



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 8, 2003**

**3:30 PM**

**Thirty-fourth 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, 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 9/2/2003.  
Seconded by Scott Burnett.

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

**(APPROVED)**

**4 HEARINGS**

*None.*

*Dennis Waits, Chairman, announced that there will be a public hearing regarding the property tax rates of Jackson County, Missouri, Board of Services for the Developmentally Disabled, the Mental Health Fund and the Merchants' and Manufacturers' Inventory Replacement on September 15, 2003 at 3:30 p.m. in the Legislative Assembly Area, Kansas City, Missouri.*

*He also mentioned that the legislative meeting scheduled to be held on Monday, September 29, 2003 will be held at 1:00 p.m. as there will be a presentation by the County Executive.*

*Scott Burnett, County Legislator, mentioned that the Cabot Medical Center ground breaking ceremony is scheduled to be held on Monday, September 15, 2003 at 4:00 p.m. The Legislature agreed to reschedule the legislative meeting on September 15th to begin at 3:00 p.m., so that the legislators could attend the ceremony.*

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

*Katheryn Shields, County Executive, reported that this week the Mattie Rhodes Center is releasing a report on the state of mental health services for Latinos in Jackson County. The Jackson County Mental Health Levy Board funded the report. The report offers national and local research focused on social and economic demographics, the status of mental health and cultural competency standards.*

*Community leaders, funders and public officials will receive a copy of "Cultural Competency and Mental Health in the Hispanic Community of Jackson County, Missouri" on Friday, September 12, 2003 at 8:00 a.m. at the Kauffman Foundation.*

*Major findings include: 57% of Hispanics in Jackson County over age 25 have not graduated from high school, 19% of Hispanic families were below the poverty level, 3.22% of Hispanics are receiving mental health services in Jackson County, and cultural misunderstandings or communication problems between patients and clinicians may prevent minorities from using services and receiving appropriate care.*

*Mattie Rhodes Center is the only community-based mental health center in Jackson County providing individual, group and family therapy in Spanish.*

*Katheryn Shields said she was pleased that the report demonstrates Jackson County's commitment to the Hispanic and Spanish speaking community. She thanked Mattie Rhodes Center for their good work on the report and introduced Mary Lou Jaramillo, the Executive Director for the Center.*

*Robert A. Stringfield, County Legislator, said there is a majority of Hispanics in the Northeast area. He noticed that there are more Hispanics in the elementary schools than there are in the middle and high schools and asked why.*

*Mary Lou Jaramillo, said the Hispanic community is a younger community. As migration continues and people have children they are moving to the Northeast area because of the affordable housing. Also, more Hispanic businesses are opening in the area. At least 7 elementary schools have Hispanic enrollment of at least 25% or more. Some have as much as 60% Hispanic enrollment. Northeast is the fastest growing Hispanic community in Jackson County.*

*Robert A. Stringfield asked how the English as a Second Language Program is doing in the Northeast area.*

*Mary Lou Jaramillo said the school district is responsible for identifying children who are non-English speaking and referring them to the program. However, there are not enough resources to address the needs.*

*Katheryn Shields said Jackson County has received another EPA Award - EPA Region 7 - 2003 Pollution Prevention Award in the category for "Energy Efficiency and Renewable or Alternative Energy Sources. The award ceremony is scheduled to be held on September 11, 2003 from 1-3 p.m. in the Region 7 offices at the Environmental Protection Agency located at 901 N. 5th Street in Kansas City, Kansas. This award is due to the partnership between the Jackson County Executive, Legislature and Johnson Controls.*

Finally, Katheryn said it is important to her and her Chief Officers to always provide timely and accurate responses to the Legislature. Therefore, she wanted to propose a procedure to enhance the spirit of cooperation and communication they presently enjoy. She referred to a memo she sent to each member of the County Legislature. She asked that they direct requests for information to the Division Chief of the affected department via e-mail, memorandum or telephone. The memo details the Division Chief for each department.

The Division Chief will inquire into the request and within 5 days inform the Legislator of a time frame for compliance. Circumstances requiring an adjustment to the time frame will be provided to the Legislator a minimum of 2 days prior to the due date. The Division Chief will then report the results to the requesting Legislator.

She said hopefully this procedure will help the Administration to continue to provide timely and accurate responses to the Legislature. This problem came to light because of a request from Legislator Rizzo that was not answered in a timely manner.

