheryn Shields said she would be glad to provide other legislators with this information. She said she has had discussions with Robert Stringfield since he is a representative on the Bi-State Commission.

Robert Stringfield said the only thing discussed at this time is Union Station/Science City and the funding as far as the sales tax received. He will share any other information with the County Executive and Legislature.

Henry C. Rizzo said he feels that it is important that Jackson County speak with one voice on Bi-state and be unified, so communication is a good way to achieve this.

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 - 5th. Perfection)

Fred Arbanas moved to waive the reading of Ordinances #3434 through #3437.

Seconded by Dan Tarwater.

The motion passed by a voice vote.

(APPROVED)

The Land Use Committee will have a public hearing on Ordinances #3434 through #3437 on Tuesday, November 25, 2003 at 1:00 p.m. at Fleming Hall.

[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.

(Land Use Committee - 3rd. Perfection)

[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.

(Land Use Committee - 3rd. Perfection)

[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.

(Land Use Committee - 3rd. Perfection)

[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.

(Land Use Committee - 3rd. Perfection)

[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.

(Health and Justice Committee - 2nd. Perfection)

The Legislature will have a public hearing on Ordinances #3441 and #3442 on Monday, December 8, 2003 under the agenda item titled "HEARINGS" during its regular Legislative meeting.

[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 - 2nd. Perfection)

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

(Legislature As A Whole - 2nd. Perfection)

[3444](#) Finance and Audit Committee moved to perfect. Consent Agenda.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

None.

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 - 3rd. Meeting)

[14781](#) A RESOLUTION establishing Jackson County's priorities for the 2004 regular session of the Missouri General Assembly.
(Inter-Governmental Affairs Committee - 2nd. Meeting)
Dennis Waits said to forward any requests regarding Resolution #14781 to the Legislative Aides of Bob Spence and Henry C. Rizzo.

[14793](#) Finance and Audit Committee moved do pass. Consent Agenda.

[14794](#) Public Works Committee moved do pass. Consent Agenda.

[14795](#) Ronald E. Finley moved the passage of Resolution #14795, authorizing the Jackson County Legislature to hold a closed meeting on Monday, November 24, 2003, for the purpose of conducting privileged and confidential communications among itself and the Jackson County Sheriff and County Counselor pursuant to § 610.021 (9), RSMo, concerning preparation for negotiations with an employee group and closing all work product records related to those preparations. 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)

[14796](#) Health and Justice Committee moved do pass. Consent Agenda.

[14797](#) Health and Justice Committee moved do pass. Consent Agenda.

[14799](#) Finance and Audit Committee moved do pass. Consent Agenda.

9 CONSENT AGENDA

[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.

(PERFECTED)

- [14793](#) A RESOLUTION awarding a contract for the renewal and upgrade of the County's internet data circuit for use by the Management Information Systems Department to SBC Internet Services of Plano, TX, at a cost to the County not to exceed \$8,388.00, as a sole source purchase.
- (ADOPTED)
- [14794](#) A RESOLUTION awarding a contract on Electronic Solicitation No. BB200377 for the purchase of one (1) recycled oil furnace for use by the Parks and Recreation Department to DSI Recycling Systems, Inc., of Keenes, IL, at an actual cost to the County of \$7,600.00.
- (ADOPTED)
- [14796](#) A RESOLUTION awarding a contract on Electronic Solicitation No. BB200374 for the furnishing of imprinted promotional items for use by the Sheriff's Department to Jenngo dba 21st Century Graphix of Lenexa, KS (\$2,200.00), Absolute Advertising of Bates City, MO (\$3,659.00), Design Center of Tyler, TX (\$1,720.00), Atlas Pen of Hollywood, FL (\$1,272.96) and Brian Pollmiller & Associates of Lenexa, KS (\$5,616.93), in the actual aggregate amount of \$14,468.89.
- (ADOPTED)
- [14797](#) A RESOLUTION increasing the contract with the Kansas City Board of Police Commissioners for Alert II law enforcement computer information services, and authorizing the County Executive to enter into an Addendum to Agreement, at an additional cost to the County of \$54,000.00.
- (ADOPTED)
- [14799](#) A RESOLUTION awarding a term and supply contract on Electronic Solicitation No. BB200371 for the furnishing of appraisal services for use by the Collection Department for the upcoming one-year period to Dobi-Ty Corp. of Kansas City, MO, in the estimated amount of \$29,000.00.
- (ADOPTED)

To perfect Ordinance 3444. To adopt Resolutions 14793, 14794, 14796, 14797, 14799.

