



Jackson County Missouri

JOURNAL

County Legislature

Jackson County Courthouse
415 East 12th Street, 2nd floor
Kansas City, Missouri 64106
(816)881-3242

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)

Monday, August 8, 2005

2:30 PM

Thirty-first Regular Meeting

Independence Courthouse Annex, 308 W. 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, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Dan Tarwater and Bob Spence
Absent: Henry C. Rizzo and Rhonda L. Shoemaker

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 8/1/2005.
Seconded by Eugene Standifer Jr..

The motion passed by a voice vote.

(APPROVED)

4 HEARINGS

None.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Katheryn Shields, County Executive, said we are currently in Phase II of the improvements to the Kansas City Courthouse but the final phase is ready to begin. Recently completed items are the loading dock, the handicap accessible West entrance and all the sidewalks and landscaping on Oak Street. Soon to be completed will be the North entrance on August 17, 2005. The work includes: new North entrance doors, new civic plaza area at Andrew Jackson statue, new planters with native plant and redbuds, dogwoods and maple trees, and a bus shelter will be reinstalled and reopened for the public.

On August 18th the South entrance to the Courthouse and parking lot will be closed to both pedestrians and vehicles. Everyone parking in the South lot and garage will be moved to monthly parking at the 11th and Oak garage. Jackson County will issue monthly parking cards from the garage operator prior to closing the lot.

Other things to look forward to in the coming weeks are: new loading zone for drop-off/pick up of employees on Oak Street, two new disabled parking spaces on Oak Street (close to the accessible walkway), new employee shelter and break area at southeast corner of building, and new perimeter fence around south parking lot and native landscaping. At project completion, the South entrance will be "card access only".

She thanked everyone for their patience, as the work is being done to achieve site and security improvements. The final completion date for the project is expected to be October 30, 2005 which is approximately two months ahead of schedule.

Katheryn Shields talked about another change due to the no smoking policy in the Kansas City Courthouse. She said they will construct an area at the southeast corner of the building that will be protected on two sides and will have a covering over it. It will be a smoking area with tables. When it is completed she will issue an Executive Order to move smokers away from the doors leading through the garage. She has tried to be sensitive to the needs of the employees and the public who smoke by providing this area

Bruce Palmer, Director of Facilities Management, said at the entrance gate off Locust Street there will be a push button intercom. When this is implemented, staff will be available to assist in the process.

Robert A. Stringfield, County Legislator, referred to the 911 Assistance Fund and the balance that Jackson County will have at the end of 2005. He suggested that Jackson County direct its lobbyist to address the issue at the State level. Jackson County may have to pick up the deficit for this every year.

Katheryn Shields said there have been two state-wide votes on extending the 911 surcharge to cell phones and it failed each time. The surcharge is currently only on land lines. Jackson County has authorization from the State to go up to 15%. The County's portion of the 911 surcharge is not generating enough funds to pay for the County's portion of 911. In 2001, the County Legislature voted to increase the surcharge from 1.25% to 2%. Because of the upgrades done by MARC which have additional costs and the fact that land line usage is declining, the funds generated by the County's tax does not equal the percentage of money based on population that is allocated by MARC to the County. She suggested that Chairman Tarwater appoint one or two members from the Legislature to work with MARC on finding a solution.

Katheryn Shields said there was an Intergovernmental Agreement entered into under the Murphy Administration. The agreement allocates the cost based on population of each participating county. There is an oversight board consisting of elected officials and emergency preparedness providers that oversees the running of the 911 system metropolitan wide. She said there is a shrinking taxing base and an expanding service base.

Dan Tarwater, Chairman, agreed that we need to work with the State of Missouri on this issue to get something out to the voters regarding a surcharge on cell phones.

Katheryn Shields explained that the surcharge can be increased up to 15% , it cannot be increased by the County Legislature above 2% without a vote by the citizens of Jackson County.

Dan Tarwater asked that Mr. Holland be present at next week's legislative meeting to discuss the Royals/Chiefs and he asked that notice be given for a closed meeting.

