



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

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

Monday, October 30, 2006

2:30 PM

Forty-Third Regular Meeting

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

Henry C. Rizzo, Chairman, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

Present: Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Rhonda L. Shoemaker, Bob Spence and Bob Spence

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

Dan Tarwater moved to approve the journal of the previous meeting held on 10/23/2006.
Seconded by Dennis Waits.

The motion passed by a voice vote.

(APPROVED)

4 HEARINGS

Resolution #16056 was adopted at this time. See page 4 for details.

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Katheryn Shields, County Executive, said some legislators have indicated that they would like to tour the Fort Osage Education Center to see what progress is being made. Her staff has talked to the City of Buckner and they have agreed to let us use their Town Hall for a future legislative meeting. The Town Hall is only about 5 minutes from the Education Center so after the meeting legislators could take a quick trip to the Fort Osage Education Center for a tour. Tours are available any Monday after November 17th so she asked legislators to let her know when they would like to visit so she can schedule it.

Katheryn Shields spoke about an article in the Kansas City Star that had a number of misstatements in it that need to be cleared up.

She said over the 12 years she has been at the County, she has had good relations with the County Legislature. They may not have always agreed with each other but have worked together for the common goal of what is best for Jackson County.

The first sentence of the article is incorrect. It reads "In 1997, Jackson County told the public that it would spend \$6.1 million in bond money for courtroom improvements." It is a misstatement because the bond indentures index, under Series 99 projects, it describes the general project it speaks clearly about expansion, renovation, remodeling, improvement, furnishing and equipping of courtrooms for Kansas City and Independence. However, in the project description it not only refers to the schedule but it also says "and any project additions as that may at any time exist in any other facilities financed with the proceeds of these 1997 bonds." Clearly the project was larger than just courtroom improvements.

Dennis Waits, County Legislator, said we added three working courtrooms to the Independence Annex.

Katheryn Shields said the additional plan was to put a new roof on the courthouse annex. Heating and cooling improvements were also included in the initial planning and have been done. She said the voters rejected the ballot measure to build a new courthouse in Independence. There were original funds left over as well as fund accumulated through interest.

Discussion. (Refer to audio/video tapes.)

6 PERFECTON OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

Fred Arbanas moved to waive the reading of Ordinances #3826 through #3831, #3833 and #3836. Seconded by Dennis Waits.

The motion passed by a voice vote. (APPROVED)

[3826](#)

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing from District LB-p (Local Business-Planned Development) to District LI (Light Industrial), a certain 5± acre tract.

(Land Use Committee - 4th. Perfection)

[3827](#)

Land Use Committee moved to perfect.

Fred Arbanas objects to the Consent Agenda.

[3827](#)

Fred Arbanas moved to perfect Ordinance #3827. Seconded by Rhonda L. Shoemaker.

The motion passed by a voice vote. (PERFECTED)

[3827](#)

Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #3827. Seconded by Rhonda L. Shoemaker.

The motion passed by a voice vote. (APPROVED)

Consent Agenda. See Final Passage of Proposed Ordinances.

- [3828](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the Consent Agenda.
- [3828](#) Fred Arbanas moved to perfect Ordinance #3828. Seconded by Rhonda L. Shoemaker.
The motion passed by a voice vote. (PERFECTED)
- [3828](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #3828.
Seconded by Rhonda L. Shoemaker.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [3829](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the Consent Agenda.
- [3829](#) Fred Arbanas moved to perfect Ordinance #3829. Seconded by Rhonda L. Shoemaker.
The motion passed by a voice vote. (PERFECTED)
- [3829](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #3829.
Seconded by Rhonda L. Shoemaker.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [3830](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the Consent Agenda.
- [3830](#) Fred Arbanas moved to perfect Ordinance #3830. Seconded by Rhonda L. Shoemaker.
The motion passed by a voice vote. (PERFECTED)
- [3830](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #3830.
Seconded by Rhonda L. Shoemaker.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.
- [3831](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the Consent Agenda.
- [3831](#) Fred Arbanas moved to perfect Ordinance #3831. Seconded by Rhonda L. Shoemaker.
The motion passed by a voice vote. (PERFECTED)

[3831](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #3831. Seconded by Rhonda L. Shoemaker.
The motion passed by a voice vote. (APPROVED)
Consent Agenda. See Final Passage of Proposed Ordinances.