Henry Rizzo, County Legislator, thanked the County Executive and said the information in the memo will be invaluable when seeking information or asking questions.

Bob Spence, County Legislator, said he has never had a problem dealing with Directors but if she insists he will use this procedure.

Katheryn responded that if it is a formal request they should use the procedure but if informal to make their contacts as they have been in the past.

Ronald E. Finley, County Legislator, said he will not use the formal procedure but will continue to use the informal approach.

Henry C. Rizzo said it was not fair for him to have to wait 30 days for a response to his written request and it was not fair that the County Executive had no knowledge of it. As soon as he contacted the County Executive he received a response. He prefers a written policy so everyone knows what to do.

Robert A. Stringfield said when dealing with action items that require a timetable there was not a system in place and he thinks this policy will be helpful.

Katheryn Shields communicated with the Governor's office this afternoon regarding the Sports Authority appointments. She spoke with Chairman Waits a month or two ago and he was under the impression that the Governor's office would be sending the Sports Authority panels back to the Legislature soon. She said the Governor's office was confused as to what the Legislature wanted. To resolve this issue, she drafted a resolution requesting the Governor to return the two panels. The reason she is interested in this is because of the bistate issue coming up in November 2004. She thinks it will be in Jackson County's best interest to have clearly confirmed commissioners in place on the Sports Authority and not members whose terms are expired. She spoke to as many members of the Legislature as possible prior to the meeting and included their names as sponsors for this add-on resolution.

Dan Tarwater, County Legislator, said the panels have been in the Governor's office for 3 years.

Henry Rizzo asked if the Legislature had ever sent a request like this to the Governor as he feels it needs to be dealt with formally.

*Dennis Waits responded no, but there has been verbal communication. He said his concern is that if the Legislature put together a panel and sent it to the Governor then the body felt that the individual deserved to be on the panel, so if the Governor didn't select one of the individuals, he would like to know why. He reminded everyone that years ago the Legislature, in a lawsuit, battled to make this a legislative selection process. It is not a process where the Governor tells the Legislature that he is not going to pick anyone until it is his person. The Legislature needs to stick together and now the Governor needs to do his job.*

*Dan Tarwater said he does not want the panels back, he wants to know why the Governor did not select someone.*

*Henry C. Rizzo said the first collateral damage to that is there are people on the panel that have been there at least four years too long. The second collateral damage is there are new members on the current Legislature that have had no input. The third collateral damage is there has been no formal request to the Governor to send back the panels.*

*Jay Haden, County Counselor, said over a year ago he sent a memo regarding the status of the Sports Authority panels and he will update the memo to include expiration dates of members and recirculate it to the legislators.*

*Ronald E. Finley said if the Governor does not want to choose, he is ready to review the panels.*

*Katheryn Shields said in the current economic climate and working up to November 2004, she feels that things need to be cleared up and clean when we ask voters to approve the bistate that deals with sports and the arts.*

*Henry C. Rizzo suggests we ask the Governor to either appoint someone or return the panels.*

*Dan Tarwater agrees, if the resolution is worded exactly like that.*

*Dennis Waits said his concern is the Governor and State Senators want to make an appointment that the Legislature should be making. The Legislature has done their job, now the Governor needs to do his job.*

*Ronald E. Finley and Dan Tarwater would like to consider the resolution in committee.*

*Resolution #14721 was read at this time and assigned to the Legislature as a Whole Committee.*

*Katheryn Shields said she has not heard any criticism about the Legislature.*

*Dennis Waits said he has spoken to Chris Brown in the Governor's office requesting a response to the panels. Dennis said he is anxious to be cooperative but has not seen the same spirit on the other side. He asked Jay Haden, County Counselor, to prepare a memo advising the Legislature of the status of the composition of the Sports Authority.*

*Dan Tarwater would like to know what positions are open and what time frame is remaining on their terms.*

*Jay Haden said he would send a memo with the requested information to all members of the Legislature.*

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

[3402](#) Anti-Drug Committee moved to perfect. Consent Agenda.

[3403](#) Land Use Committee moved to perfect.

*Fred Arbanas objects to the consent agenda.*

[3403](#) Fred Arbanas moved to perfect Ordinance #3403. Seconded by Bob Spence.

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

[3403](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #3403. Seconded by Bob Spence.

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

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

[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.

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

[3405](#) Land Use Committee moved to perfect.

*Fred Arbanas objects to the consent agenda.*

[3405](#) Fred Arbanas moved to perfect Ordinance #3405. Seconded by Bob Spence.