Katheryn Shields introduced Don Saxton, her new appointment on the Board of Services for the Developmentally Disabled.

Scott Burnett said he and Mr. Spence have been working on a RFQ for an evaluation of the drug treatment program. He distributed a schedule, showing that they plan to issue the RFQ in early September, there will be a pre-submission conference and it will be completed in approximately 13 weeks. He thanked Mr. Nunnely and Mr. Dannaldson for meeting with them on a weekly basis to draft the RFQ. The RFQ is looking for an agency that has experience in evaluating substance abuse programs.

Bob Spence said when the final draft is completed they will send it to the Legislature for their review. He said they hope to send out bids by September 6.

Scott Burnett said he attended the COMBAT picnic on Sunday, August 7th at Swope Park. He said it was a successful event with 15 COMBAT agencies present, all the media and over 1,000 participants.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

Land Use Committee recommended do not perfect Ordinance #3646. Fred Arbanas objects to the consent agenda.

[3646](#)

Fred Arbanas moved to perfect Ordinance #3646, amending the zoning districts established by the Unified Development Code by rezoning a certain 78.8 ± acres from District A (Agricultural) to District RE (Residential Estates) District and approving preliminary plat "Leisure Acres" creating a twenty-two (22) lot residential subdivision. Seconded by Bob Spence.

Yes: 0

No: 6 - Robert A. Stringfield, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dan Tarwater and Bob Spence

Absent: 3 - Henry C. Rizzo, Dennis Waits and Rhonda L. Shoemaker

(FAILED)

[3649](#)

AN ORDINANCE exempting the Prosecuting Attorney's Office, Sheriff's Department and three vacant Park Ranger positions in the Parks and Recreation Department from application and effect of Ordinance #3642 passed by the Legislature on July 11, 2005.

(Finance and Audit Committee - 3rd. Perfection)

The Land Use Committee will have a public hearing on Wednesday, August 17, 2005 at 1:00 p.m. at Fleming Hall regarding Ordinance #3653.

[3653](#)

AN ORDINANCE amending the zoning districts established by the Unified Development Code by rezoning a certain 14 ± acres from District A (Agricultural) to District RR (Residential Ranchette) District.

(Land Use Committee - 1st. Perfection)

[3654](#)

Land Use Committee moved to perfect.

Bob Spence objects to the consent agenda.

[3654](#) Bob Spence moved to perfect Ordinance #3654. Seconded by Fred Arbanas.
The motion passed by a voice vote. (PERFECTED)

[3654](#) Bob Spence moved to suspend the rules to consider final passage of Ordinance #3654.
Seconded by Fred Arbanas.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[3651](#) Consent Agenda.

[3654](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

Robert A. Stringfield said he would like to hold Resolution #15576 because they have received an estimate from Bartlett and West of what it would cost to make the parkland whole. He believes the estimate is too high and would like to see it adjusted down.

Bill Snyder, Deputy County Counselor, said a point of order was raised on this resolution at the legislative meeting last week. He said his recommendation to the Chairman is based on Rule 19A and 19B, that it has been properly introduced. He said it conforms with the rules and lack of a second for the motion did not constitute an end to the introduction of proposed resolution. It was then assigned to the Land Use Committee and the committee recommended do not pass.

Discussion.

[15576](#) Scott Burnett moved the passage of Resolution #15576, for restitution for loss of parkland. Seconded by Bob Spence.
Yes: 1 - Robert A. Stringfield
Abstain: 5 - Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dan Tarwater and Bob Spence
Absent: 3 - Henry C. Rizzo, Dennis Waits and Rhonda L. Shoemaker
(DEFEATED)

[15578](#) Finance and Audit Committee moved do pass. Consent Agenda.

[15579](#) Public Works Committee moved do pass. Consent Agenda.

[15582](#) Public Works Committee moved do pass. Consent Agenda.

[15583](#)

Public Works Committee moved do pass. Consent Agenda.

