



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

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, June 13, 2005

2:30 PM

Twenty-Fourth Regular Meeting

Independence Courthouse Annex, 308 West Kansas, Ground Floor, Legislative Chambers

Dan Tarwater, Chairman, called the meeting of the Jackson County Legislature to order.

1 ROLL CALL

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

2 THE PLEDGE OF ALLEGIANCE

Recited.

3 APPROVAL OF THE JOURNAL OF THE PREVIOUS MEETING

Fred Arbanas moved to approve the journal of the previous meeting held on 6/6/2005.
Seconded by Dennis Waits.

The motion passed by a voice vote.

(APPROVED)

4 HEARINGS

Resolution #15525 was adopted at this time. See page 8 for details.

Katheryn Shields, County Executive, spoke about Resolutions #15511 and #15512, Memorandums of Understanding within the Prosecutor's office; one is with the Fire Fighter's Union for the prosecuting attorneys and one is with the Carpenter's Union for the support staff of the prosecutor's office. She gave the Administration's take on the memorandums. She said the Prosecutor's office is part of our public safety network that is funded by Jackson County and the citizens of Jackson County. The public safety network includes juvenile court, half of circuit court, the prosecutor's office, the jail, medical examiner, sheriff's department, etc. and in the 2005 budget, more than 50% of Jackson County's resources went to fund public safety. She said preserving dollars and providing dollars for public safety is at the forefront in Jackson County.

Gail Meriweather with Gallagher Benefit Services, presented the findings of the 2005 Compensation Review. She provided a handout to all members of the County Legislature.

Henry C. Rizzo, County Legislator, asked the relevance of this discussion in relationship to the MOU's.

Katheryn Shields explained that this is relevant because we are talking about salaries, an increase in salaries, and the guaranteed amounts that will be increased each year. She wanted to present the information to the Legislature about where our salaries are currently.

Gail Meriweather said the process for looking at compensation for 2005 is the same that was used in 1999. Three criteria that they review when conducting a salary study are: external competitiveness, internal equity and salary administration. She said in 1999, 42% of employees in Jackson County were paid below the minimum of the market based salary ranges. Jackson County committed more than \$700,000.00 to adjust salaries to bring employees up to the minimum of their range. In 1999, they also developed a performance management system to deal with compression, for example, employees who had been with the County for a number of years who were paid the same or close to new employees. The ranges were again adjusted in 2001 by about 2%, but the review was not as comprehensive. In 2003, a comprehensive review was performed and only 12.5% of employees were below the minimum of the ranges. The compa ratio in 2003 was 91%, opposed to 1999 when it was 78%. The study she completed in May 2005 shows that 2.1% of employees are compensated below the minimum of the proposed market-based salary ranges and the compa ratio is at 99%. They believe two factors are involved in attaining such a high compa ratio. Jackson County has been very diligent in looking at jobs and individuals and understanding where they were paid in relation to the market and adjusting them accordingly. In addition, there was a significant shift in pay within the market this year. Some jobs have stagnated and decreased which means the structures proposed are different than before.

Katheryn Shields commented that she believes that the report shows that we are in a stagnant economy. Unless she hears otherwise from the County Legislature, she intends to accept the report but not implement the changes and downward movement of pay scales.

Gail Meriweather understands that approximately 6 months ago there was an uproar because the Legislature had given themselves an increase in salary. She said the figure was short because the actual number should have been higher than what they designated. She said the adjustment for the Legislature was more than appropriate.

Katheryn said she was proud of this report because we are paying market which is unusual for a government entity. She commended the Administration and Legislature for doing these studies and responding to their findings. She asked Gail since we are at 99% market, if it made sense at this time, from a fiscal point of view, to enter into a multi-year contract that would guarantee wage increases.

Gail responded no, not from a professional standpoint. She thinks it would be wise to see if the market readjusts itself next year. She said she would not commit to anything out past 3 years.

Katheryn asked what it does to the internal equity when you single out a group of individuals and give them increases dramatically above other employees.

Gail explained if the singling out is a job group, i.e. all light equipment operators and it is

market based there are no issues. However, if you decide to adjust light equipment operators in one department but not another, you must be aware of the Equal Pay Act, so that the decision does not seem discriminatory.

Katheryn Shields said the Legislature has been presented two Memorandums of Understanding. However, what they do with the MOU's is their decision; whether to accept it, make changes, or to reject it. She is trying to show them where Jackson County is with the pay schedule so they can make an informed decision.

In response to a question raised by Henry C. Rizzo, Katheryn explained the negotiation process. She said normally when bargaining begins, the Prosecutor, Administration, a representative from the Law Department, a representative from the Finance Department and a representative from Human Resources, sit down and bargain together. An agreement is usually reached before it is brought to the Legislature. She said since this process was not followed this time, you have a situation where something was negotiated by one branch of government when it has been funded and placed in the budget by another branch of government.