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

[3405](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #3405. Seconded by Bob Spence.

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

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

**7 FINAL PASSAGE OF PROPOSED ORDINANCES**

[3402](#) Consent Agenda.

[3401](#) Consent Agenda.

[3403](#) Consent Agenda.

[3405](#)

Consent Agenda.

**8 RESOLUTIONS IN COMMITTEE**

[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.

*(Health and Justice Committee - 1st. Meeting)*

*Scott Burnett moved to waive the reading of Resolutions #14709, #14710 and #14712 through #14716. Seconded by Bob Spence.*

*The motion passed by a voice vote.*

*(APPROVED)*

[14709](#) Health and Justice Committee moved do pass. Consent Agenda.

[14710](#) Health and Justice Committee moved do pass. Consent Agenda.

[14712](#) Health and Justice Committee moved do pass. Consent Agenda.

[14713](#) Health and Justice Committee moved do pass.

*Robert A. Stringfield objects to the consent agenda.*

[14713](#) Scott Burnett moved the passage of Resolution #14713, authorizing the County Executive to execute an Agreement with Bridging the Gap, Inc., for the Jackson County Rotating Recycling Center Project, at the actual amount of \$32,000.00. Seconded by Henry C. Rizzo.

Yes: 7 - Scott Burnett, Scott Burnett, Ronald E. Finley, Dennis Waits, Dennis Waits, Rhonda L. Shoemaker and Bob Spence

Abstain: 1 - Robert A. Stringfield

Absent: 1 - Fred Arbanas

*(ADOPTED)*

[14714](#) Health and Justice Committee moved do pass.

*Robert A. Stringfield objects to the consent agenda.*

[14714](#) Scott Burnett moved the passage of Resolution #14714, authorizing the County Executive to execute an agreement with Keep Kansas City Beautiful in promoting litter abatement and beautification efforts in Jackson County, at the actual cost of \$10,000.00. Seconded by Bob Spence.

Yes: 7 - Scott Burnett, Scott Burnett, Ronald E. Finley, Dennis Waits, Dennis Waits, Rhonda L. Shoemaker and Bob Spence

Abstain: 1 - Robert A. Stringfield

Absent: 1 - Fred Arbanas

*(ADOPTED)*

[14715](#) Health and Justice Committee moved do pass. Consent Agenda.

[14716](#) Health and Justice Committee moved do pass. Consent Agenda.



**9      CONSENT AGENDA**

- [3402](#)      AN ORDINANCE transferring \$10,000.00 within the 2003 General Fund and \$4,380.00 within the 2003 Anti-Drug Sales Tax Fund, and appropriating \$43,354.00 from the unappropriated surplus of the 2003 Grant Fund to cover the Victim Services Volunteer Coordinator Grant for the Prosecuting Attorney's Office's Victim Services Program, received from the Missouri Department of Public Safety, and the transfer of matching funds.
- (PERFECTED)
- [3401](#)      AN ORDINANCE transferring \$49,429.00 within the 2003 Anti-Drug Sales Tax Fund and appropriating \$210,429.00 from the unappropriated surplus of the 2003 Grant Fund to cover the STOP Violence Against Women Grant for the Prosecuting Attorney's office funded by the Missouri Department of Public Safety.
- (ADOPTED)
- [3403](#)      AN ORDINANCE transferring \$4,000.00 within the 2003 Park Fund and appropriating \$24,000.00 from the unappropriated surplus of the 2003 Grant Fund to cover the grant received from the Missouri Department of Natural Resources for the Arrowhead Stadium Recycling Project.
- (ADOPTED)
- [3405](#)      AN ORDINANCE transferring \$2,800.00 within the 2003 Park Fund and appropriating \$16,800.00 from the unappropriated surplus of the 2003 Grant Fund to cover the grant received from the Missouri Department of Natural Resources for the Kauffman Stadium Recycling Project, and the transfer of matching funds.
- (ADOPTED)
- [14709](#)      A RESOLUTION awarding a contract for the furnishing of software support and replacement LRT units for use by the Department of Corrections to QueTel Corporation of Herndon, VA, in the actual amount of \$78,241.00, as a sole source purchase.
- (ADOPTED)
- [14710](#)      A RESOLUTION authorizing the County Executive to execute a new Child Support Enforcement Cooperative Agreement with the Missouri Department of Social Services, Division of Child Support Enforcement.
- (ADOPTED)
- [14712](#)      A RESOLUTION authorizing the County Executive to execute a new Supplemental Family Agreement for Family Court Staff with the Missouri Department of Social Services, Division of Child Support Enforcement.
- (ADOPTED)

[14715](#) A RESOLUTION authorizing the County Executive to execute an agreement with The National Conference for Community and Justice to provide funding for its "Walk as One" Walk-a-thon to promote diversity, at a cost to the County not to exceed \$1,500.00.

