



Jackson County Missouri

JOURNAL

County Legislature

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

Scott Burnett (1st), Chairman, Henry C. Rizzo (2nd AL), Vice-Chairman,
Robert A. Stringfield, (1st AL), Fred Arbanas (3rd AL),
Ronald E. Finley (2nd), Dennis Waits (3rd), Dan Tarwater (4th),
Rhonda L. Shoemaker (5th), Bob Spence (6th)

Monday, May 3, 2004

2:30 PM

Eighteenth Regular Meeting

K.C. Legislative Assembly Area, Kansas City, Missouri

Scott Burnett, Chairman, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

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

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

Dennis Waits moved to approve the journal of the previous meeting held on 4/26/2004.
Seconded by Bob Spence.

The motion passed by a voice vote.

(APPROVED)

4 HEARINGS

Scott Burnett, Chairman, presented a 30 year service pin to Lorene Bayan-Wilson, Assistant Director of Assessment/Research and Standards.

Resolution #14995 was adopted at this time. See page 5 for details.

Robert A. Stringfield, County Legislator, presented the above courtesy resolution to Dennis Person.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Katheryn Shields, County Executive, introduced Dr. Craig Heligman her new appointment to the Jackson County Board of Services for the Developmentally Disabled. She mentioned that he is currently president of Heligman Consultants which includes acting as Associate Medical Director for Union Pacific Railroad and Chief Medical Officer for Kansas City Southern Railroad.

She introduced Greg Grounds, her recent appointment to the COMBAT Commission. She said along with being Managing Partner of Grounds, Rose and Emke, he most recently served as Mayor of Blue Springs for the past 14 years.

Katheryn Shields gave an update on the Little Blue Trace Park involving the Saddle Ridge Development. The County has confirmed, with an independent survey, that about 70% of the pit the developer dug at the location is on Jackson County park land. The Administration met with the developer's representatives on Friday. She is pleased to report the developer has recognized the full responsibility for this encroachment. The developer also recognizes it is their responsibility to fix it and Jackson County plans to hold them to that. However, at this point, it is unclear what "fixing it" will mean. The answer may take a while. She said staff has been in contact with the State Department of Natural Resources, and other entities who may also be involved. To protect the safety of the public, Jackson County Parks and Recreation has placed warning signs at the location of the pit.

Katheryn Shields indicated that it is her intention that Jackson County continue to seek the best remedy. She said any remedy must be in the best interests of the taxpayers, it must protect county property and protect our natural resources.

Katheryn has heard from some local residents that they do not want the hole filled back in because they do not want the big trucks back in their neighborhood. Jackson County is not in a position to give any assurances at this point, but will take the neighbors' desires into account.

She thanked the citizens who brought this situation to the County's attention and particularly Mr. Stringfield, who brought it to her attention. She said she will keep the Legislature posted as more information becomes available.

Finally, Katheryn Shields wanted to make the Legislature aware of some inquiries received from a TV station regarding Public Works trucks. The new program is about three things: 1.) taking better care of the trucks with a preventative maintenance plan (being proactive not reactive) 2.) saving taxpayer dollars and 3.) getting more work done on the roads.

In the interest of keeping the Legislature informed, Katheryn thought it would be good to receive an update about our Proactive Fleet Maintenance program. Public Works Director, J.D. Stokes, will make himself available for a short 5 minute overview at next week's legislative meeting. It will be short but informative.

Scott Burnett, Chairman, asked that J.D. Stokes make his presentation in two weeks, at the legislative meeting scheduled to be held on May 17, 2004 in the Kansas City Legislative Assembly Area.

Henry C. Rizzo, County Legislator, said he read an article that said DNR issued permits to the developer to do the work.

Katheryn Shields responded that she thought that statement was inaccurate. She thinks DNR issued permits to build two stormwater management ponds.

Henry C. Rizzo asked how the County found out that the work was done on 70% of our property.

Katheryn Shields said the County was notified through citizen complaints to Robert Stringfield, County Legislator. Mr. Stringfield visited the site last week and then notified Katheryn Shields. She explained that the Little Blue River runs through and then the park surrounds it on both sides and is fairly flat. Then there is a tree line and more park line behind that which abuts up to the development. The developer did not get up as far as the tree line but encroached on that, so it was not readily viewable from the Little Blue River that this construction had taken place.

Henry C. Rizzo asked if Jackson County issued any permits.

Katheryn Shields replied no, the County was not aware until the citizens made the complaint to Mr. Stringfield. Mr. Stringfield then contacted her and she called the Parks Department on Monday and asked them to go look at the area.

Robert A. Stringfield said his concern is that DNR (Department of Natural Resources) had a complaint a year ago pertaining to this situation. The citizens did not receive a response which is why they contacted him. He also mentioned that there is a dump in the back of the area.

Katheryn Shields said the dump appears to precede the current excavation. It is a problem but does not seem to be connected to the current pit.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[3482](#)

AN ORDINANCE repealing sections 1130., 1131., 1132., 1133., and 1137., Jackson County Code, 1984, relating to the disposal of County-owned personal property, and enacting, in lieu thereof, three new sections relating to the same subject.