[3833](#) Land Use Committee moved to perfect.
Fred Arbanas objects to the Consent Agenda.

[3833](#) Fred Arbanas moved to perfect Ordinance #3833. Seconded by Rhonda L. Shoemaker.
The motion passed by a voice vote. (PERFECTED)

[3833](#) Fred Arbanas moved to suspend the rules to consider final passage of Ordinance #3833. Seconded by Rhonda L. Shoemaker.
Consent Agenda. See Final Passage of Proposed Ordinances.

[3835](#) Health and Justice Committee moved to perfect. Consent Agenda.

[3836](#) AN ORDINANCE 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 - 1st. Perfection)

[3837](#) Health and Justice Committee moved to perfect. Consent Agenda.

[3838](#) Anti-Drug Committee moved to perfect. Consent Agenda.

7 FINAL PASSAGE OF PROPOSED ORDINANCES

[3827](#) Consent Agenda.

[3828](#) Consent Agenda.

[3829](#) Consent Agenda.

[3830](#) Consent Agenda.

[3831](#) Consent Agenda.

[3833](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE[16056](#)

Dan Tarwater moved the passage of Resolution #16056, congratulating The Northeast News upon its designation as the First Place recipient of the Best Coverage of Government given by the Missouri Press Association at its 140th annual convention. Seconded by Dennis Waits.

Yes: 9 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Rhonda L. Shoemaker, Bob Spence and Bob Spence

(ADOPTED)

9 CONSENT AGENDA[3835](#)

AN ORDINANCE appropriating \$24,831.00 from the unappropriated surplus of the 2006 Health Fund and authorizing the Director of Finance and Purchasing to issue a check in the amount \$24,830.36 to the Mid-America Regional Council as a pass-through of funds received from the Missouri Emergency Response Commission.

(PERFECTED)

[3837](#)

AN ORDINANCE appropriating \$98,424.00 from the unappropriated surplus of the 2006 Grant Fund to cover the Family Court Division's Truancy Court Project with the Hickman Mills/Consolidated School District No. 1.

(PERFECTED)

[3838](#)

AN ORDINANCE transferring \$24,385.00 within and appropriating \$243,853.00 from the unappropriated surplus of the 2006 Anti-Drug Sales Tax Fund in acceptance of a grant from the Missouri Department of Public Safety, and authorizing the County Executive to execute Cooperative Agreements with Pan Educational Institute and Deana Bellamaganya for the Prosecuting Attorney's Office's Sentenced to the Arts program, at a total cost to the County not to exceed \$243,853.00.

(PERFECTED)

[3827](#)

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing from District A (Agricultural) to District RR (Residential Ranchette), a certain 5± acre tract.

(ADOPTED)

[3828](#)

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing from District A (Agricultural) to District RR (Residential Ranchette), a certain 5± acre tract.

(ADOPTED)

[3829](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing from District A (Agricultural) to District RR (Residential Ranchette), a certain 5± acre tract.

(ADOPTED)

[3830](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing from District A (Agricultural) to District RR (Residential Ranchette), a certain 10± acre tract for a two lot residential subdivision.

(ADOPTED)

[3831](#) AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing from District A (Agricultural) to District RE (Residential Estates), a certain 3± acre tract.

(ADOPTED)

[3833](#) AN ORDINANCE amending section 24004., Jackson County Code, 1984, relating to Federal Emergency Management Agency (FEMA) maps used for the development of land in unincorporated Jackson County.

(ADOPTED)

To perfect Ordinances 3835, 3837, 3838. To adopt Ordinances 3827, 3828, 3829, 3830, 3831, 3833.

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

Yes: 9 - Robert A. Stringfield, Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Rhonda L. Shoemaker, Bob Spence and Bob Spence

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE

[3839](#) Repealing chapter 10, Jackson County Code, 1984, relating to County purchasing, and enacting, in lieu thereof, one new chapter, consisting of twenty new sections, relating to the same subject.