(ADOPTED)

[14716](#) A RESOLUTION authorizing the County Executive to execute an Agreement with Missouri River Relief, Inc., to partially fund the organization's cleanup efforts along the banks of the Missouri River in Jackson County, at the actual cost of \$2,000.00.

(ADOPTED)

To perfect Ordinance 3402. To adopt Ordinances 3401, 3403, 3405. To adopt Resolutions 14709, 14710, 14712, 14715, 14716.

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

[3406](#) Ronald E. Finley moved to perfect Ordinance #3406. Seconded by Dan Tarwater.

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

(PERFECTED)

[3406](#) Ronald E. Finley moved to suspend the rules to consider final passage of Ordinance #3406. Seconded by Dan Tarwater.

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

(APPROVED)

[3406](#) Ronald E. Finley moved the passage of Ordinance #3406 as perfected, appropriating \$5,000.00 from the unappropriated surplus of the 2003 General Fund to cover the purchase of computer equipment by the Economic Development Department through funding received from the Industrial Development Authority. Seconded by Scott Burnett.

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)

[3407](#) 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."

*(Legislature As A Whole)*

[3408](#) Setting the 2003 Jackson County Board of Services for the Developmentally Disabled (Sheltered Workshop) Levy.

*(Legislature As A Whole)*

[3409](#)            Setting the 2003 Jackson County, Missouri, tax levy.  
*(Legislature As A Whole)*

[3410](#)            Setting the 2003 merchants and manufacturers' inventory replacement tax levy.  
*(Legislature As A Whole)*

[3411](#)            Setting the 2003 Jackson County Community Mental Health Fund Levy.  
*(Legislature As A Whole)*

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

[14717](#)            Awarding a contract on Electronic Solicitation No. BB200365 for the furnishing of one (1) hot water pressure washer for use by the Parks and Recreation Department to Kim, Inc., of Kansas City, MO, at an actual cost not to exceed \$5,925.00.  
*(Land Use Committee)*

[14718](#)            Awarding eight-month term and supply contracts for the furnishing of OEM General Motors parts for use by the Public Works and Parks and Recreation Departments to Cable-Dahmer Chevrolet-Mazda of Independence, MO, and Westfall GMC Truck of Kansas City, MO, in the estimated aggregate amount of \$8,000.00, under existing government contracts of the City of Independence, MO.  
*(Public Works Committee)*

[14719](#)            Authorizing the County Executive to execute a Park Management Agreement with the Downtown Community Improvement District for the provision of maintenance and safety-related services at the County's Oppenstein Brothers Memorial Park, at no cost to the County.  
*(Land Use Committee)*  
*No dissenting vote to consider Resolution #14719 - not on printed agenda.*

[14720](#)            Fred Arbanas moved the passage of Resolution #14720, congratulating Hank Stram upon his induction into the Pro Football Hall of Fame and declaring September 14, 2003, as "Hank Stram Day" in Jackson County. 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)

[14721](#)            Requesting Governor Holden return the two Jackson County Sports Complex Authority panels that previous Legislatures had sent to then Governor Carnahan and directing the Clerk of the Legislature to send said Resolution to the Governor within forty-eight hours of its passage.  
*(Legislature As A Whole)*

**12 COUNTY EXECUTIVE ORDERS**

*None.*

**13 UNFINISHED BUSINESS**

*None.*

**14 NEW BUSINESS**

*None.*

**15 ADJOURNMENT**

Dan Tarwater moved to adjourn the meeting. Seconded by Scott Burnett.

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

(APPROVED)

*Meeting adjourned until Monday, September 15, 2003 at 3:00 p.m. in the Legislative Assembly Area, Kansas City, Missouri.*

*There will be a public hearing regarding the property tax rates of Jackson County, Missouri, Board of Services for the Developmentally Disabled, the Mental Health Fund and the Merchants' and Manufacturers' Inventory Replacement on September 15, 2003 at 3:30 p.m. in the Legislative Assembly Area, Kansas City, Missouri.*