



# 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)

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Monday, February 9, 2004

2:30 PM

Sixth Regular Meeting

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Independence Annex, 308 W. Kansas, Ground Floor, Legislative Chambers

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

**1 ROLL CALL**

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

**2 THE PLEDGE OF ALLEGIANCE**

Recited.

**3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING**

Rhonda L. Shoemaker moved to approve the journal of the previous meeting held on 2/2/2004. Seconded by Robert A. Stringfield.

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

(APPROVED)

**4 HEARINGS**

None.

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

*Gary Dannaldson, Director of Purchasing, distributed the final report on the bid response survey. He went over the report with members of the County Legislature, which included recommendations. The Purchasing Department proposed contracting with SicommNet for use with their electronic bidding system.*

*Dan Tarwater, County Legislator, asked what other governmental entities used SicommNet.*

*Gary Dannaldson responded the State of Maine and Utah. He will get a complete listing.*

*Dan Tarwater asked if Jackson County checked into using DemandStar.*

Gary Dannaldson said yes. Jackson County participated in the MARC survey of available electronic systems. DemandStar is a posting system as opposed to a full blown on-line bidding system. Potential bidders will view a bid on the DemandStar sight, download and print out the bid application, complete it and mail it back to the County.

Dan Tarwater said he uses DemandStar on a daily basis and that is where he finds most government bids. It does not cost the vendor if they are awarded the contract.

Gary Dannaldson said in order to bid on County solicitations the bid must be submitted via the Sicomm site. DemandStar has a registration fee that the firm pays as well as a monthly charge. With Sicomm, vendors pay 1% of all contracts awarded, which encourages competitive bidding.

Dan Tarwater asked if Sicomm rules out the County putting bids on another service. DemandStar is used throughout the country as a known provider for government contracts.

Gary Dannaldson said Sicomm's contract is not exclusive. The Purchasing Department staff advises interested bidders to register on Sicomm.

Rhonda Shoemaker, County Legislator, said she also uses DemandStar. They pay up front for the service but because of the multiple postings it is much more cost effective. She has not heard of Sicomm.

Gary Dannaldson said they feel that by not requiring all potential bidders to pay the fee, that more firms are encouraged to participate in the process. He said they would consider DemandStar, but would like to analyze the potential problems of receiving manual bids and coordinating that with receiving electronic bids as well.

Katheryn Shields, County Executive, said when they began looking at electronic bidding, Jackson County contracted with the Black Chamber of Commerce to do training and informational seminars for the smaller and minority business so they would be able to participate in the bid process. Electronic bidding began about 3 years ago in Jackson County. We are trying to go to paperless where possible, a cost savings in both postage and paper.

Dan Tarwater said the two recognized services in the government industry are DemandStar and governmentbids.com. and both are paperless.

Rhonda Shoemaker said she is concerned about the cost to MBE's, WBE's and EBE's who are stating that they cannot compete well because they have to pay the 1% fee with Sicomm. DemandStar or governmentbids.com are sites that have an annual fee that can be used as a tax write off. She is not saying to get rid of Sicomm, she is just asking the County to consider more options.

Gary Dannaldson asked for the opportunity to investigate the ramifications of posting in both areas. He is not sure if there are any legal hurdles in receiving both electronic bids and manual bids at the same time. He also would like to look into the cost associated for the County using the other services.

Katheryn Shields said they would check into this matter and report back to the Legislature.

Gary Dannaldson said Jackson County has been using Sicomm for 2 years. He said between 75 and 80 percent of bid solicitations are being done electronically now. RFP's and large complex construction bids are still being done manually.

Ronald E. Finley, County Legislator, asked Gary Dannaldson what kind of response we received from MBE or WBE vendors on the survey.

Gary Dannaldson said he would have to review the responses and get back with him. He said since April 2003, the response rate to manual formal bids is 8.8%, and the response rate to electronic bids is 11%.