9 CONSENT AGENDA

- [3651](#) AN ORDINANCE appropriating \$270,757.00 from the unappropriated surplus of the 2005 Grant Fund to cover the Jackson County Health Department's Jail Diversion by Law Enforcement Crisis Intervention grant received from the U. S. Department of Health and Human Services and authorizing the County Executive to execute contracts with Community Network for Behavioral Healthcare, Inc. ("CommCare") in the amount of \$95,592.00, Re-Discover Mental Health Services ("Re-Discover") in the amount of \$40,500.00, Swope Health Services ("Swope") in the amount of \$45,500.00, and Truman Medical Center ("TMC") in the amount of \$3,000.00.
- (ADOPTED)
- [3654](#) AN ORDINANCE amending Chapter 241, Jackson County Code, 1984, relating to the development of land, by repealing Sections 24103 B., 24103 M., and 24106 E., and enacting, in lieu thereof, three new sections relating to the same subject.
- (ADOPTED)
- [15578](#) A RESOLUTION awarding a twenty-four (24) month term and supply contract for the furnishing of armored car service for use by various County departments to PSI Armored of Topeka, KS, under the terms and conditions of Electronic Solicitation No. BB200557.
- (ADOPTED)
- [15579](#) A RESOLUTION awarding a twelve (12) month term and supply contract for the furnishing of tires for use by the Parks and Recreation and Public Works Departments to C&M Tire, Inc., d/b/a Cross Midwest Tire Co., of Kansas City, MO, under the terms and conditions of Invitation to Bid No. BB200575.
- (ADOPTED)
- [15582](#) A RESOLUTION authorizing the County Executive to enter into a Cooperative Agreement with the City of Grain Valley, MO, for road maintenance and snow removal services.
- (ADOPTED)
- [15583](#) A RESOLUTION authorizing the County Executive to enter into a Cooperative Agreement with the City of Lee's Summit, MO, for road maintenance and snow removal services.
- (ADOPTED)

To adopt Ordinances 3651, 3654. To adopt Resolutions 15578, 15579, 15582, 15583.

Bob Spence moved the passage of the consent agenda. Seconded by Eugene Standifer Jr.. The motion passed by a roll call vote:

Yes: 6 - Robert A. Stringfield, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dan Tarwater and Bob Spence

Absent: 3 - Henry C. Rizzo, Dennis Waits and Rhonda L. Shoemaker

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[3655](#) Appropriating \$53,066.00 from the unappropriated surplus of the 2005 Grant Fund in acceptance of a grant awarded to the Family Court Division by the Health Care Foundation of Greater Kansas City to supplement the Child Protection Center program.
(Health and Justice Committee)

Ali Roohanirad, Director of Public Works, gave an explanation of Ordinance #3656 and said it would be at no cost to the County.

[3656](#) Bob Spence moved to perfect Ordinance #3656. Seconded by Scott Burnett.

The motion passed by a voice vote. (PERFECTED)

[3656](#) Bob Spence moved to suspend the rules to consider final passage of Ordinance #3656. Seconded by Scott Burnett.

The motion passed by a voice vote. (APPROVED)

[3656](#) Bob Spence moved the passage of Ordinance #3656 as perfected, appropriating \$2,074,628.00 from the unappropriated surplus of the 2005 Special Road & Bridge Fund to allocate new revenues from the City of Grandview Transportation Sales Tax and authorizing the County Executive to execute a County Urban Road System (CURS) Supplemental Agreement for Public Improvements with the City of Grandview for the purpose of improvements on Harry S Truman Drive between 125th Street and Crystal Avenue within the City of Grandview. Seconded by Scott Burnett.

Yes: 6 - Robert A. Stringfield, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Dan Tarwater and Bob Spence

Absent: 3 - Henry C. Rizzo, Fred Arbanas and Rhonda L. Shoemaker

(ADOPTED)

[3657](#) Appropriating \$26,857,984.00 from the unappropriated surplus of the 2005 Public Building Corporation Capital Projects Fund to make proceeds of the 2005 bond issue available for capital improvements, transferring funds within the 2005 General Fund, Park Fund, Special Road and Bridge Fund, Assessment Reimbursement Fund, and County Urban Road System Fund for debt service payments, and appropriating \$839,325.00 from the unappropriated surplus of the Public Building Corporation Debt Service Fund to provide for debt service costs of the 2005 bond issue.