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

Yes: 9 - Robert A. Stringfield, Fred Arbanas, Scott Burnett, Scott Burnett, Ronald E. Finley, Dennis Waits, Dennis Waits, Rhonda L. Shoemaker and Bob Spence

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

- [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.
- (Land Use Committee)*

[3446](#)

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.

(Health and Justice Committee)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[14800](#) Bob Spence moved the passage of Resolution #14800, awarding a contract on Bid No. PW 03-2003 for the 2003 Noland Road Bridge over Little Blue River Project, No. 2390 to R.A. Knapp Construction of Kansas City, KS, in the actual amount of \$1,229,837.10. Seconded by Dan Tarwater.

Yes: 9 - Robert A. Stringfield, Fred Arbanas, Scott Burnett, Scott Burnett, Ronald E. Finley, Dennis Waits, Dennis Waits, Rhonda L. Shoemaker and Bob Spence

(ADOPTED)

[14801](#) 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)

[14802](#) 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.

(Finance and Audit Committee)

[14803](#) 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.

(Finance and Audit Committee)

[14804](#) 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.

(Land Use Committee)

[14805](#) 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)

[14806](#)

Ronald E. Finley moved the passage of Resolution #14806, congratulating Bishop James D. Tindall, Sr., upon celebrating his 27th pastoral anniversary with the Metropolitan Spiritual Church of Christ. Seconded by Fred Arbanas.

Yes: 9 - Robert A. Stringfield, Fred Arbanas, Scott Burnett, Scott Burnett, Ronald E. Finley, Dennis Waits, Dennis Waits, Rhonda L. Shoemaker and Bob Spence

(ADOPTED)

Ronald E. Finley asked the County Counselor if Resolution #14807 could be separated into two resolutions. One regarding the account # under the road and bridge fund and one regarding the account # under the general fund so the Sheriff's request and the Department of Corrections request could be considered separately.

Jay Haden said it could be done and presented at the next legislative meeting.

[14807](#)

Awarding a contract for the furnishing of mobile radios and accessories for use by the Department of Corrections and Sheriff's Department to Motorola Communications of Glen Rock, NJ, under a State of Missouri government contract, in the actual amount of \$80,724.44.

(WITHDRAWN BY SPONSOR BURNETT, CONCURRED BY FINLEY AND TARWATER)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

None.

14 NEW BUSINESS

Jay Haden said with regards to the Resolution calling for a closed meeting, he thinks there may have been a failure to communicate to the Sheriff the Legislature's amended plans for today, since the legislative meeting began at noon as opposed to 3:30 p.m. The Administration called to remind Sheriff Phillips and he has just left his office. He suggested that budget hearings begin and have the closed session when the Sheriff arrives. It is not anticipated that the Legislature will conduct any public business after the closed meeting so the regular meeting could be adjourned.

Dennis Waits asked if anyone was opposed to adjourning the regular meeting and when the Sheriff arrives they will go into a closed meeting.

Jay reminded the Chairman that there could only be discussion at the closed meeting and that no votes could be taken.

Ronald E. Finley said this session has been on the agenda for two weeks and he thinks there is a labor situation that needs to be discussed among the Legislature. He would like the Legislature to meet now. Then later in the afternoon the Legislature could have further discussion with the Sheriff.

Jay Haden said the Legislature could convene the closed session, recess it and then continue it, when the Sheriff arrives.

Henry C. Rizzo asked if the Legislature could make a decision independent of the Sheriff.

Dennis Waits said there is information that the Legislature needs to hear.

Scott Burnett, County Legislator, asked who informs departments to be present at the committee meetings.

Jay Haden said the departments get activity calendars and agendas and they should be present at committee meetings when they have something on the agenda.

Katheryn Shields said if her departments fail to be present when necessary at committee meetings she would appreciate being advised so she could contact them and explain the process. If it is another elected official or the circuit court perhaps the legislator's aide should contact someone from that department prior to the committee meeting.

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 1, 2003 at 3:30 p.m. in the Legislative Assembly Area, Kansas City, Missouri.

The Legislature held a closed meeting after the adjournment of the regular meeting.