Henry C. Rizzo, County Legislator, asked if the bidding process lowers cost to Jackson County government.

Gary Dannaldson responded yes.

Robert A. Stringfield, County Legislator, asked Gary to respond to a question in the survey on page 22 regarding environmental specialist.

Gary Dannaldson said he is not aware of any bid for emergency spill response with hazardous materials but he said he would respond to their question.

Scott Burnett, Chairman, said this matter will be discussed again in two weeks. Next week Ken Evans, Public Information Officer, will speak about the televising/cable casting of County Legislative meetings.

Ronald E. Finley asked Jay Haden, Deputy County Counselor, for a copy of the contract with Tri-City and asked him to highlight the terms and conditions of the option. This matter was discussed in closed session at the legislative meeting last week.

Jay Haden said he would provide this information.

Henry C. Rizzo asked Katheryn Shields if she was aware of a letter sent to the Governor last week regarding a legislative appointment.

Katheryn Shields said she was aware of the letter.

Henry C. Rizzo said he had several conversations with Scott Burnett in which he indicated that the letter was signed by five legislators' but the copy he received was only signed by Scott.

Scott Burnett said he signed it along with four other members of the Legislature.

Henry C. Rizzo asked why the letter was not sent to the other members of the Legislature.

Scott Burnett said he was short of time.

Henry C. Rizzo said he requested a copy of the letter on Wednesday. He asked if there was a reason the Legislature has set a date of March 22, 2004 to submit panels to the Governor.

Scott Burnett said there is no specific reason, he just wanted the process timetable to begin. He said he did not remember Henry's request for a copy of the letter.

Henry C. Rizzo said he read an article in the Kansas City Star titled Swaddling Halts Appointments written by Ms. Williams which indicated that a couple of Senators' made specific requests as to the appointments. He asked if Scott's letter was in response to the Senators' and if the Legislature has ever done this type of letter to the Governor.

Scott Burnett said the letter was not a response and he is not aware of this being done in

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*the past. He knows it was a difficult confirmation.*

*Henry C. Rizzo said that he has an issue with the statement that it was a difficult confirmation. He said there was nothing special about this confirmation, it was number 20 in committee out of 45 confirmations. It came out of the Senate committee unanimously. His concern is that there was some type of political deal after reading the article and the letter. Since this was a Senate appointment why was a letter sent to the Governor.*

*Scott Burnett said the Governor was helping to get these confirmations completed, he was the mediator.*

*Henry C. Rizzo said he talked with Scott several times on Tuesday and indicated that he had concerns regarding the letter. However, he realizes that Scott did not share the same concerns because he sent the letter. He asked Scott if he felt this was a good idea to send a letter committing the Legislature to a date on Sports Authority appointments.*

*Scott Burnett said if a majority of the Legislature does not want to go forward on this matter it will be the prerogative of the Legislature. Last week, 5 members of the Legislature did want to go forward.*

*Henry C. Rizzo said if Scott talked to 5 legislators then according to the Sunshine Law, it should have been published and there should have been a public meeting. Henry said he tried to warn him but Scott would not return his phone calls. He said for the record he wanted to say that he was not in favor of the letter sent to the Governor.*

*Jay Haden said there is nothing prohibiting County Legislators from talking one on one, or having one on one conversations with several legislators and it would not be in violation of the Sunshine Law.*

*Henry C. Rizzo said five members agreed on one matter in phone conversations. He asked Jay to refer to Attorney General opinions which speak to phone conversations on one matter that are written down. There is a process in the statutes on these type of appointments. He thinks the Sports Authority members should also be in the loop.*

*Ronald E. Finley said Mr. Haden's assumptions make some conclusions that the Legislature does not have the facts on and he suggests that he stay out of this matter.*

*Jay Haden said he will take his advice.*

*Ronald E. Finley said he hopes that Scott has not made any commitments as to who will be on the particular panels because no applications have been received and there has been no discussion. He knows it was expressed among the Senators that there is some intent to control the appointments. He feels that people will be discouraged from applying if they feel the process is not a fair process.*