(Finance and Audit Committee)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE

[16057](#) Transferring \$25,000.00 within the 2006 General Fund to cover an increase to the professional services agreement with Wirken Law Group relating to Open Meetings Act litigation.

(Finance and Audit Committee)

[16058](#) Authorizing the County Executive to execute an Agreement with the National Center for Fathering to provide training sessions for clients of the Prosecuting Attorney's Office's Family Support Division's Fathering Court project at a total cost to the County not to exceed \$25,000.00.

(Health and Justice Committee)

[16059](#) Awarding a twelve-month term and supply contract, with two twelve-month options for extensions, for the furnishing of snow and ice control materials for use by the Public Works Department to Cargill, Inc., Deicing Technology of North Olmstead, OH, under the terms and conditions of the Mid-America Regional Council's Contract No. 19, an existing government contract.

(Public Works Committee)

[16060](#) Awarding a twenty-four month term and supply contract, with two twelve-month options for extensions, for the furnishing of lumber and building supplies for use by various county departments to Albert Tamm Lumber of Kansas City, MO, under the terms and conditions of Invitation to Bid No. 27-06.

(Finance and Audit Committee)

[16061](#) RESOLUTION authorizing a twenty-four month extension to the term and supply contract with ABL Management, of Baton Rouge, LA, for the furnishing of inmate food service for use by the Department of Corrections.

(Health and Justice Committee)

12 COUNTY EXECUTIVE ORDERS

[06-24](#) I hereby appoint James T. Madry, Jr. to the Housing Resources Commission to replace the expired term of Flora Buford for a term to expire October 31, 2009. A copy of Mr. Madry's resume is attached.

13 UNFINISHED BUSINESS

None.

14 NEW BUSINESS

Rhonda Shoemaker, County Legislator, recommended that the legislative auditor audit the 1997 and 2005 bond funds as well as the 2006 personal services contracts. She also asked Bob Spence to help with the scope on the bond fund audit since he worked with a CPA firm. She said it was suggested to out source this work but she believes it can be done in-house.

Henry C. Rizzo asked what Rhonda wanted to accomplish with this audit.

Rhonda Shoemaker said she would like an internal audit to find out where the bond proceeds have been spent.

Dennis Waits, County Legislator, said the financial advisor, Jack Holland, should be involved since he could show where bond money was spent.

Bob Spence, County Legislator, said he thinks the legislative auditor should be involved. He said it is a simple process. Read the bond indenture, audit the expenditures/bond money and see if it went for purposes that the bond indenture allowed. He thinks it should include the 2006 bond money.

Rhonda Shoemaker said she would like to know how the bond money was spent from 1997 - 2006.

Fred Arbanas, County Legislator, said he agrees that the legislative auditor should be involved. He suggested Rhonda Shoemaker introduce a Resolution to get this done.

Jay Haden, Deputy County Counselor, said the Finance and Audit Committee directs the actions of the auditor. Therefore, Rhonda would present her written request to the Finance and Audit Committee and the committee will then vote on it.

Katheryn Shields thinks that the financial advisor, Jack Holland or bond counsel, Gilmore and Bell or Herb Hardwick should also be involved.

Fred Arbanas said Rhonda's request should also ask for the amount of money remaining in each account.

Henry C. Rizzo said any legislator who wants to include something in the scope should give it to Rhonda to include in her request.

Rhonda Shoemaker said she has four questions regarding personal service contracts: (1) When are contracts entered into? (2) What is the substance/purpose of the contracts? (3) What accounts were they paid from? (4) When was the County Legislature notified?

Katheryn said they would get the answers.

15 **ADJOURNMENT**

Dennis Waits moved to adjourn the meeting. Seconded by Rhonda L. Shoemaker.

The motion passed by a voice vote.

(APPROVED)

The next legislative meeting is scheduled to be held on Monday, November 6, 2006 at 2:30 P.M. in the Legislative Assembly Area, Kansas City, Missouri.