Dennis Waits, County Legislator, said they had discussions so that a fiscal note could be assigned to the resolutions. The only agreement reached was to remove the compensation package because an exact cost could not be determined.

Katheryn Shields said by removing the deferred compensation portion, it allowed the fiscal note to be small enough that money existed within the Prosecutor's budget to pay for this year's portion of the agreement.

Dennis Waits asked Gail if she compared attorney positions because we have attorneys in the County Counselor's office and in the Prosecuting Attorney's office.

Gail said she did a comparison and will get the spread sheets to the legislators which includes ranges.

Dan Tarwater, Chairman, asked Katheryn Shields what she did not agree with in the MOU's.

Katheryn said she wanted to talk about the budget and then answer the question of the Chairman.

Dan Tarwater said the Administration will give their point of view this week, the Prosecutor's office and union members will make a presentation next week and the Legislature will vote on the MOU's the third week.

Katheryn explained that in 2003 Jackson County had a 3.4% increase in the general fund and a 1.8% increase for all funds. The general fund was higher because in 2002 and 2003 interest rates were low and refinancing was frequent which generated a big increase from our Records Department. In 2004 the increase in the general fund was 1.2% and the all funds increase was 1.9%. The estimated revenue growth rate for 2006 is 2% in all funds. There will be projected additional revenue of \$3.2 million. If Jackson County gives a salary pool of 3%, that will cost \$1.5 million. It has been estimated that our health insurance will have an increase between 11% and 14%, since we will send it out for bid this year. So increased health insurance will cost \$1.2 million. The amount remaining from the 2% increase will be \$580,000.00. Other costs that need to be considered are gasoline prices, operating expenses, additional staffing, and improved package requests.

Katheryn Shields said she has three concerns with the MOU's: (1) external equity - Jackson County should be paying in line with the market. (2) internal equity - pay ranges

for like jobs should be the same. (3) financial limitations of Jackson County. She said the question is how does Jackson County fund the MOU's except by cutting into other services. She feels that if employees are not paid equitably it affects morale, productivity and the desire to be a good employee.

Henry C. Rizzo said he supports labor. He feels the most valuable asset the County has is the employees. He does not want to leave out other employees.

Dennis Waits said we are in the process of figuring out how the requests of the Prosecutor's office fit with the County's budget. He hopes to get significant raises for the staff of the Prosecutor's office but he is not going to forget other employees in other departments. He said the real numbers need to be crunched. He asked when the County will have the numbers on the cost of insurance.

Katheryn Shields said the bids will go out the end of June and will be returned mid-August.

Henry C. Rizzo said he supports cutting outside agencies, if necessary.

Katheryn Shields said she is not opposed to cutting outside agencies.

Dennis Waits asked for a list of outside agencies and the amount of funding provided by Jackson County.

Katheryn Shields said she will put together a list of funding sources for raises for County employees.

Henry C. Rizzo asked if Katheryn Shields would be willing to sit down with the two unions and the Prosecutor's office to work out something that the Legislature can vote on.

Katheryn said yes.

Dennis Waits asked Gail if employees could receive more vacation time in addition to wage increase or if sick leave can be paid if not used.

Gail said some clients buy back sick time. She said the County does pay well and has done a very good job by absorbing health care increases.

Scott Burnett, County Legislator, asked if the Mid-America Regional Council (MARC) salary study was forthcoming which includes Cass, Platte, Clay, Johnson, Wyandotte, St. Louis City and County.

Katheryn Shields said they are waiting for information from St. Louis County.

Gail Meriweather said she has access to the data from the entities.

Scott Burnett asked about the MOU with Service Employees International Union which is Resolution #15526.

Katheryn Shields said the usual process was followed and all parties were involved in the negotiations with SEIU.

She suggested that positions be set aside or frozen to pay for expanded salaries in the MOU's. She thinks benefits of having union employees is they tend to have longevity, to be highly trained and motivated. Government can benefit from this in terms of greatly increased productivity. She thinks this is an acceptable way to fund raises that exceed what increased revenues allow.

Discussion on the MOU's continued. (Refer to audio or video tape)

5 COMMUNICATIONS AND REPORTS OF THE COUNTY EXECUTIVE

Henry C. Rizzo asked that the Administration to go slowly with the process regarding the Sports Authority before placing this issue on the ballot. He would like to have public opinion as well as a united front.

Katheryn Shields said she agrees and shares his concern. She said she believes a citizens advisory committee should be appointed. They will go out into the six districts and take public testimony. She has names and asked the Legislature to give names for a group of about 10 people. The committee will then report to the Administration and Legislature with recommendations.