*Scott Burnett said he has not made any commitments about the panels. He would like to begin receiving applications on February 23rd. If the majority of the Legislature is not ready to conclude by mid March then it will not be concluded.*

*Dennis Waits, County Legislator, said he did not receive a copy of the letter sent by Scott to the Governor. He was not surprised, however, since he and Scott do not share the same view on this political issue. He is concerned because this is not a State Senator issue but a County Legislature issue and they should not influence when panels are sent. He said the Legislature needs to consider the members whose terms are expired, John Bondon and Jerry Mackey and realize what a great job they have done. He said they are both highly respected businessmen who have spent countless hours at getting us into good positions with the stadiums. The continuity of keeping these experienced members on the Sports Authority is vital to the Sports Authority operation. He thinks sending panels without including these two members would be a mistake. Also, just sending panels down and taking the chance of replacing these members would also be a mistake.*

*Robert Stringfield said in defense of Scott Burnett, he thinks that the entire Legislature is to blame and that the system is flawed. He gave a chronological reason for his statement. In summary, since 1999 there are 25 dates in which the Legislature has considered the terms of 4 expired commissioners on the Sports Authority and have only had 2 replaced. He thinks the County Legislature is playing games with these appointments. He said he did sign the letter to the Governor and wants to move forward on this matter. He said he has no connection with anyone trying to get on the panels and he is tired of dealing with the Sports Authority.*

*Dan Tarwater said it is a good thing that the County Legislature did not send the other two panels to the Governor because then there would be four new members with the fifth member having a tenure of about 6 months. There are important issues coming up with the stadium which include the bi-state issue. He is not in favor of sending the panels until after bi-state appears on the ballot. He considered signing the letter but sent it back unsigned.*

*Henry C. Rizzo commented that Dennis Waits always did things in an open meeting as Chairman of the Legislature. He was very liberal. He tried to include everyone in the process which is what government is all about.*

*Dennis Waits said he is not critical of Scott wanting to move forward. His concern is that the reason for doing something is not in response to pressure from State Senators who want to control the process. The County Legislature should not allow State Senators to tell them how to do their job.*

*Bob Spence, County Legislator, said he also signed the letter. He thinks the signers of the letter helped to move the process forward. The letter does not commit the Legislature to anything.*

*Ronald E. Finley said in 1999 and 2000 the County Legislature sent down panels and the panels were held until September 2003. At that time, the Governor sent a letter rejecting the panels. The County Legislature then acted by October 2003. He agrees that this is a County process and State Senators should not be telling the Legislature what to do.*

## 6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

[3463](#)

AN ORDINANCE repealing sections 9056., 9057., and 9058., Jackson County Code, 1984, relating to the Housing Resources Commission, and enacting, in lieu thereof, two new sections relating to the same subject.

*(Finance and Audit Committee - 3rd. Perfection)*

[3464](#) AN ORDINANCE approving the preliminary plat "Windsor Subdivision, Phases 5 and 6," creating a 41-lot residential subdivision, as to a 157.5 ± acre tract.

*(Land Use Committee - 1st. Perfection)*

*Dennis Waits moved to waive the reading of Ordinances #3464 and #3565. Seconded by Bob Spence.*

*The motion passed by a voice vote.*

*(APPROVED)*

The Land Use Committee will have a public hearing regarding Ordinances #3465 and #3466 on Thursday, February 26, 2004 at 1:00 p.m. at Fleming Hall.

[3465](#) AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RR (Residential Ranchette), a certain 86 ± acre tract, and approving the preliminary plat "Whippoorwill Place - 2nd Plat," creating a fifteen-lot residential subdivision.

*(Land Use Committee - 1st. Perfection)*

[3466](#) AN ORDINANCE amending the districts established by the Jackson County Zoning Order by changing from A (Agricultural) to RE (Residential Estates), a certain 20 ± acre tract.