(Finance and Audit Committee - 5th. Perfection)

7 FINAL PASSAGE OF PROPOSED ORDINANCES

None.

8 RESOLUTIONS IN COMMITTEE

[14966](#)

Henry C. Rizzo moved to substitute Resolution #14966, amending Rules 2, 9, 17, and 19 of the Rules of the Jackson County Legislature. Seconded by Robert A. Stringfield.

The motion passed by a voice vote.

(APPROVED)

[14966](#)

Rules Committee moved do pass the Rules Committee Substitute. Consent Agenda.

[14987](#)

A RESOLUTION congratulating Ryan Dusheke on his recent designation as a National Merit Scholarship semi-finalist.

(Legislature As A Whole - 2nd. Meeting)

[14990](#)

Finance and Audit Committee moved do pass. Consent Agenda.

[14991](#)

Health and Justice Committee moved do pass. Consent Agenda.

[14992](#)

Anti-Drug Committee moved do pass. Consent Agenda.

[14993](#)

Anti-Drug Committee moved do pass. Consent Agenda.

9 CONSENT AGENDA

[14966](#) A RESOLUTION amending Rules 2, 9, 17, and 19 of the Rules of the Jackson County Legislature. (ADOPTED)

[14990](#) A RESOLUTION extending the time for assessment of real and personal property in Jackson County, Missouri, from May 15, 2004, to May 31, 2004. (ADOPTED)

[14991](#) A RESOLUTION increasing the term and supply contract for the furnishing of X-ray services for use by the Medical Examiner's Office, at an estimated increased cost to the County of \$40,000.00. (ADOPTED)

[14992](#) A RESOLUTION authorizing the County Executive to execute an agreement with Benilde Hall for its "Transitional Living" program, at a cost to the County not to exceed \$80,000.00. (ADOPTED)

[14993](#) A RESOLUTION authorizing the County Executive to execute an Eighth Addendum to the Memorandum of Understanding with the Board of Police Commissioners of Kansas City, MO, extending the Midwest H.I.D.T.A. Kansas City Metropolitan Enforcement Initiative Task Force agreement, for an additional five-month period. (ADOPTED)

To adopt Resolutions 14966, 14990, 14991, 14992, 14993.

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

Yes: 5 - Robert A. Stringfield, Scott Burnett, Scott Burnett, Rhonda L. Shoemaker and Bob Spence

Absent: 3 - Fred Arbanas, Ronald E. Finley and Dennis Waits

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[3489](#) Repealing § 1060., Jackson County Code, 1984, relating to County purchasing, and enacting, in lieu thereof, one new section relating to the same subject.
(*Finance and Audit Committee*)

[3490](#) Granting a conditional use permit (CUP) in District LI (Light Industrial) for a period of twenty-five (25) years to construct a 190-ft. aerial tower as to a certain 20 ± acre tract.
(*Land Use Committee*)

[3491](#) Granting a conditional use permit (CUP) in District A (Agricultural) for a period of ninety-nine (99) years to construct a 161 KV electrical transmission line as to a certain 3 ± acre tract.

(Land Use Committee)

[3492](#) Amending the districts established by the Jackson County Zoning Order changing from District A (Agricultural) to District RE (Residential Estates), a certain 10 ± acre tract.

(Land Use Committee)

[3493](#) Amending the districts established by the Jackson County Zoning Order changing from District A (Agricultural) to District RR (Residential Ranchette), a certain 6.87 ± acre tract.

(Land Use Committee)

[3494](#) Repealing sections 5510. and 5511., Jackson County Code, 1984, relating to petty offenses and enacting in lieu thereof five new sections relating to petty offenses and noise regulation, with a penalty provision.

(Health and Justice Committee)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[14995](#) Robert A. Stringfield moved the passage of Resolution #14995, congratulating Dennis C. Person upon retirement and acknowledging the many contributions he has made during his 31 year service with the Jackson County Family Court. Seconded by Dan Tarwater.

Yes: 6 - Robert A. Stringfield, Scott Burnett, Scott Burnett, Dennis Waits, Rhonda L. Shoemaker and Bob Spence

Absent: 2 - Fred Arbanas and Ronald E. Finley

(ADOPTED)

[14996](#) Awarding a term-and-supply contract on Electronic Solicitation No. BB200417 for the furnishing of concessions chips and snacks for use by the Parks and Recreation Department to Frito-Lay, Inc. of Kansas City, KS, in the estimated amount of \$40,000.00.

(Land Use Committee)

[14997](#) Awarding a twelve-month term and supply contract on Bid No. 13-04 for the furnishing of sundry and novelty items for resale by the Parks and Recreation Department marinas to St. Joe Distributing Co. of St. Joseph, Missouri, in the estimated amount of \$15,000.00.