Henry C. Rizzo said in the Business Journal last week he read that Mike Smith, a member of the Jackson County Sports Authority, is doing a major development in eastern Jackson County which includes a small franchise team. He hopes that we can find out more information. He is concerned about the implications with everything else that is going on in the County.

Dennis Waits said it sounds wonderful but we do not want a conflict.

Katheryn Shields said she appreciates Henry's concern.

Dennis Waits said Resolution #15527 will be introduced today to make sure that negotiations with the sport teams includes representation from the Legislature and Administration. The resolution appoints four members of the Legislature as part of the committee.

Legislature took a 5 minute recess.

Legislature reconvenes.

Latonia Marshall, Delinquent Tax Collector in the Collections Department in Kansas City and Kim Skinner, Clerk in the Collections Department in Independence, both single parents, voiced their concerns about the other employees of Jackson County that are not a part of the two MOU's that are being discussed. They asked if other employees will forfeit their merit increases if the MOU's are passed and if not where will the money come from to fund the MOU's for the Prosecutor's office.

6 PERFECTION OF PROPOSED ORDINANCES AND REPORTS OF COMMITTEE

The Land Use Committee will have a public hearing on Friday, June 17, 2005 at 1 P.M. at Fleming Hall regarding Ordinance #3636.

- [3636](#) AN ORDINANCE amending the zoning districts established by the Unified Development Code by rezoning a certain 3.4 ± acres from District A (Agricultural) to District RE (Residential Estate) District.
(Land Use Committee - 2nd. Perfection)

7 FINAL PASSAGE OF PROPOSED ORDINANCES

- [3638](#) Consent Agenda.

8 RESOLUTIONS IN COMMITTEE

Land Use Committee moved do not pass Resolution #15509.

Fred Arbanas objects to the consent agenda.

- [15509](#) Fred Arbanas moved the passage of Resolution #15509, to accept the offer of Gould Evans Goodman Associates LC to develop preliminary design concept for community park on county land in Independence, Missouri. Seconded by Bob Spence.
Yes: 0
No: 7 - Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Dan Tarwater and Bob Spence
Absent: 2 - Robert A. Stringfield and Rhonda L. Shoemaker

(DEFEATED)

*Dennis Waits moved to waive the reading of Resolutions #15511 and #15512. Seconded by Henry C. Rizzo.
The motion passed by a voice vote. (APPROVED)*

- [15511](#) A RESOLUTION authorizing the County Executive to execute a Memorandum of Understanding with Local Union No. 42 of the International Association of Fire Fighters regarding the terms and conditions of employment of members of its bargaining unit within the Office of the Prosecuting Attorney and transferring within the General Fund \$53,498.00, and within the Anti-Drug Sales Tax Fund \$7,700.00 and also transferring \$182,270.00 of Prosecuting Attorney salaries from the General Fund to the Anti-Drug Sales Tax Fund to be determined by the Prosecuting Attorney as counter to the negotiated agreement in the 2005 budget.
(Legislature As A Whole - 1st. Meeting)

- [15512](#) A RESOLUTION authorizing the County Executive to execute a 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 and transferring within the General Fund \$35,070.00 and within the Anti-Drug Sales Tax Fund \$57,809.00 and within the Prosecuting Attorney's Bad Check Fund \$12,250.00 as counter to the negotiated agreement in the 2005 budget.
(Legislature As A Whole - 1st. Meeting)

9 CONSENT AGENDA[3638](#)

AN ORDINANCE reappropriating funds from the unappropriated surplus of the 2005 Health Fund for the first (1st) phase of the mental health needs assessment which was not executed during the last fiscal year.

(ADOPTED)

To adopt Ordinance 3638.

Dennis Waits moved the passage of the consent agenda. Seconded by Henry C. Rizzo. The motion passed by a roll call vote:

Yes: 7 - Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Dan Tarwater and Bob Spence

Absent: 2 - Robert A. Stringfield and Rhonda L. Shoemaker

10 INTRODUCTION OF PROPOSED ORDINANCES AND ASSIGNMENT TO COMMITTEE[3639](#)

Appropriating \$1,821.00 from the unappropriated surplus of the 2005 Health Fund and authorizing the Director of the Department of Finance to issue a check in the amount \$1,820.18 to the Mid-America Regional Council as a pass-through of funds received from the Missouri Emergency Response Commission.

(Health and Justice Committee)

11 INTRODUCTION OF PROPOSED RESOLUTIONS AND ASSIGNMENT TO COMMITTEE[15514](#)

Authorizing the County Executive to execute Change Order No. 1 to the contract awarded to GameTime c/o Cunningham Associates, Inc., of Charlotte, North Carolina, for the design and installation of playground areas at various shelter locations in Lake Jacomo at a cost to the County not to exceed \$4,431.10 for a new total cost not to exceed \$191,461.00.