*(Land Use Committee - 1st. Perfection)*

## 7 FINAL PASSAGE OF PROPOSED ORDINANCES

*None.*

## 8 RESOLUTIONS IN COMMITTEE

[14895](#) Finance and Audit Committee moved do pass. Consent Agenda.

## 9 CONSENT AGENDA

[14895](#) A RESOLUTION authorizing the County Executive to enter into an Agreement with Dan Bunch Enterprises, Inc., for the leasing of employee parking space, at a cost not to exceed \$25,451.40.

*(ADOPTED)*

To adopt Resolution 14895.

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

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

Absent: 1 - Fred Arbanas

**10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE**

[3467](#) Appropriating \$8,500.00 from the unappropriated surplus of the 2004 Grant Fund to cover the Child Protection Center Supplement Grant for the Family Court funded by the National Children's Alliance.  
*(Health and Justice Committee)*

[3468](#) Appropriating \$2,857.76 from the unappropriated surplus of the 2004 Grant Fund to cover the Family Court Division's Domestic Relations Monitored Security Grant received from the Missouri Office of the State Courts Administrator.  
*(Health and Justice Committee)*

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

[14897](#) Bob Spence moved the passage of Resolution #14897, congratulating the Lee's Summit R-7 School District upon receiving the Missouri Department of Elementary and Secondary Education's second annual "Distinction in Performance" Award. Seconded by Dennis Waits.

Yes: 7 - Robert A. Stringfield, Scott Burnett, Scott Burnett, Ronald E. Finley, Dennis Waits, Rhonda L. Shoemaker and Bob Spence  
Absent: 1 - Fred Arbanas

(ADOPTED)

[14898](#) Ronald E. Finley moved the passage of Resolution #14898, awarding a term and supply contract for the furnishing of environmental services for use by the Facilities Management and Parks and Recreation Departments under Contract No. PA4467-05, an existing government contract of the City of Kansas City, MO, to Kingston Environmental Services of Kansas City, MO, in the estimated amount of \$178,173.00. Seconded by Dennis Waits.

Yes: 7 - Robert A. Stringfield, Scott Burnett, Scott Burnett, Ronald E. Finley, Dennis Waits, Rhonda L. Shoemaker and Bob Spence  
Absent: 1 - Fred Arbanas

(ADOPTED)

[14899](#) Authorizing the County Executive to execute a Memorandum of Understanding with Truman Medical Center Behavioral Health Services, a division of Truman Medical Center to cover the cost of atypical anti-psychotic medications dispensed at the Jackson County Detention Center at a cost to the County not to exceed \$89,993.00.  
*(Health and Justice Committee)*

[14900](#) Awarding a term and supply contract on Bid No. 50-03 for the furnishing of body transfer services for use by the Medical Examiner's Office to Metro Removal of Overland Park, KS, to provide for departmental needs for the upcoming one-year period, in the estimated amount of \$70,000.00.  
*(Health and Justice Committee)*

- [14901](#) Awarding eight-month term and supply contracts for the furnishing of industrial pipe fittings and plumbing supplies for use by the Public Works, Facilities Management, and Parks and Recreation Departments under contracts Nos. PA4474-01 & -02, existing government contracts of the City of Kansas City, MO, to K. C. Winwater Works Company of Kansas City, MO, and Riback Supply Co. of Kansas City, MO, at an estimated aggregate cost to the County of \$35,000.00.  
*(Public Works Committee)*
- [14902](#) Awarding a one-year term and supply contract for the furnishing of solid waste disposal services for use by the Public Works and Parks and Recreation Departments to the City of Lee's Summit, Missouri, at an estimated cost to the County of \$13,000.00.  
*(Public Works Committee)*
- [14903](#) Awarding a contract on Bid No. 49-03 for the furnishing of a dump truck, snow plow, and spreaders for use by the Public Works Department to KCR International Trucks, Inc., of Kansas City, MO, in the actual amount of \$157,280.00.  
*(Public Works Committee)*
- [14904](#) Authorizing the Director of the Department of Finance to issue a check in the amount of \$21,983.58 to Public Water Supply District No. 12, representing increased and unanticipated costs of a water main relocation in connection with the Harris Road Bridge Replacement Project, No. 2409.  
*(Public Works Committee)*
- [14905](#) Authorizing the County Executive to execute an Agreement with Wayside Waifs, Inc., to provide for the impoundment of lost and unclaimed animals from within unincorporated Jackson County, at an actual cost to the County of \$10,000.00.  
*(Public Works Committee)*