(Finance and Audit Committee)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[15586](#) Awarding a twelve (12) month term and supply contract for the furnishing of plumbing service for use by various County departments to Rodriguez Mechanical Contractors, Inc., of Kansas City, KS, under the terms and conditions of Invitation to Bid No. 18-05.

(Land Use Committee)

- [15587](#) Awarding a twenty-four (24) month term and supply contract for maintenance on non-Motorola radios for use by the Sheriff's department to K.C. Wireless of Independence, MO, under the terms and conditions of Electronic Solicitation No. BB200518.
(Health and Justice Committee)
- [15588](#) Dennis Waits moved the passage of Resolution #15588, authorizing the Jackson County Legislature to hold a closed meeting on Monday, August 8, 2005, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor under Section 610.021(1) (2) (3) and (14) of the Revised Statutes of Missouri, and closing all records prepared for discussion at said meeting. Seconded by Eugene Standifer Jr..
Yes: 6 - Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Dan Tarwater and Bob Spence
No: 1 - Robert A. Stringfield
Absent: 2 - Henry C. Rizzo and Rhonda L. Shoemaker
(ADOPTED)
- [15589](#) Authorizing the County Executive to execute a modification to the existing Memorandum of Agreement with the National Park Service, which will extend the effective date to September 30, 2007.
(Land Use Committee)
- [15590](#) Authorizing an increase to the contract with Johnson Controls, Inc., of Lenexa, KS, for the implementation of new energy savings measures at the County facilities on the Independence Courthouse Annex and authorizing the County Executive to execute Change Orders No. 1 in the amount of \$40,763.00 and Change Order No. 2 in the amount of \$37,361.00 at an aggregate additional cost to the County not to exceed \$78,124.00, and a new total cost to the County not to exceed \$5,918,457.00.
(Finance and Audit Committee)
- [15591](#) Authorizing an additional purchase of proprietary golf equipment for resale by the Parks and Recreation Department from Titleist & Foot Joy Worldwide of Fairhaven, MA, in an amount not to exceed \$5,500.00 for a total authorized cost to the County not to exceed \$30,500.00.
(Land Use Committee)
- [15592](#) Expressing the intent of the Legislature that any implementation of any deferred compensation plan or future enhancement of such plan should be made available to all County employees.
(Legislature As A Whole)
No dissenting vote to consider Resolution #15593 - not on printed agenda.

[15593](#)

Bob Spence moved the passage of Resolution #15593, authorizing the County Executive to execute an amendment to the 2005 Memorandum of Understanding with Carpenters' District Council of Kansas City & Vicinity regarding the terms and conditions of employment of members of its bargaining unit within the Office of the Prosecuting Attorney for the purpose of including certain employee classifications within the Family Support Division and transferring an amount not to exceed \$65,693.00 within the Prosecuting Attorney's 2005 General Fund budget to cover the cost of the amended agreement and other salary increases for non-bargaining unit employees. Seconded by Eugene Standifer Jr..

Yes: 7 - Robert A. Stringfield, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Dan Tarwater and Bob Spence

Absent: 2 - Henry C. Rizzo and Rhonda L. Shoemaker

(ADOPTED)

12 COUNTY EXECUTIVE ORDERS

[05-17](#)

I hereby appoint Will Gregory to the Kansas City Area Transportation Authority for a term to expire October 13, 2006, occasioned by the resignation of Jack Cardwell. A copy of his resume is attached.

13 UNFINISHED BUSINESS

None.

14 NEW BUSINESS

None.

Resolution #15588 was adopted at this time. See page 7 for details.

15 ADJOURNMENT

Dennis Waits moved to adjourn the meeting. Seconded by Scott Burnett.

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, August 15, 2005 at 2:30 p.m. in the Legislative Assembly Area, Kansas City, Missouri.