(Land Use Committee)

[14998](#) Dennis Waits moved the passage of Resolution #14998, proclaiming May 16-22, 2004, as National Public Works Week in Jackson County. Seconded by Robert A. Stringfield.

Yes: 5 - Robert A. Stringfield, Scott Burnett, Scott Burnett, Dennis Waits and Bob Spence
Absent: 3 - Fred Arbanas, Ronald E. Finley and Rhonda L. Shoemaker

(ADOPTED)

[14999](#) Awarding a twelve-month term and supply contract for the furnishing of Teslin inserts for inmate ID wrist bands for use by the Department of Corrections to QueTel Corp. of Herndon, Virginia, in the estimated amount of \$10,000.00, as a sole source purchase.

(Health and Justice Committee)

[15000](#) Awarding a term and supply contract on Electronic Solicitation No. BB200416 for the furnishing of concessions ice cream novelties for use by the Parks and Recreation Department to Kansas City Ice Cream Company of Kansas City, MO, in the estimated amount of \$10,000.00.

(Land Use Committee)

[15001](#) Awarding a term and supply contract on Electronic Solicitation No. BB20041 for the printing of stationery and business cards for use by various agencies countywide to Service Printing & Graphics of Kansas City, MO (\$30,000.00), and Jennco dba 21st Century Graphix of Lenexa, KS (\$30,000.00), in the estimated aggregate amount of \$60,000.00.

(Finance and Audit Committee)

[15002](#) Awarding a twenty-four month term and supply contract on electronic solicitation No. BB200421 for the furnishing of recreational wearing apparel for use by the Department of Corrections to Raytown Screen Print of Raytown, MO, in the estimated annual amount of \$12,000.00.

(Health and Justice Committee)

[15003](#) Authorizing the County Executive to execute an agreement with Move Up for its Fighting Back program in the amount of \$50,000.00, as a local match to a federal grant.

(Anti-Drug Committee)

Resolution #15005 was adopted at this time. See below for details.

[15004](#) Dan Tarwater moved the passage of Resolution #15004, authorizing the Jackson County Legislature to hold a closed meeting on Monday, May 3, 2004, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor concerning the status of legal actions, causes of action, and/or litigation, and closing all records prepared for discussion at said meeting. Seconded by Bob Spence.

Yes: 6 - Robert A. Stringfield, Scott Burnett, Scott Burnett, Dennis Waits, Rhonda L. Shoemaker and Bob Spence

Absent: 2 - Fred Arbanas and Ronald E. Finley

(ADOPTED)

[15005](#) Bob Spence moved the passage of Resolution #15005, adopting R. D. Mize Road as a new County Urban Road System (CURS) priority within the City of Independence. Seconded by Dan Tarwater.

Yes: 6 - Robert A. Stringfield, Scott Burnett, Scott Burnett, Dennis Waits, Rhonda L. Shoemaker and Bob Spence

Absent: 2 - Fred Arbanas and Ronald E. Finley

(ADOPTED)

No dissenting vote to consider Resolution #15006 - not on printed agenda.

[15006](#) Dan Tarwater moved do pass the Floor Amendment of 5/3/2004, to delete the figure "\$14,591.66" and insert the figure "\$19,452.69" in the heading and the body where listed. Seconded by Bob Spence.

The motion passed by a voice vote.

(APPROVED)

[15006](#) Dan Tarwater moved to adopt Resolution #15006 as amended, concurring in the decision of the Chief Financial Officer to settle the worker's compensation claim of Norma Kay Schweiger for payment in the amount of \$19,452.69. Seconded by Bob Spence.

Yes: 6 - Robert A. Stringfield, Scott Burnett, Scott Burnett, Dennis Waits, Rhonda L. Shoemaker and Bob Spence

Absent: 2 - Fred Arbanas and Ronald E. Finley

(ADOPTED)

12 COUNTY EXECUTIVE ORDERS

[04-09](#) I hereby appoint James White to the Board of Services for the Developmentally Disabled to fill the vacancy occasioned by the resignation of Sherlyn Renner for a term to expire December 31, 2004. A copy of Mr. White's resume will follow.

[04-10](#) I hereby appoint Gregory O. Grounds to the COMBAT Commission to fill the vacancy occasioned by the resignation of David Ross, for a term to expire January 20, 2008. A copy of Mr. Grounds' resume is attached.

13 UNFINISHED BUSINESS

Robert A. Stringfield said he has requested a Resolution be introduced regarding Pat Tillman and asked for the Legislature's support.

Scott Burnett, Chairman, said the Resolution should be assigned to the Legislature As A Whole.

Legislature goes into closed session.

Legislature reconvenes.

Resolution #15006 was adopted at this time. See above for details.

14 **NEW BUSINESS**

15 **ADJOURNMENT**

Bob Spence moved to adjourn the meeting. Seconded by Dan Tarwater.

The motion passed by a voice vote.

(APPROVED)

The next legislative meeting is scheduled to be held on Monday, May 10, 2004 at 2:30 p.m. at the Independence Annex, 308 W. Kansas, Ground Floor, Legislative Chambers.