*Discussion on Resolution #14906.*

*Henry C. Rizzo said the Director of Purchasing just indicated that bidding lowers the cost to the County and with that in mind he would prefer that this legislation be sent to committee for discussion.*

*Dan Tarwater said Jackson County has three one year contracts with the providers. They have completed the first year which runs out the end of February, so if the County wanted to re bid this contract they would have done it before now. Michael Sanders, Prosecuting Attorney, was not sure about the money in the budget but when it was determined that the money is available he agreed to go forward. He agrees that good government is based on sound financial aspect of bidding things. This contract was bid and the Legislature is just extending the options of the bid, since there are two one year options remaining.*

*Henry C. Rizzo said the Legislature continually passes legislation in one day. This is a large expenditure that deserves to be held for one week and assigned to committee for public discussion.*

*Dennis Waits said he prefers that this be assigned to committee. He said this is not a reflection on the two vendors performing the service now, he understands they are performing well.*

*Rhonda Shoemaker said the County currently has three one-year options. Her concern is that if it is put out for bid again, Jackson County is running the risk of paying more for these contracts through the bid process. She said the Legislature passed a resolution today for environmental services for \$187,000.00 which was not bid.*

*Gary Dannaldson said the contract for environmental services was a City of Kansas City, Missouri bid, a term and supply contract.*

*Bob Spence said that contracts are sent out with options. If the County does not honor the options for a good reason, then we will not get vendors willing to take on these contracts without the possibility of extensions. Then the County will have to bid on an annual basis which will increase the cost.*

*Henry C. Rizzo reminded everyone that the Purchasing Director said bidding lowers the cost. He said the Legislature continually adopts things in one day. They purchased a building in one day and now they are approving a drug contract with no public testimony.*

*Dan Tarwater called for the question.*

[14906](#)

Dan Tarwater moved the passage of Resolution #14906, authorizing term and supply extensions to the contracts for the furnishing of drug treatment services for use by the Prosecuting Attorney's Drug Court program with Addiction Recovery Services of Kansas City, MO, and County Court Services of Kansas City, MO, at an estimated aggregate cost to the County not to exceed \$699,659.00. Seconded by Bob Spence.

Yes: 6 - Robert A. Stringfield, Scott Burnett, Scott Burnett, Ronald E. Finley, Rhonda L. Shoemaker and Bob Spence

No: 1 - Dennis Waits

Absent: 1 - Fred Arbanas

(ADOPTED)

**12 COUNTY EXECUTIVE ORDERS**04-04

Pursuant to Article X of the Jackson County Charter and Jackson County Code Sections 7403.3 and 7403.4, I hereby reappoint Roger James Davis, for a term to expire on February 29, 2008, and designate him as the chair of the Office of Human Relations and Citizens Complaints Commission for 2004. A copy of Mr. Davis' resume is on file with the County Clerk's Office.

**13 UNFINISHED BUSINESS**

None.

**14 NEW BUSINESS**

None.

**15 ADJOURNMENT**

Dennis Waits moved to adjourn the meeting. Seconded by Dan Tarwater.

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

(APPROVED)

*Meeting adjourned until TUESDAY, February 17, 2004 at 2:30 p.m. in the Legislative Assembly Area, Kansas City, Missouri.*