(Land Use Committee)

[15515](#)

Authorizing the purchase of Data Circuit Upgrades for use by various County departments from SBC-ASI Division (Southwestern Bell) of San Antonio, TX, at a total cost to the County not to exceed \$31,224.00 annually, as a sole source purchase.

(Finance and Audit Committee)

[15516](#)

Dennis Waits moved the passage of Resolution #15516, authorizing the County Executive to execute an Agreement with Guadalupe Center, Inc., for its El Otro Camino adolescent outpatient substance abuse treatment program, in an amount not to exceed \$20,000.00, as a match to a local grant. Seconded by Eugene Standifer Jr..

Yes: 6 - Henry C. Rizzo, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Dan Tarwater and Bob Spence

Absent: 3 - Robert A. Stringfield, Fred Arbanas and Rhonda L. Shoemaker

(ADOPTED)

- [15517](#) Awarding a (36) month term and supply contract for the furnishing of vending machine services for use by various County departments to the Swanson Corporation of Kansas City, MO, under the terms and conditions of Invitation to Bid No. 19-05.
(Finance and Audit Committee)
- [15518](#) Authorizing the purchase of mobile radios for use by the Sheriff's Department to Motorola Communications of Glen Rock, NJ, under the terms and conditions of an existing government contract in an amount not to exceed \$98,717.33.
(Health and Justice Committee)
- [15519](#) Awarding twelve (12) month term and supply contracts for the furnishing of mattresses, bedding, and linens for use by the Department of Corrections from Bob Barker Co. of Fuquay Varina, NC; ATD-American Co. of Wyncote, PA; and Tabb Textile Co. of Opelika, AL, under the terms and conditions set forth in Electronic Solicitation No. BB200511.
(Health and Justice Committee)
- [15520](#) Bob Spence moved the passage of Resolution #15520, declaring certain property within the Public Works and Records Department as surplus personal property and authorizing its disposal. Seconded by Dennis Waits.
Yes: 6 - Henry C. Rizzo, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Dan Tarwater and Bob Spence
Absent: 3 - Robert A. Stringfield, Fred Arbanas and Rhonda L. Shoemaker
(ADOPTED)
- [15521](#) Dennis Waits moved the passage of Resolution #15521, authorizing the County Executive to execute an agreement with Della Lamb Community Services Center, in the amount of \$35,000.00, as a local match to a state grant. Seconded by Eugene Standifer Jr..
Yes: 6 - Henry C. Rizzo, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Dan Tarwater and Bob Spence
Absent: 3 - Robert A. Stringfield, Fred Arbanas and Rhonda L. Shoemaker
(ADOPTED)
- [15522](#) 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.
(Land Use Committee)
- [15523](#) 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 \$34,00.00.
(Health and Justice Committee)

[15524](#) 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 \$50,000.00.

(Land Use Committee)

[15525](#) Bob Spence moved the passage of Resolution #15525, congratulating Danielle Smotherman on her excellence in academics. Seconded by Dennis Waits.

Yes: 7 - Henry C. Rizzo, Fred Arbanas, Scott Burnett, Eugene Standifer Jr., Dennis Waits, Dan Tarwater and Bob Spence

Absent: 2 - Robert A. Stringfield and Rhonda L. Shoemaker

(ADOPTED)

[15526](#) Authorizing the County Executive to execute a Memorandum of Understanding with Service Employees International Union, Local 2000, regarding the terms and conditions of employment of members of its bargaining unit.

(Health and Justice Committee)

[15527](#) Appointing members of the Jackson County Legislature as an ad hoc committee to participate on behalf of the Legislature with the administration in the negotiations of the leases of the Truman Sports Complex.

(Legislature As A Whole)

12 COUNTY EXECUTIVE ORDERS

None.

13 UNFINISHED BUSINESS

Henry C. Rizzo announced that during the Finance and Audit committee meeting next week, they will interview applicants to be appointed by the Board of Equalization Selection Committee to serve as advisors to the BOE for the 2005 hearings.

Scott Burnett said he will have an update in two weeks on the COMBAT evaluation.

Dennis Waits said that Jack Holland with Oppenheimer & Company, is at the meeting to answer questions anyone might have regarding stadium issues.

14 NEW BUSINESS

Dan Tarwater thanked W. T. Dawson for coming to the legislative meeting and for all his hard work in Jefferson City. He presented an end of

15 **ADJOURNMENT**

Dennis Waits moved to adjourn the meeting. Seconded by Eugene Standifer Jr..

The motion passed by a voice vote.

(APPROVED)

Meeting adjourned until Monday, June 20, 2005 at 2:30 p.m. in the Legislative Assembly Area, Kansas City, Missouri.